

WARD: Ashton On Mersey **93045/FUL/17**

DEPARTURE: No

**Demolition of existing storage racking and replacing with new storage racking.
Installation of new storage racking within the yard area**

Howarth Timber, Glebelands Road, Sale, M33 6LB

APPLICANT: Howarth Timber Ltd

AGENT: Pilgrim Associates Ltd

RECOMMENDATION: GRANT

**THIS APPLICATION HAS BEEN CALLED IN TO BE DETERMINED AT COMMITTEE
BY COUNCILLOR LAMB**

SITE

The application site is a timber yard consisting of an industrial storage unit and an external yard area which also serves as a car park for customers and as a space to load and unload delivery vehicles. The site is located at the end of a residential cul-de-sac, Florence Street and residential properties on Elm Grove back into the site.

PROPOSAL

Permission is sought for the installation of new storage racking within the yard. The racking will be sited adjoining the warehouse (to replace existing racking) and adjacent to the gable of 12 Florence Street.

VALUE ADDED:- Amended plans have been received which have lowered the height of the racking adjacent to the office building to 300mm lower than the adjoining existing building to improve the visual impact of the racking.

DEVELOPMENT PLAN

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

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

Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L7 - Design

PROPOSALS MAP NOTATION

Main Industrial Area

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

78959/FULL/2012 – Erection of additional and replacement racking (6 metre high) along western boundary of rear storage yard.

Approved with conditions 4th March 2013

Conditions 3 and 4 of this approval read:-

3. The 2.4m concrete fence panels to the north eastern boundary as shown on drawing 388-19 shall be erected prior to the installation of the new racking hereby approved.

4. The external storage within the yard shall not exceed the heights shown on drawing 388-19 received 05.12.12

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

H/64081 – Security improvements to existing north east and south east boundary fence, involving addition of three lines of barbed wire.
Refused 28th April 2006 on the grounds of impact on visual and residential amenity.

H/56522 – Partial demolition and re-cladding of existing building.
Approved with conditions 17th June 2003

H/43966 – Retention and lowering to 2.1m high of four storage racks adjacent to north eastern boundary; erection of two 4.5m high storage racks adjacent to western boundary; retention of 4m high covered storage bay in the rear yard area.
Approved 15th September 1997
Conditions 3 and 4 of this approval read:-

3. Within 2 months of the date of this permission racks A, B, C and D as shown on the plans received on 22nd July 1997 shall be reduced in height to a maximum of 2.1 metres above ground level as stated in the agents letter of 19th August 1997.

4. No timber shall be stored in racks A, B, C and D at a height of greater than 3.0 metres above ground level.

Reason: In the interests of the amenities of nearby residents and the street scene.

H/14199 – Change of use of former laundry to wholesale timber merchants and distributors.
Approved 17th February 1981
Condition 6 of this approval reads:-

6. No open storage of timber or other materials shall take place in the yard area.

Reason: In the interests of visual amenity

H/14009 – Change of use of former laundry to wholesale timber merchants and distributors
Approved with conditions 23rd March 1981

APPLICANT'S SUBMISSION

A Design and Access Statement and an Acoustic Report have been submitted with the application.

The Design and Access Statement advises that:

- The additional space within the yard created by the racking will reduce double handling within the yard thereby reducing noise through vehicle movements;

- Allow easier access and on-site parking for the public some of whom at present park on the adjacent streets which causes congestion;
- Make operations safer in the yard due to less vehicular congestion;

The Acoustic Report goes into more detail regarding vehicular movements etc. The following conclusions are set out in the report:

- The provision of additional racking at the perimeter of the existing site will reduce the number of movements made by the fork lift truck (FLT) and the noise level generated on site will be reduced;
- The racking will make the actual 'journey' of the FLT easier and therefore reduce the number of times it has to manoeuvre around 'white vans' on site – with the possible advantage of a reduction in the sounding of the reversing alarm on the FLT;
- The actual movement of the 'white vans' should be improved as there will be more space available for them to park whilst they are being loaded;
- There should be no need for the FLT to have to 'sort out' the yard once the site is actually closed to customers as this should be able to be undertaken during the normal opening hours of the site and therefore noise generated after the site is closed will be eliminated;
- The possibility of fitting 'white noise' reversing alarms to all the vehicles under the control of Howarth Timber and Building Supplies Ltd should be investigated.

CONSULTATIONS

Local Highway Authority:- No objection

Pollution and Licencing (Nuisance):- No objection following the submission of the Acoustic Report.

REPRESENTATIONS

Letters of objection have been received from residents at 2 neighbouring properties and Councillor Lamb. The main points raised are summarised below:

- The application does not state the height of the new racking;
- Since the approval of application 78959/FULL/2012 residents have been subjected to noise from 06:30 onwards by a fork lift truck which is operating a high lift due to the height of the racking. This in turn emits a high revving engine noise;
- The area in which Howarth Timber is situated attracts a echo effect due to the make-up of surrounding properties;
- Concern regarding additional lighting – the existing lighting arrangement causes light pollution. The rear of the properties on Elm Grove are subject to 'light creep' when the flood lights are left illuminated outside office hours;
- Significant impact on the availability of light to neighbouring properties;
- A Right to Light Assessment should be carried out;

- Negative impact on outlook from neighbouring properties. At present the timber yard can be viewed from upstairs windows but not downstairs windows. The proposal will block existing views of the sky;
- The proposed racking is even closer to neighbouring properties on Elm Grove than existing and it is therefore likely that further increase in noise will have a great impact on neighbours;
- Howarth Timber delivery vehicles create a nuisance along Glebelands Road. Increasing the storage in the yard would exacerbate this issue as there will be increased demand for deliveries;
- There is a discrepancy on the application drawing. The height of the existing perimeter fencing adjacent to the racking has been drawn at approximately 3m in height. This is actually only marginally higher than the garden wall of 29 Elm Grove which is approximately 2m in height.
- The racking constructed on site from the previous application appears to exceed the maximum heights on the approved drawing;
- The proposed new racking on the amended plans exceeds the maximum consented storage heights along this boundary on the approved drawing;
- If the previous consented heights along this boundary are to be reconsidered based on the consented heights of the existing racking, then they have been incorrectly aligned on the proposed drawing;
- The proposed racking height is a considerable deviation from the consented heights;
- Racking of this height, directly adjacent to a pedestrian passageway and surrounded by residential properties, would have a significant negative impact and should most certainly be given further consideration before it is minded to approve in the Committee report;

OBSERVATIONS

BACKGROUND

1. The yard was granted planning permission for the change of use to timber yard in 1981 (H14199). Condition 6 required that no open storage of timber or other materials should take place within the yard area.
2. The planning history shows that there was a breach of this condition in 1997 as external storage was taking place within the yard and racks had been erected.
3. An enforcement notice was issued and a planning application received for the racks (H/43966). Condition 3 of this permission required that the racks within the main yard closest to the boundary with Elm Grove properties were reduced to 2.1m in height above ground level and condition 4 required that no timber is then stored at a height greater than 2.1m in these racks and no timber stored at rack E in the north eastern corner above 3m.

4. Application 78959/FULL/2012 proposed to replace and extend the racking along the western boundary adjacent to 5 Glebelands Court which would in turn allow some of the racking in the main yard to the rear of Elm Grove properties to be removed (A, B, C, D approved under application H/43966). The height of the racking approved immediately in front of the industrial unit no.5 Glebelands Court measures between 3m and 6m in height. As part of the application, revised plans were received which included the erection of a new concrete fence along the north eastern boundary adjacent to the alleyway to the rear of properties on Elm Grove. Due to the change in levels between the sites, the fence measures 2.4m from ground level of the alleyway and 2.1m within the site. Condition 3 of this approval required the fence to be erected prior to the installation of the new racking.
5. The officer report for application 78959/FULL/2012 advised that it was considered that the new racking along the western boundary would generally improve storage arrangements within the yard. It was considered that whilst the increased 6m high racking may be more visible from the rear of some properties (nos. 39 – 45) it is further away, and the drawings proposed that the external storage in the areas to replace racks A to D would be limited to 2.1m high which would be screened by the concrete fence panels.
6. It is noted that the racking that has been erected along the western boundary does not comply with the approved drawings and would appear to be at a height of 6m for the whole length.
7. Under that application the storage height increased to 3.3m within the yard at a distance of approximately 5m from the north eastern boundary. It was considered that as this higher storage area was set away from the boundary with the residential properties that it would not result in any significant loss of amenity.

PRINCIPLE OF DEVELOPMENT

8. The current proposal seeks to provide additional racking to be used in association with the existing and established timber merchants. The proposal is therefore acceptable in principle subject to impact on design, residential amenity, highways and parking.
9. Any deviations from previous approvals are not a matter for consideration under this application. This report will focus on the impact of the current proposal submitted under this application.

DESIGN AND VISUAL 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, boundary treatment

Racking adjacent to 12 Florence Street

11. On the eastern side of the site, previously consented storage heights were limited to 2.1m closest to the boundary with Elm Grove, increasing to 3.3m further into the yard whereas 6m high racking has been accepted on the western side of the site adjacent to Glebelands Court.
12. The current proposal seeks permission for racking with a maximum height of 6m adjacent to the gable end of 12 Florence Street. The timber yard and gable of 12 Florence Street are separated by a ginnel. As such, the proposed racking would be viewed against the backdrop of the gable from within the application site but as a standalone structure from the rear of neighbouring residential properties on Elm Grove to the north of the site.
13. The proposed racking is considered to be appropriate in terms of design, material and height and in keeping with existing racking within the site. Whilst the proposed height of 6m was not previously accepted on this part of the site, there are other factors which justify the proposed development, as set out in the residential amenity section of this report below.

Racking adjacent to office

14. The proposed racking adjacent to the office would be viewed against the backdrop of the main building. The height of the racking has been reduced in the submitted amendments so that it is below the maximum height of the gable of the office building. The racking would be visible from within the site and also from neighbouring residential properties. Nevertheless, it is considered that it is an appropriate addition in keeping with the existing use of the site and there are wider benefits to the neighbouring residents as set out below.
15. The proposed racking is considered to be appropriate in terms of design, material and height and in keeping with existing racking within the site.

RESIDENTIAL AMENITY

16. Policy L7 states that *“In relation to matters of amenity protection, development must:*
 - *Be compatible with the surrounding area; and*
 - *Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing,*

overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.”

17. The timber yard is within close proximity to residential properties as well as adjacent to existing industrial units at Glebelands Court. The proposal has the potential to impact on the residential amenity of the adjacent properties by virtue of noise and visual amenity.

Noise

18. The acoustic report prepared by AB Acoustics dated August 2018 and submitted in support of this application concludes that the provision of additional racking at the perimeter of the existing site will reduce the number of movements made by the fork lift truck which will in turn reduce the overall noise level generated on site. The report describes how the actual ‘journey’ of the fork lift truck will be made easier, therefore reducing the number of manoeuvres around obstacles and use of the reversing alarm. In addition to this, there will be more space for manoeuvrability of other vehicles being loaded on site which will cut down the overall number of noise events. The report notes that the ‘after-hours’ housekeeping activities of the fork lift truck would no longer be necessary as this could be undertaken during normal opening hours meaning that the noise generated after the site is closed to the public would be eliminated.

Visual Amenity

19. The current view from neighbouring properties into the yard is of industrial style buildings, racking and materials stored both on the racking and on the floor within the yard. It is acknowledged that the racking will be visible from the rear of properties on Elm Grove. Notwithstanding this, it is considered that the proposed development is an appropriate feature within the existing timber yard and does not significantly impact upon the outlook from these dwellings.
20. The new racking adjacent to 12 Florence Street would be viewed side on from properties on Elm Grove. The width of the racking is approximately 1.5m and it would be sited approximately 13.4m from the rear of the closest dwelling, 27 Elm Grove and approximately 7.8m from the rear of the yard.
21. Taking into consideration the distance from neighbouring properties and the size of the proposed structure, it is considered that there would be no significant loss of light or overbearing impact to neighbouring residents. For reference, it is noted that the existing and historic relationship between the properties to the east of the application site (from 25 Elm Grove) and the neighbouring dwellings on Florence Street which are sited to the rear of these dwellings is closer than that with the proposed racking to the rear of 27 Elm Grove.

22. The proposed racking adjacent to the office would be visible however taking into consideration the distance between this racking and neighbouring dwellings (approximately 13.8m), there would be no detrimental impact.

23. The gable to the side of 12 Florence Street is blank with no windows facing into the application site.

Lighting

24. No additional lighting is proposed as part of this application.

Conclusion

25. The proposal is considered to have an acceptable impact on the amenity of neighbouring properties and complies with Policy L7 of the Core Strategy and relevant sections of NPPF.

PARKING AND HIGHWAYS

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

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

27. The proposal would have no impact on parking and highways. The submitted Design and Access Statement advises that the proposed layout provides for an improved management of the access and parking from a management perspective.

DEVELOPER CONTRIBUTIONS

28. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'industry and warehousing' development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

29. No other planning obligations are required.

CONCLUSION

30. The proposed new racking would create additional space within the yard which in turn will allow easier access, parking and reduce noise associated with handling and operations within the yard.

31. Therefore on balance, whilst it is acknowledged that the racking would be visible from neighbouring dwellings, the additional racking is supported as it is considered that it would organise the yard in a manner which will improve the relationship and level of disturbance to adjacent residential properties.

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.

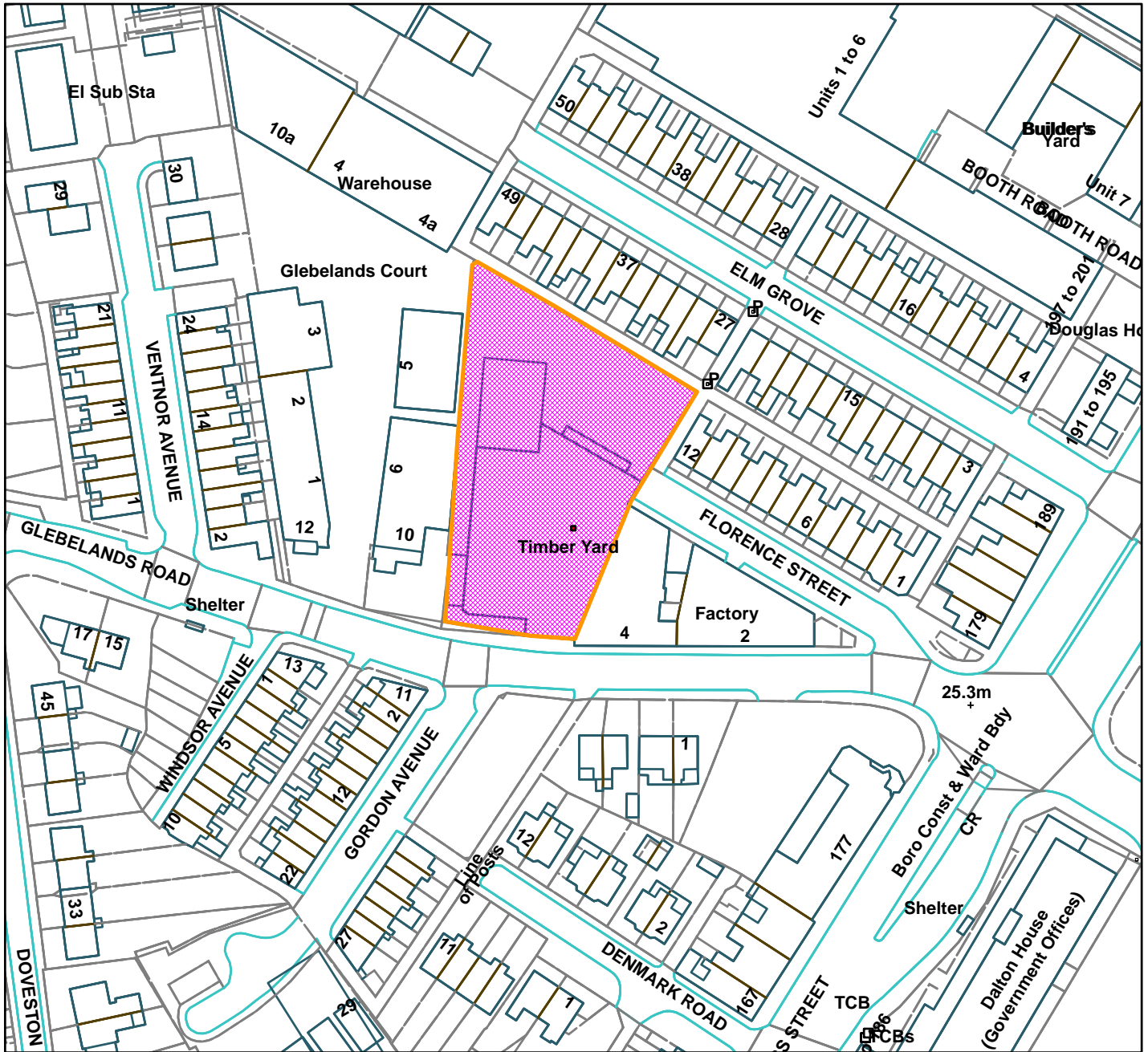
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 388-25 and 388-28

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

JE



Howarth Timber, Glebelands Road, Sale, M33 6LB(site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/12/2018
Date	03/12/2018
MSA Number	100023172 (2012)

WARD: Davyhulme West

94664/OUT/18

DEPARTURE: No

Outline application for 4 dwellings (consent is sought for access with all other matters reserved)

Land Adjacent To 95 Dunster Drive, Flixton, M41 6WR

APPLICANT: Persimmon Homes Ltd

AGENT:

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee as there have been six objections contrary to the Officer's recommendation.

SITE

The application site consists of approximately 0.06 hectares of land which has been tarmacked to serve as an overflow parking area for the surrounding residential estate.

Two storey dwellings lie to the north, east and south of the application site. The wider surrounding area is predominantly residential comprising two storey dwellings on Dunster Drive and Compton Close to the rear of the site. Land to the west of the site comprises farmland. Dunster Drive is a cul-de-sac but gives access to farmland.

PROPOSAL

Outline planning permission is sought for the erection of two pairs of semi-detached dwellings (consent is sought for access with all other matters reserved).

It is proposed that each of the 4 dwellings will have its own access taken from Dunster Drive with parking for 2 no. vehicles at each property.

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.

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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

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

SUPPLEMENTARY PLANNING GUIDANCE

PG1 New Residential Development – Adopted September 2004

(SPD3): Parking Standards and Design – Adopted February 2012

GREATER MANCHESTER SPATIAL FRAMEWORK

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NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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RELEVANT PLANNING HISTORY

Land south of Irlam Road

H/01162 – Residential development
Approved with conditions 6th March 1973

H/01142 – Erection of 20 houses (substitution of house types)
Approved with conditions 6th February 1975

APPLICANT'S SUBMISSION

The application is accompanied by the following documents:

- Design and Access Statement;
- Indicative Site Layout and House Type;
- Flood Risk Assessment;
- Accident Plan;
- Visibility Splays

Supporting information has been submitted on behalf of the applicant to address the visibility issue as raised by Highways and summarised below:

1. 5 of the 6 driveways (or 6 out of 8 total parking spaces) can achieve a visibility splay in excess of 2m x 43m to the east. The only driveway to achieve less than this is the most easterly plot, adjacent to no.95 Dunster Drive. This driveway (serving two spaces) can achieve a visibility splay of 2.0m x 25m. This should be acceptable given that there are two give-way lines, one to the north and one to the south, 67m and 17m away respectively. Traffic travelling north/south through the estate will therefore be relatively slow moving, with little opportunity to accelerate beyond 20mph.
2. Few of the existing driveways on the estate can demonstrate visibility splays of 43m and this has not created any highway safety issue. An extract from crashmap covering the last 10 years has been attached. There have been no accidents at all on the wider estate, which demonstrates that reduced visibility at other driveways has not caused a problem.

CONSULTATIONS

Local Highway Authority:- Visibility splays (pedestrian and vehicular) are required and should meet the required standards of 2m x 2m and 2.4m x 43m respectively.

Driveways should meet the standard of 3.1m set out in SPD3 for a driveway with pedestrian access.

Pedestrian access to the dwelling on the west side of the site should be amended to ensure unimpeded access is available.

Lead Local Flood Authority:- Raise no objection. The application is satisfactory subject to the drainage being designed in accordance with the Flood Risk Assessment and Drainage Strategy by Waterco Consultants, dated 26/06/2018, submitted as part of any conditions, with a max surface water discharge of 5 l/s.

United Utilities:- The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

A condition is advised to ensure that the drainage is carried out in accordance with principles set out in the submitted Flood Risk Assessment.

Pollution and Housing (Nuisance):- There are no operational 'nuisance' concerns regarding this development. A condition is recommended requiring a 'Construction Method Statement' detailing:

- Site dust management using appropriate controls and techniques
- Operating hours, which confirm that no demolition or construction works shall take place outside 0800 – 1800 hours on Mondays to Fridays, 0900 – 1300 hours on Saturdays, and at no time on Sundays or Bank Holidays
- Waste handling and disposal including a restriction on any materials being burnt on site.

Pollution and Licensing (Contamination):- No comments received at the time of writing this report.

Greater Manchester Ecology Unit:- No comments received at the time of writing this report.

REPRESENTATIONS

Letters of objection have been received from 9 neighbouring addresses. The main points raised are summarised below:

- Loss of privacy as a result of the height of the buildings;
- Overlooking of private gardens;
- Noise pollution;
- Out of keeping with the surrounding buildings;
- Loss of light to neighbouring properties and gardens;
- Impact on wildlife (including bats, foxes, shrews and great crested newts);
- Concerns regarding contamination of site;
- Loss of amenity – regularly used as overflow car park and access to the back of neighbouring properties;
- Site is regularly used as children's play area for bikes;
- Land was originally planned for children's play area;

- No regard for the neighbouring residents;
- No affordable housing provision;
- Increased traffic and parking problems;
- Flixton is becoming overcrowded. It would be better to build on other brownfield sites instead of areas adjacent to green belt land;
- There has been a long standing problem with the sewers connecting 95 to 107 Dunster Drive. There have been a number of sewer collapses on Dunster Drive in the vicinity of the junction opposite 97 Dunster Drive. Without major repair work to the sewer system in this area, there is little chance of the system coping with the load applied by the additional proposed 4 houses.
- There is an Elm Tree growing on the site and a tree at the end of 34 Compton Close;
- Access is needed to the farm gate for vehicles and machinery and to move animals to different fields during ice and snow;

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.

HOUSING LAND SUPPLY

2. Paragraph 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.
3. The Council does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the Council's ability to contribute towards the government's aim of boosting significantly the supply of housing. Significant weight should therefore be afforded in the determination of this planning application to the 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.

4. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five-year supply of deliverable housing sites, the scheme achieves many of the aspirations which the Plan policies seek to deliver.
5. 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.
6. In this case the site is considered to be a brownfield site and the proposed development would therefore make a positive contribution to the Councils brownfield land target for housing in accordance with Policy L1.7 of the Core Strategy.
7. The site is located approximately 1.5 miles to the west of Flixton Centre, 2.4 miles west of Urmston Town Centre and approximately 7 miles to the south of Manchester City Centre which is accessible by train and bus. It is therefore considered to be a sustainable location.
8. It is considered that the proposed development of the site for residential use is accepted in principle.
9. The proposal is for two pairs of semi-detached dwellings.
10. The proposed mix of dwelling types and size is considered to be in accordance with Policy L2.6.
11. In relation to affordable housing the site is located in a 'moderate' market location. Following the change to Planning Practice Guidance (PPG), which states affordable housing contribution should not be sought from developments of 10-units or less or on sites smaller than 0.5hectares, an affordable housing contribution will not be required for this proposal.

12. Whilst this is an outline application with access details to be approved only, the matters for consideration under this application include:

- The effect of the development in terms of highways and parking;
- The effect of the development on the character and appearance of the area;
- Residential amenity.

PARKING AND HIGHWAYS

13. Policy L7 of the Trafford Core Strategy requires development to incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety, the provision of sufficient and appropriate off-street car and cycle parking, the provision of necessary manoeuvring and operational space for service vehicles and the provision of, and access to, waste recycling facilities. Matters of accessibility are also a material consideration in the promotion of sustainable forms of transport.

14. The application has been reviewed by the Local Highway Authority (LHA).

Appropriateness of Access

15. The site is located fronting onto Dunster Drive which has a farm access at the end of the road which is currently in use.

16. Visibility splays are required from the site frontage, 2m x 2m pedestrian visibility splays and 2.4m x 43m vehicular, although to the west it is considered that visibility to the farm access would be acceptable.

17. In response to consultation comments provided by the LHA, SCP Transport Planning has provided additional information regarding the visibility splays in particular.

'Manual for the Streets' is referred to. Paragraph 7.7.7 states that "a minimum figure of 2m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance and to manoeuvre around it without undue difficulty, should be considered."

18. SCP advises that "In this instance, 5 of the 6 driveways (or 6 out of 8 total parking spaces) can achieve a visibility splay in excess of 2m x 43m to the east. The only driveway to achieve less than this is the most easterly plot, adjacent to no.95 Dunster Drive. This driveway (serving two spaces) can achieve a visibility splay of 2.0m x 25m. This should be acceptable given that there are two give-way lines, one to the north and one to the south, 67m and 17m away respectively. Traffic travelling north/south through the estate will therefore be relatively slow moving, with little opportunity to accelerate beyond 20mph.

19. Paragraph 7.8.3 of Manual for Streets also states *“Vehicle exits at the back edge of the footway mean that emerging drivers will have to take account of people on the footway. The absence of wide visibility splays at private driveways will encourage drivers to emerge more cautiously. Consideration should be given to whether this will be appropriate, taking into account the following: the frequency of vehicle movements; the amount of pedestrian activity; and the width of the footway.”*
20. Further to this, few of the existing driveways on the estate can demonstrate visibility splays of 43m and this has not created any highway safety issue. An extract from Crashmap has been submitted covering the last 10 years. This shows that there have been no accidents at all on the wider estate, which demonstrates that reduced visibility at other driveways has not caused a problem.
21. On the basis of the above and attached, SCP advises that there will be no unacceptable impact on highway safety or severe residual cumulative impact on the network as a result of approving 4 semi-detached properties.

Servicing Arrangements

22. No details have been provided for servicing or refuse/recycle storage but it is considered that residential bins would be collected from the highway on Dunster Drive.

Car Parking, including disabled provision

23. Speculative floorplans have been submitted which indicate 2-3 bedrooms per dwelling (shown as 2 bedrooms plus office), however, as the proposals are outline these could change.
24. SPD3 states that for 2-3 bedroom dwellings in this location two car parking spaces should be provided per dwelling and for 4+ bedrooms three car parking spaces should be provided per dwelling.
25. The submitted indicative site layout plan indicates two car parking spaces per dwelling with two side driveways and two driveways of two parking spaces side by side along the frontage.
26. Single driveways are required to be 3.1m wide or 5.5m for two car parking spaces side by side with pedestrian access incorporated.

Secure cycle parking

27. No details of cycle parking have been submitted but it is considered that there would be rear garden access which would afford access to the property for cycles.

Conclusion

Given the location of the proposed development and the evidence of the transport consultant, notwithstanding the objection/concerns from Highways, the scheme will not

have an unacceptable impact on highway safety (NPPF paragraph 110). Parking details will be dealt with at reserved matters stage.

DESIGN AND IMPACT ON THE STREETSCENE

28. In matters of design, Policy L7 of the Trafford Core Strategy states development must:

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

29. Appearance, scale, landscaping and layout are to be dealt with as reserved matters. Nevertheless, an indicative layout and indicative housing types have been submitted.

30. The proposed development comprises two pairs of semi-detached dwellings with accommodation over three storeys.

31. The siting of the access and road/path layouts has been informed by the indicative layout and is considered to be appropriate in terms of the character of the surrounding development. The siting of the parking and amenity space to the rear of the proposed dwellings is in keeping with the surrounding area.

32. The provision of private amenity space to the rear of all properties adds to the quality of the development and is in accordance with guidelines in PG1.

33. Overall it is considered that the layout of the development takes into consideration the adjacent and surrounding properties and the character of the area more generally.

34. The indicative elevations suggest a development of two storey dwellings with additional accommodation within the roofspace. The dwellings appear overly high in relation to the surrounding development and would appear out of keeping with the wider streetscene. It is therefore considered that the proposed dwellings should be restricted to a two storey height with no accommodation within the roof space.

35. Subject to appropriate scale, appearance and landscaping for the proposed dwellings, the indicative layout is considered to be acceptable and is unlikely to represent an overdevelopment of the site and fundamentally complies with Policy L7 of the Core Strategy.

RESIDENTIAL AMENITY

36. Policy L7 states that *“In relation to matters of amenity protection, development must:*

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

Impact on 93 Dunster Drive

37. 93 Dunster Drive is a two storey detached dwelling situated on the opposite corner with a side elevation facing the application site. The property has a single storey side extension with windows on the side which is obscured in the most part by the timber boundary fence.

38. There are no windows at first floor.

39. The proposed development would be sited approximately 17m from the side of the rear garden to this development and there would therefore be no undue overlooking of the private rear garden.

Impact on 95 Dunster Drive

40. 95 Dunster Drive has a blank gable elevation facing the application site. Boundary screening to the side of the house and the rear garden comprises a timber panel fence measuring approximately 1.8m in height. The fence is lower adjacent to the front garden.

41. There is a detached, prefabricated garage with a low pitched roof adjacent to the boundary.

42. The proposed indicative layout indicates that the development will not project beyond the rear of 95 Dunster Drive. If the development is carried out in this manner the proposal would not result in any overshadowing or loss of light to the detriment of the adjacent residents.

43. Subject to a satisfactory room layout/positioning of windows on a reserved matters application there would be no undue loss of privacy or overlooking.

Impact on 19, 34 and 36 Compton Close

44. Nos. 19, 34 and 36 Compton Close are chalet style bungalows located to the rear of the application site. They are semi-detached dwellings sited at the head of a cul-de-sac with their rear gardens adjoining the application site.

45. The length of the rear gardens within the proposed development is approximately 8m. PG1 would advise that the distance should normally be 10.5m to the rear boundary to avoid undue overlooking and loss of privacy to neighbouring gardens.

46. The existing boundary screening to the properties comprises a timber panel fence measuring approximately 1.8m high. As such there is no concern regarding any overlooking from ground floor windows. At first floor, the proposed indicative floor plan shows a bedroom window. Whilst the proposal is no worse than the existing situation between adjacent properties on Dunster Drive and houses to the rear, the development would result in additional windows overlooking the rear garden of 19 Compton Close and new windows overlooking the rear garden of 38 Compton Close. This would not be an acceptable situation and has been flagged up for the applicant with regard to the proposed reserved matters application. The agent has confirmed that they are happy for the first floor rear bedrooms to be served by side windows and roof lights only and are happy for a condition to be added to this effect. They agree to no clear full height windows on the rear elevation to address the potential impact on neighbouring dwellings at the rear and have offered a bespoke design at reserved matters stage to address these points.
47. The window to window distance between the dwellings would be approximately 21 metres, therefore falling short of the guideline in PG1 which states that 27m is usually required across private gardens.

Conclusion

48. The existing relationship between the neighbouring properties to the rear of the site and the proposed indicative floor plan is unacceptable with regard to Policy 7 of the Core Strategy in terms of undue overlooking and loss of privacy to private gardens as well as loss of privacy to facing habitable room windows. Notwithstanding this, the layout and design do not form part of this application and are to be submitted as a separate reserved matters application. It is expected therefore that any reserved matters application would be based on a bespoke scheme to address impact on residential amenity as well as design issues raised above.

DEVELOPER CONTRIBUTIONS

49. 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).
50. No other planning obligations are required.

CONCLUSION

51. The key benefits of the proposal are the delivery of an additional four family dwellings. The scheme has been assessed against the development plan and national guidance and it is considered that the proposed development (outline application seeking approval of access only) will result in an acceptable form of development subject to an appropriate reserved matters application addressing appearance, landscaping, layout, and scale.

52. All relevant planning issues have been considered and representations and consultation responses taken into consideration in concluding that the proposal comprises an appropriate form of development for the site. The application is therefore recommended for approval.

RECOMMENDATION: GRANT OUTLINE APPROVAL subject to the following conditions

1. Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) The expiration of three years from the date of this permission; or (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

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

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers DDF/SDA/01 and DDF/SDA/02.

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

4. The dwelling design submitted as part of a reserved matters application shall be no higher than true two storey dwellings, in line with the adjacent properties on Dunster Drive.

Reason: Three storey dwellings as shown on the indicative elevations submitted with this application would appear out of keeping with the character of the surrounding area having regard to Policy L7 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

5. 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.

6. 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:

- Site dust management using appropriate controls and techniques
- Operating hours, which confirm that no demolition or construction works shall take place outside 0800 - 1800 hours on Mondays to Fridays, 0900 - 1300 hours on Saturdays, and at no time on Sundays or Bank Holidays
- Waste handling and disposal including a restriction on any materials being burnt on site.

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

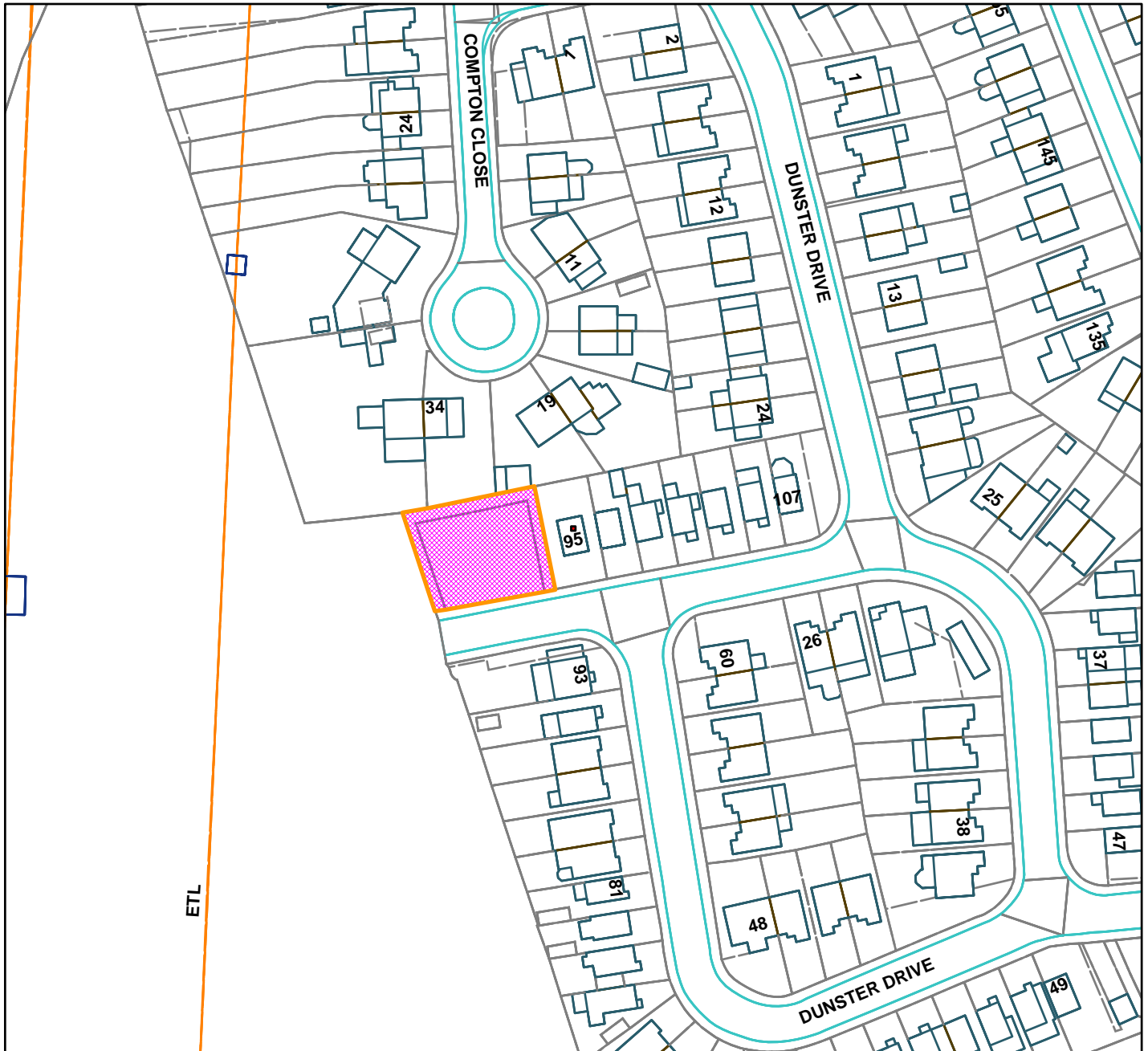
7. Notwithstanding the plans and elevations submitted with this outline application, no full height, clear glazed window openings shall be inserted in the first floor rear elevation of the dwelling design at reserved matters stage.

Reason: To ensure satisfactory level of privacy between properties, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

JE



Land Adjacent To 95 Dunster Drive, Flixton, M41 6WR (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/12/2018
Date	03/12/2018
MSA Number	100023172 (2012)

Erection of a two storey side extension following demolition of the existing detached garage.

32 Peel Road, Hale, WA15 9HN

APPLICANT: Mr Magdzinski

AGENT:

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee as there have been six objections contrary to the Officer's recommendation.

SITE

The application site is of regular configuration and relates to a two storey, semi-detached house with a hipped roof design, however, it is linked to a row of three other properties along the eastern side of Peel Road with its principal elevation facing due west. The property has a relatively short rear garden of approximately 5.5m, and backs onto 3no. terraced properties accessed from Oak Road to the east which are Nos.25, 23 and 21. These dwellings are two storey in height with both two storey and single storey outriggers with No.23 also having a rear dormer.

The property directly to the rear of the application site, No.23, has recently had a large window inserted within the rear elevation of the single storey outrigger, with a separation distance of approximately 4.3m between it and the common boundary with the application site which is made up of a low level wall approximately 1.4m in height, with timber trellising to a height of approximately 1.8m within the curtilage of that property.

There are no habitable room windows within the rear elevation of the single storey outrigger of No.25, with obscure glazed windows at first floor level within the two storey outrigger element of both Nos.23 and 25. A habitable room window is within the single storey outrigger of No.21, with another obscure glazed window within the first floor outrigger of that property.

The property has been extended via a conservatory to its rear that is adjacent to the common boundary with the connecting property, No.30 Peel Road and has a single, detached and prefabricated garage to its northern side boundary that is set back approximately 1.8m from the front main wall of the property and approximately 1m from the 1.8m boundary fence on the northern side of the application site. The existing garage has a ridge height of 2.7m and a length of 5.5m, projecting approximately 0.7m

further than the existing rear elevation of the property and providing a separation distance of 4.9m between it and the rear boundary. There are no extensions to the rear of No.30 Peel Road.

Within the cul-de-sac itself, there are a couple of designated off-street parking areas for “residents only”, with two storey buildings opposite the application site and towards the head of the cul-de-sac with a single apartment at both ground and first floor levels, owned and managed by Trafford Housing Trust.

PROPOSAL

The applicant proposes the retention of an existing rear conservatory and demolition of a prefabricated garage to the side of the dwelling. The erection of a two storey side extension with hipped roof is proposed that would be recessed back from the main front wall of the property by approximately 1.9m to align with the front elevation of the existing prefabricated garage. The extension would have a width of 3.6m and a depth of 4.8m and its rear elevation would align with the main rear elevation of the property.

A living room is proposed at ground floor level with a window within the front elevation and a set of French doors within the rear elevation. At first floor level, a third bedroom is proposed with a window directly above the lounge window below within the front elevation and a smaller, secondary window within the side elevation. No windows are proposed within the rear elevation at first floor level.

The eaves height of the proposed development would align with the existing property at 4.9m and the proposed roof ridge would be 6.4m. This would therefore be approximately 0.6m below the main property’s ridge height of 7m.

The extension would be built with bricks and tiles to match the existing and white UPVC windows and doors.

Value Added – The extension has been reduced in size, being set back from the main frontage of the property so that its front elevation would be on the same alignment as the existing front elevation of the prefabricated garage. The previously proposed en-suite bathroom has been omitted and the first floor en-suite bathroom window has been removed from the rear elevation.

The increase in floor space of the proposed development would be 15.5m².

DEVELOPMENT PLAN

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.

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

32 Peel Road

H/51163 - Erection of detached garage. Approved April 2001.

H30540 - Erection of two storey side extension with garage on ground floor and bedroom and bathroom above. Approved December 1989.

H18186 - Erection of side extension to form sitting room with bedroom over. Approved August 1983

26 Peel Road

90497/HHA/17- Erection of two storey side extension. Approved April 2017.

APPLICANT'S SUBMISSION

CIL Questionnaire

CONSULTATIONS

LHA - whilst the proposal only includes one below standard parking space the LHA believe it would be difficult to defend a highway refusal at appeal given the recent planning permission at 26 Peel Road, (90497/HHA/17). Therefore we would remove our objection to application 95276/HHA/18.

REPRESENTATIONS

The application was advertised by way of neighbour notification letters on 22nd August 2018 and comments were requested to be received by 1st September 2018.

6no. letters of representation were received, raising concerns that:

- Properties in this section of Oak Road and Peel Road are already located in close proximity, such that gardens and the rear of homes suffer from a lack of privacy on both sides.
- The proposed extension is approximately 10m from the living area of the property to the rear and therefore would be overbearing and add to a lack of privacy by increasing the number of rooms and windows overlooking the living space.
- The afternoon/evening sunlight comes from this direction and would thereby reduce the light to the rear of the house and garden.
- Would likely welcome a replacement garage being single storey in height
- Parking concerns at the head of the cul de sac when building takes place
- Open views to rear of property would be spoilt

OBSERVATIONS

Principle of Development

1. The proposal is for an extension to an existing residential property, within a predominantly residential area. Therefore, the proposed development is acceptable in principle if also considered alongside the requirements and limitations of Policy L7 of Trafford's Core Strategy.

Design and Visual Amenity

2. Paragraph 124 of the NPPF (2018) 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 to make development acceptable to communities.”* 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.”* Paragraph 130 further states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.*
3. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
4. With regard to the design of side extensions, SPD4 sets out the following relevant guidance:
 - 3.1.2. *Proposals for two storey side extensions or first floor additions will normally be acceptable with regard to the following:*
 - *Extensions should be in keeping with the prevailing pattern of residential development and should not erode the amount of space surrounding the dwelling.*
 - *A gap of a minimum of 1m should be retained between the side elevation of an extended property and its side boundary, to retain the impression of space to the side of the dwelling. This is particularly important within a row of closely spaced detached or semi-detached houses.*
 - *Extensions should not be taller than the existing property or extend above the main ridge line of the property.*
 - *The eaves level of the extension should correspond with the original house.*
5. The proposed extension would have habitable living accommodation at both ground and first floor levels with a pitched roof to match the main dwelling. The external appearance would be erected in a palette of materials similar to the existing property and the terraced properties to which it would relate, with the use

of brick, uPVC window openings and a tiled roof. This is considered acceptable having regard to the prevailing character of the area. A condition is however recommended as part of any subsequent consent requiring the submission of material details to be approved by the Council prior to works commencing on site to ensure their suitability.

6. The width of the proposed development is approximately 3.7m and although wider than half the width of the application property (5.5m), it is considered that it would not appear disproportionate to the property, and its recessed position within the streetscene and lower ridge height would allow it to be subordinate to the main dwelling. The proposed extension is thereby considered to have an acceptable impact within the established street scene of Peel Road.
7. Furthermore, the proposed development would provide a separation distance of approximately 1.1m between it and the side boundary and thereby in excess of the minimum distance of 1m as recommended within SPD4. The proposed development would not therefore unacceptably erode the sense of spaciousness within the immediate area or detract from the dwelling's character. Sufficient garden space would also be retained to the rear of the extension to ensure that the residential character of the area is not unacceptably eroded.
8. In terms of existing development within the immediate area, there is a two storey side extension (90497/HHA/17) at No.26 Peel Road at the other side of the row of terraced properties to which the application site relates, with both its front and rear elevations being aligned with the main property, with a width of 2.9m, retaining a separation distance of approximately 0.9m between it and the side boundary of that side. As such it is not considered that the proposed would be out of context within the established streetscene or surrounding locality.
9. 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

10. 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.
11. The SPG indicates that, "*the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens.*" Paragraph 11.4 of the SPG states that rear garden areas

should not be overlooked and the distances to rear garden boundaries from main windows should be at least 10.5 metres for 2 storey houses.

12. In respect to this site, a distance of approximately 5.5m would be provided between the rear elevation of the two storey side extension and the rear boundary, and approximately 10.5m between it and the rear elevation of 25 Oak Road at its closest point. Although these are below the recommended minimum distances within SPD4, there are a number of mitigating factors. These include the existing siting of the application property being 5.5m from the rear boundary with an obscure glazed bathroom window and clear glazed bedroom window adjacent to the common boundary with No.30 which has a similar design. As such, the proposed development, being aligned with the existing two storey rear elevation of the main dwelling without any fenestration details at first floor facing the rear boundary, is considered not to cause undue overlooking or loss of privacy to the occupiers of immediately adjacent properties at Nos. 23, 25 and 27 Oak Road. The proposed French doors at ground floor level would face a rear boundary wall approximately 1m in height and a fence to its immediate rear of approximately 1.6m and, given their single storey level, are considered not to cause undue overlooking or loss of privacy.
13. Although there would be some impact upon the outlook of the occupiers of properties along Oak Road, taking into account the siting of the existing terrace of properties, the proposed development having a lower ridge height than that of the main dwelling and having its rear elevation being aligned with the existing dwelling is not considered to lead to an undue overbearing impact or undue overshadowing in relation to the site's rear neighbouring occupiers.
14. The proposed development does include a secondary bedroom window within the northern side elevation of the property. The window would face the head of the cul-de-sac and would not directly face any other neighbouring dwellings or gardens. It is therefore considered that this would not result in any undue overlooking of neighbouring properties.
15. It is recommended that permitted development rights are removed for the insertion of first floor windows in the rear elevation in order to safeguard the privacy of the neighbours on Oak Road.
16. 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

17. The proposal would result in a change to the number of bedrooms from 2no. to 3no, which does not generate an increased parking requirement according to the Council's SPD3 standards. The current parking provision of the property is for

one off-street car parking space provided by a prefabricated garage and some hardstanding to its frontage that does not meet the Council's standards for the dimensions of a parking space, although it is evident that this has been used as a parking space for a small vehicle previously. The proposed development would have its front elevation aligned with the front elevation of the existing garage that it would replace and thereby be set back by between approximately 4.1m and 4.4m from the public footpath. The proposed development would therefore reduce the available off-street car parking by one space.

18. It is noted that the adjacent two bedroom properties at No. 28 and No. 30 Peel Road (which have the same parking requirement according to SPD3) do not have any off-street parking provision within their curtilages. It is also considered that the recent approval at No.26 Peel Road within 90497/HHA/17 (April 2017) is a material consideration. That application was for a two storey side extension with both its front and rear elevations being aligned with the respective elevations of the main dwelling, resulting in the loss of two parking spaces at the side of the property. That application was approved with the justification that the development would not result in a significant increase in on-street parking. In respect of the current proposal, the LHA has raised no objections, taking into account this previous decision. Having regard to these considerations, it is considered that the loss of one parking space with no increase in the parking requirement at the property according to the SPD3 standards, would not result in a significant impact in terms of on-street parking and that the proposed development is therefore acceptable in this respect.

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 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 03120718-HH received by the Council on 23rd October 2018.

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 works involving the use of any materials to be used externally on the building shall take place until samples and / or full specification of all such materials have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

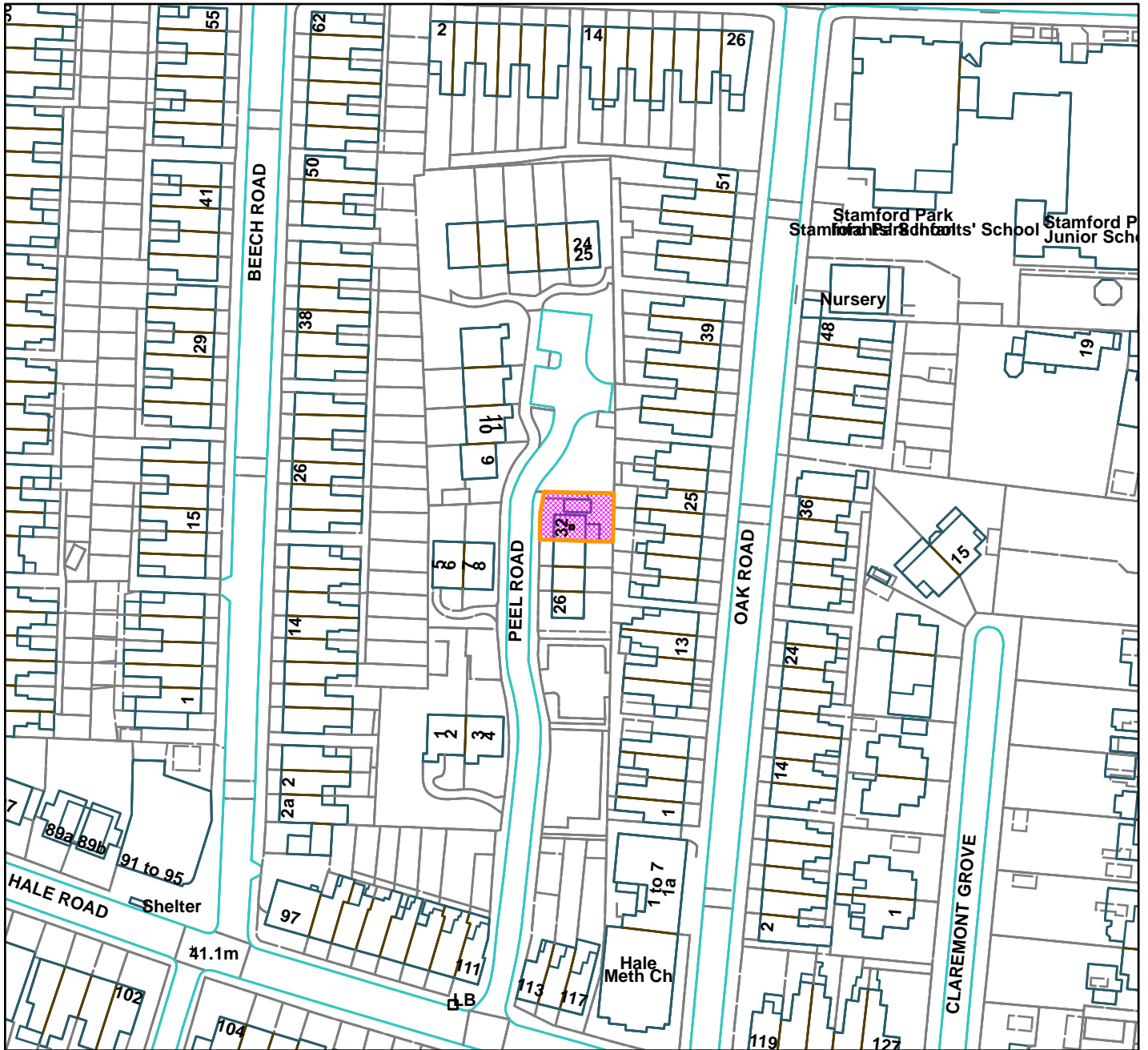
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) no first floor windows or openings shall be formed in the rear (eastern) elevation of the extension hereby permitted unless a further permission has been granted on application to the Local Planning Authority.

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

GD



32 Peel Road, Hale, WA15 9HN (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/12/2018
Date	03/12/2018
MSA Number	100023172 (2012)

WARD: Hale Central

95514/FUL/18

DEPARTURE: No

Erection of a four storey building incorporating a public car park; 10no. town houses and 12no. apartments; landscaping; residential car parking and formation of a new vehicular access from Brown Street with associated development thereto.

Car Park, Brown Street, Altrincham

APPLICANT: Novo Property Solutions and Southway Housing Trust

AGENT: Nexus Planning

RECOMMENDATION: GRANT

Councillor Mrs Young has requested that this application be determined at Planning and Development Management Committee. There has also been more than six letters of objection contrary to officers recommendation.

SITE

The application site measures approximately 0.2ha in size and is located to the east side of Brown Street Hale, the site narrows marginally as it extends from the northern boundary to the southern boundary. The site is owned by Trafford Council and is currently used as a public pay and display surface level car park with approximately 80 parking spaces. The site had formerly been a Council depot and prior to that it had operated as railway sidings. Vehicular access to the site is taken from Brown Street, the access point is located towards the north-east side of the site. Immediately to the north side of the site is Belgravia House a residential apartment building with three floors of accommodation above ground level and a basement car parking area. To the east side of the site is the Manchester – Chester railway line and to the immediate south side of the site is a part two and three storey office building. A public footpath is located to the south-east corner of the site which provides pedestrian access directly onto the west side platform of Hale Station. To the west side of the site are a mixture of traditional two storey terraced dwellinghouses and a number of small commercial premises including a car sales business and a wedding/events business.

The application site is unallocated on the Council's Revised Unitary Development Plan Proposals Map and is outside the Hale Town Centre designation.

The application site is located at the southernmost extremity of Brown Street and is located just outside the Hale Station Conservation Area, the boundary of which extends along the southern boundary of the application site. Hale Station which is located in a south-easterly direction from the application site (beyond the intervening office building), includes the east platform building and associated features, the west platform building

and associated features and the pedestrian footbridge across the railway line, all of which are Grade II listed buildings. A further Grade II listed building located to the west side of the main station building is the former Station Master's House which is now a veterinary surgery.

The site is located within an Environment Agency Flood Zone 1 area (lowest risk of flooding) and is identified in Trafford Council's Strategic Flood Risk Assessment (SFRA) as being within a Critical Drainage Area.

PROPOSAL

The proposed development includes the following:-

- A four storey building accommodating ten townhouses in a terrace formation fronting onto Brown Street. Each townhouse will incorporate three bedrooms, a single garage and a second floor landscaped outdoor terrace extending from the rear of the building towards the eastern boundary with the railway line.
- 12 apartments over four levels of accommodation (9 x one bedroom apartments and 3x two bedroom apartments). The apartment building is located along the southern boundary of the site. The 12 apartments will be provided as affordable units on a shared ownership basis.
- A two storey car park, located to the rear of both the town houses and the apartment block, providing 67 car parking spaces which include four electric vehicle charging points, four disabled parking spaces, whilst 10 of the 67 car parking spaces will be allocated to the ten townhouses, leaving 57 car parking spaces available for public use. Cycle parking for the apartments is included (12 spaces) and public cycle parking (18 spaces) along with a bin storage area for the apartments and space for motorcycle parking.
- A new vehicular access to the car park is proposed, located adjacent to the northern boundary of the site with Belgravia House. Pedestrian access to the public car park will be via a new entrance area adjacent to the apartment block lobby and also by a secondary footpath adjacent to the vehicular entrance. Access to the Hale Station west platform will be via a new pedestrian pathway located along the southern boundary of the site accessed directly from Brown Street.

The application has been submitted by Novo Property Solutions and Southway Housing Trust. The Council is the landowner and would continue to operate the public car park on completion of the development. The 12 shared ownership apartments would be managed by Southway Housing Trust on completion.

During the consideration of the application amended plans and an updated planning statement, design & access statement and supplementary transport statement have been received, detailing the following:-

- Amendments to proposed building height, massing, design and materials.
- Car parking provision and general arrangement

- Parking survey information and traffic management proposals.

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
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
W1 – Economy
W2 – Town Centres and Retail

Relevant Strategic Objectives

SO1 – Meet Housing Needs
SO4 – Revitalise Town Centres
SO6 – Reduce The Need To Travel
SO8 – Protect the Historic Built Environment

PROPOSALS MAP NOTATION

Adjacent to but outside the boundary of Hale Station Conservation Area
Adjacent to but outside the boundary of Hale Town and District Centre

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV21 – Conservation Areas

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Revised SPD1 – Planning Obligations – July 2014

SPD3 – Parking Standards and Design – February 2012

SPD5.11 – Hale Station Conservation Area Appraisal – July 2016

SPD5.11a – Hale Station Conservation Area Management Plan - July 2016

PG1 – New Residential Development - 2004

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 in 2019. The application site is not within any GMSF proposed allocations.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the updated National Planning Policy Framework (NPPF) in 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 and it has been updated regularly since. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H/40710 – Relocation of civic amenity facility to new site within Brown Street depot, including provision of a new hardstanding for skips – Approved 15/06/1995

H/38498 – Change of use of land from refuse collection stores and civic amenity facility to car park (75 spaces) with new vehicular access to Brown Street, following demolition of existing structures – Approved 4/05/1994

H/37818 – Certificate of lawful development, use of land as a civic amenity facility – Deemed Consent 20/01/1994.

H/36150 – Change of use of land from refuse collection, stores and civic amenities tip to car park (75 spaces) following demolition of the existing buildings – Deemed Consent 09/02/1993.

APPLICANT'S SUBMISSION

The following reports have been submitted with the application and are referred to in the Observations section of this report where necessary: -

- Planning Statement (including Statement of Community Involvement and Green Infrastructure Statement).
- Affordable Housing & Meeting Housing Needs Statement
- Design & Access Statement
- Ecological Survey
- Flood Risk assessment and Outline Drainage Strategy
- Heritage Assessment
- Noise & Vibration Assessment
- Transport Statement
- Travel Plan
- Crime Impact Statement
- Geo Environmental Investigation
- Construction Logistics Plan

The applicants' supporting planning statement concludes that:-

The development will deliver a number of significant material benefits:-

- *Provision of new, high quality homes to contribute towards the acute need for housing in Trafford and the local area;*
- *A mix of smaller one, two and three bedroom properties to meet an identified need in Hale and meet the aspirations of Policy L2 of the Trafford Core Strategy;*
- *Delivery of a sustainable proportion of affordable homes (55%) in the form of 12no. apartments available for shared ownership;*
- *Upgrading and future proofing the public car parking facility to ensure this valuable asset is retained in the longer term for the benefit of the wider community;*
- *The efficient use of an under-utilised brownfield site in a highly sustainable location accessible to local facilities and excellent transport links;*
- *An innovative, high quality design that will respect and enhance the character of the surrounding area and enhance the setting of the adjacent Conservation Area;*
- *Contribution towards local infrastructure through CIL payments*

CONSULTATIONS

Local Highway Authority (LHA):- Raise no objections subject to conditions. Highway issues are discussed in the Observations section of the report.

Pollution & Housing (Contaminated Land):- No objections, further comments within the Observations section of this report recommend conditions in relation to submission of a remediation strategy and associated verification report

Pollution & Housing (Nuisance):- No objections, further comments are discussed in detail in the Observations section of the report. It is recommended that conditions are included relating to implementation of the recommendations within the noise impact assessment; submission of a verification report relating to the provision of noise mitigation measures in the form of a sealed façade to the railway line and adherence to noise rating levels with regards any plant/equipment; external lighting and a construction environmental management plan. It would be advantageous if the applicant can consider introducing electric charging points for vehicles.

Pollution & Housing (Air Quality):- No Objections, further comments are discussed in detail in the Observations section of the report the provision of low emission charging points is encouraged, measures for control of dust during any construction works will be included within the construction environmental management plan.

Lead Local Flood Authority (LLFA):- No objections subject to appropriate drainage conditions. Further comments are discussed in detail in the Observations section of the report.

Greater Manchester Police Design For Security:- No objections, subject to the proposed development being designed and constructed in accordance with the recommendations contained within the submitted Crime Impact Statement. A condition requiring the physical security specification listed in the Crime Impact Statement to be implemented.

Greater Manchester Ecology Unit (GMEU):- No objections on ecological grounds. It is recommended that conditions are attached relating to nesting birds and biodiversity enhancement and an informative to highlight to the applicant that the invasive plant species cotoneaster is present on site.

Greater Manchester Archaeological Advisory Service:- No objections, it is considered that the proposed development does not threaten the known or suspected archaeological heritage.

Greater Manchester Fire Authority:- No objections. The Fire Authority have provided general informative comments which include the requirement for vehicle access for a fire appliance to within 45m of all points within the dwellings. Information is also provided with regards widths of access roads; requirement for turning circles if an access road is more than 20m in length and provision of a suitable fire hydrant within 165m of the furthest dwelling. The installation of domestic sprinklers is strongly recommended.

Hale Civic Society:- Object to the proposed development which would be detrimental to local businesses, residents and the wider community.

Network Rail:- Object to the proposed development for the following reasons:-

- Proximity of proposed car park to Network Rails boundary, a minimum gap of 2m should be retained between any structure/building and Network Rail land. A holding objection is therefore requested until this issue is resolved.
- Proposals include provision of a temporary step free access at the station during construction works and removal of the two existing disabled parking spaces during construction works. A holding objection is requested until network Rail have established if any restrictive covenants regarding the step free access and/or disabled access for Rail Passengers.

The following additional observations are made by Network Rail:-

- It is not clear what provision is to be made to illuminate the new step free access once the apartment block is constructed.
- The development raises potential access issues if individuals enter Network Rails land by climbing over the car deck boundaries.
- There may be potential construction issues but to date we have no details of the construction methodology for this development

Note: at the time of report preparation no further comments had been received from Network Rail who are currently considering the amended plans and have been in discussions with the applicant to resolve the outstanding concerns. Any further comments received from Network Rail will be reported on the additional information report for planning committee

United Utilities:- Object to the proposal with regards the applicants proposal to discharge surface water to the combined sewer. It is considered that insufficient evidence has been submitted to justify the discharge of surface water to the combined sewer.

Electricity North West:- No comments received

Trafford Council Strategic Planning:- No objections, comments incorporated within the report

Trafford Council Waste Management:- No objections

Trafford Council Parking Services:- No objections, Parking services confirm that a car park survey carried out over a 2 week period in September 2018 to monitor use of the car park during chargeable times provided details that the car park showed on average 46% of spaces were used daily in the car park.

Trafford Council Housing Strategy & Growth:- This service welcomes the proposals for this residential development which will provide 12 shared ownership units out of 22

units in total. This equates to 54% affordable housing being provided, thus exceeding the 40% target in this area.

REPRESENTATIONS

Neighbours:- 242 letters of objection have been received regarding the proposed development, raising the following concerns:-

General Comments

- The Hale shopping corridor can only survive if there is ready access by car. The commercial side of the village makes it an attractive and vibrant place to be.
- The Brown Street proposal is an application that affects the whole of Hale village and should be widely advertised and consulted upon.
- There has been very little publicity about the public consultation. Arrangements have been poorly organised at short notice, as evidenced by the low attendance at public consultation meetings. The NPPF encourages applicants to engage with the local community, prior to applications being submitted.
- Lack of public consultation has prevented organisations to work collectively taking account of the bigger picture in the future of Hale (such as the WI, U3A, Friends of Hale Library, Hale Community Trust, Civic Society, schools, faith groups).
- The consultation process has been inadequate and in sharp contrast to that provided by Hale Community Trust's application to provide a new community facility including a new library and the redevelopment of the current library site.
- The proposal does not reflect the Council's tender documents, when and who at the Council agreed any changes?
- The proposal will have a severe effect on the aspiration that the community has for the development of the new library and community centre.
- Developer advised during consultation event that those residents worst affected by the proposal in terms of proximity to the site that there are no proposals to assist or compensate whilst works being undertaken.
- Staff will leave businesses as they cannot find parking spaces.
- Altrincham was once busy and vibrant, a combination of the Trafford Centre and sale of the land used for free parking led to it declining massively to what it is today a sad and bleak place filled with 'to let boards', it is hoped history will not repeat itself with Hale.
- Specific concern from Hale Community Trust *"We are at a loss to understand how this application has so quickly achieved Planners support in comparison to the difficulties we have experienced getting approval for our sympathetic, contemporary designs for the redevelopment of the library site and the creation of a new Community Centre, which have been widely shared with the public and attracted huge support. The two applications appear to have been treated quite inconsistently"*.
- It is particularly worrying that the Planning and Development Management Committee could be placed in the very difficult position of having to disagree with

the design and planning opinions of the Council's officers which underlie and, presumably, endorse this proposal.

- Hale is already suffering from a reduced footfall, with many businesses struggling from high rents and business rates in Hale.
- Concern that Trafford Council are selling assets for short term financial gain without considering the long term losses to the community. This is not a good investment of public land as it completely ignores the community's interests.
- A comprehensive Environmental Impact Assessment should have been carried out especially given the number of objections received regarding parking.
- It is understood that the tender document issued by the Council stated there was 78 car parking spaces and any development proposal was to maintain that number - was due process followed in agreeing to this reduction?
- We need more affordable housing, not more fancy flats.
- Business Rates are 10 times higher than residential rates, businesses it is considered have a right to parking facilities to sustain business in Hale.
- Residents will seek a reduction in rates due to excessive on-street parking and inconvenience caused.
- The new pedestrian access to the station platform will become an alleyway and a potential area for crime.
- There have been a number of sinkholes in the area in recent times, concern that proposed groundworks could exacerbate the problem.
- The Geosurvey has found arsenic on site.
- Local schools are over-subscribed, this appears not to have been considered given the extra pressure these houses will add.
- Generally in favour of the redevelopment of the land if sympathetic to the local community, current proposals do not offer this.
- House prices will reduce if residents' parking becomes a greater issue.
- Insufficient information on drainage has been submitted as part of the application.
- Inconsistencies on drawings in terms of plan scale and detail on adjacent buildings.
- Neighbour notification letters not received by some nearby residents.
- The Council will develop public car parks for profit. This is publicly owned land and for the Council to sell or lease it is a betrayal of the public whom you were elected to serve.
- The scheme has no perceived public benefit.

Design, Scale, Streetscene & Amenity

- The design of the car park and block of flats is out of keeping with the surrounding area and especially the heritage train station. Other houses in the area are mainly Edwardian and Victorian.
- What is proposed is both excessive in scale and design, it is brutalist, overpowering and massive. The four storey townhouses and four storey

apartment block are not only excessive in terms of scale, their grey box modern design is at odds with the historic Victorian facades of the surrounding area.

- The proposed development doesn't blend in with the townhouses or surrounding houses on Brown Street, the height of the building is inconsistent with the ridgeline in the rest of the streetscene which is predominantly two storeys.
- The proposed building is positioned up against the pavement unlike nearby Rostherne Court and Belgravia House with no soft landscaping.
- The materials and colours of this scheme are entirely unsympathetic with the architecture of the surrounding properties and would be detrimental to the streetscape from surrounding streets and the station platforms.
- Four storeys is far too high and will overshadow the existing houses in the area.
- Impact on visual amenity.
- The building should have more space at either end and a gap in the middle and should have a pleasant traditional look consistent with the surrounding residential buildings such as Belgravia House.
- The proposed development represents a wholly inappropriate development adjacent to a Conversation Area and Listed Building. There is no Computer Generated Image (CGI) depicting the view from Victoria Road towards the station, this view is considered to be particularly detrimental to the listed building and heritage asset.
- Planning should not be granted until the design is changed and the impact on residents has been assessed.
- It is a concern that planners could have thought that a development of this scale would be appropriate is disturbing, as it shows little or no sensitivity to the architecture and scale of the area.
- Too many properties in such a small space.
- Proposed garage spaces not sufficient in size for a modern family car.
- Proposed townhouses have no ground floor living accommodation only upper levels accessed by stairs therefore they are only suitable to a limited population.
- Noise disruption should be kept to a minimum.
- Negative effect on amenity with regards dust and disturbance.
- Townhouses belong in towns and apartments are best suited to cities, Hale is a village.
- The Council refused a four storey development at Belgravia House in 2001 due to the scale, massing height and design.
- The proposal will be overbearing to the windows on the south elevation of Belgravia House (the proposed inclusion of climbing plants to prevent the overbearing nature is inconceivable).
- Loss of daylight and sunlight due to the proximity and height of the townhouse: they appear to breach the 45° rule set out in the Building Research Establishment's Document "Planning for Daylight and Sunlight: A guide to good practice (2011)".
- Moving the new access close to the boundary with Belgravia House will add considerable noise and pollution due to vehicle fumes.

- Impacts of noise and air pollution described in the Design & Access Statement only relate to future occupants, not existing residents of Brown Street.
- Overlooking from townhouse gardens toward Belgravia House.
- Overlooking dustbins, backs of houses etc.
- The scale and proximity of the construction will also lead to at least 15 months of continual disturbance in terms of noise, dust and air pollution due to exhaust fumes from construction traffic.
- The Council's own Supplementary Planning Document on Parking Standards and Design highlights the importance of amenity considerations on surrounding properties such as visual amenity; noise, light and air pollution and existing on-street parking and road safety.

Highways & Parking

- The additional traffic that the car park will bring on an already narrow and busy road will be chaotic.
- Trafford Council indicated that there would be no loss of car parking on the redevelopment of the Brown Street car park.
- It is unclear if existing parking permit holders will be able to use the new car park if there is no space in front of residents' houses or nearby.
- It is unclear if residents will be able to use their permits free of charge in the new car park.
- Residents of the 'B Streets' (Brown, Bold, Bath, Byrom) already struggle to cope with the number of existing residents' cars. There are 283 houses on the four 'B Streets'.
- It is impossible to find a parking space on any of the four streets if you arrive home after 6.30pm.
- The proposals do not provide parking spaces for the 12 apartments, which will result in at least another 12 cars attempting to park on the surrounding streets which will have a detrimental impact on the existing residents.
- Permit holders use Brown Street car park, if residents have fewer spaces to use in the car park they will not be able to find local parking and may be liable for parking fines/additional parking charges.
- Any development that exacerbates the present critical parking problems is to be discouraged.
- Existing public car parks should be retained, any lost car parking spaces will cause issues for anyone living, working or visiting Hale and will result in considerable harm to the vitality and future growth of Hale village.
- Parking prices have gone up, combined with lack of parking, may put people off visiting Hale and which can impact the small businesses on the high street. The car park is used by people using the train.
- Disagree with claim within the Transport Statement that the existing car park is little used and also that the owners of the apartments will not wish to park in the new car park.

- No details provided on costs for parking in the new car park; if prices increase this will make people park on surrounding streets.
- The proposed development will increase the occurrence of people parking across and blocking residents' driveways, causing blind spots and parking on pedestrian walkways forcing wheelchairs and buggies onto the road.
- Brown Street is a particularly congested minor road; a reduction in the availability of car parking will lead to an increase in traffic.
- Additional garage openings will mean more movements across the pavement (highway safety).
- Design with planting to one side of garage access and waste bin enclosures to the other will restrict visibility.
- No accidents recorded on Brown Street in the submitted Transport Study, however it is only a matter of time as vehicles use Brown Street as a rat run.
- Properties on Brown Street suffer noise and vibration from passing traffic, this will only increase as a result of the development.
- During construction traffic will use the one way roads (Bath, Bold and Byron Street) to avoid construction traffic on Brown Street, increasing congestion on these surrounding streets and possible damage to parked cars.
- There are not enough spaces on Brown Street to accommodate existing residents who have multiple cars and the general public who can park on the street from 6pm – 8am. The development should accommodate such parking needs during the build and thereafter.
- Parking spaces in the new development should provide appropriate spaces for residents and the spaces should be suitable for vehicles that residents have e.g. 4x4s, vans, people carriers.
- Concern for residents' safety if forced to park away from their residence. Parking provided during and after the build should be close to Brown Street, secure and well lit. It is considered that the Council or developer will be liable for any damage or personal injury occasioned as a consequence of any change to the current position. Residents with young children find it particularly difficult when having to park considerable distance from their property.
- This application should be withdrawn as it misleads the public by quoting and issuing press statements confirming 66 public car parking spaces will remain. Submitted planning documents reveal that this is not the case (44 pay and display spaces to be retained).
- It is understood the Cecil Road car park is to be sold by the Council for redevelopment resulting in loss of a further 22 spaces. Cecil Road and Brown Street proposals will result in a total loss of 58 public car parking spaces.
- Possibility that Cecil Road car park to help fund the running of the library from income from parking (part of the Hale Community Trust application and discussions with the Council).
- The introduction of parking charges drove commuters into surrounding streets where it is free to park.
- Spring House residents have a parking permit for Brown Street car park, if this arrangement ceases it would be preferable for Spring House residents to park on Seddon Street where Spring House is located.

- The existing car park is underused during the day since parking charges introduced, but it is used at night by residents and visitors when they don't have to pay.
- There will be a large number of heavy vehicles used during the construction process; Brown Street is already tricky to get down as it is so narrow. If parking suspended during construction then more cars looking for spaces and emergency vehicles need access to properties.
- It is requested that a comprehensive parking strategy of Hale Village be undertaken before this application proceeds any further. Such a strategy to include future growth prospects of the village (requires parking policy that makes all day parking economic).
- Timperley, Sale, Stretford, Urmston, Hale Barns and Altrincham all have 2-3 hour free car parks and there is no equivalent provision in Hale Village.
- The developer should accommodate secure parking facilities e.g. barrier entry and cameras for existing Brown Street residents.
- Hale streets are significantly over parked, Ashley Road is rarely able to allow free flow of traffic both ways, the area around the clock and beyond is positively dangerous at night because of parked cars and the authorities do not monitor this illegal parking. The proposal will make this situation worse.
- A scheme with less housing and more public parking would be much better received (consider building a low level multi storey car-park/sunken car park).
- Congested roads with parked cars combined with speeding are dangerous for children and elderly people.
- Reduction in public car parking located alongside a main train route goes against the Borough's policies to promote more use of public transport (environmental impact).
- It will cause highway issues with the proposed changing of the vehicular access.
- Insufficient parking/loading/turning for visitors to Hale village and the railway station.
- Being an affluent area, most if not all families have a car and therefore parking has to be allowed for.
- The Council's parking charges policy is illogical, over the last five years the Council have had to reverse their charges. (£7 reduced to £5 for a full day's parking).
- As part of any approval all permit parking should be removed along with single yellow lines and 1-2 hour time restrictions should be 3-4 hours.
- Making the parking in front of Midland Terrace and Hale View permit only would ease some of the struggle should the loss of the car parks go ahead.
- New parking at Brown St car park should be made very low cost long stay spaces.
- The relocation of the entrance to the car park opposite the garage is ludicrous as this leads onto a tight, blind bend.
- The step-free access to the station is to be temporarily located, there does not appear to be an alternative location.

- Inconsistencies regarding how this application is being treated and the Hale Library application particularly regarding parking standards. One development is Council led, the other is not.
- Underground parking should be provided at the site.
- Ollerbarrow Road suffers from excessive parking on pavement like other roads in Hale and similar problems (visibility, access for pedestrians).
- The LHA have raised concerns over the proposal.

Cllr Mrs Patricia Young: Has objected to the proposed development citing the following concerns:-

- The original statement from the Council indicated that the Council were seeking a developer partner for the application site and the plans would include 11 homes 40% would be affordable and a replacement 80 space car park. This was in line with the representations that Hale councillors had made to the Leader of the Council.
- The proposed scheme removes parking spaces available to the public; the 'B' roads currently experience a high level of parking and rely on the car park.
- Fewer spaces remain for shoppers and visitors to Hale, businesses will suffer from reduced footfall especially since the regeneration of Altrincham and car park charges were introduced. Hale is the only commercial area in Trafford that does not have any free parking for shoppers.
- The design and size of the building is not in keeping with the surrounding area and will dominate Hale station
- Not convinced that family homes are suitable in this location overlooking a railway and accommodation for the elderly may be more appropriate in a single apartment block.

Cllr Mr Alan Mitchell: has objected to the proposed development citing the following concerns:-

- The proposal comprises of ten four storey townhouses as well as 12 four-apartments again reaching four storeys, which are not only excessive in terms of scale and massing, but the design also contradicts the existing housing stock in the immediate area.
- The proposed plan represents a wholly inappropriate development adjacent to a Conservation Area and Listed buildings.
- This will have a massive negative impact when viewed from the five listed buildings at Hale Train station.
- The view from Victoria Road will be of a 4-storey brick wall, which is unacceptable to the residents of the Victorian villas.
- The proposed four storey front elevation is straight on to the road.
- The reduction from 80 to 44 car parking spaces at Brown Street is unacceptable. (Approx. 10 car spaces for the houses, and around 66 other spaces less 10 extra for the houses and an expected 12 for the flats, leaves a mere 44 for the public.)

- The combined proposals will lead to a loss of 58 public car parking spaces in Hale.
- Trafford Council indicated that there would be no loss of car parking on this application. However, this proposal will reduce the number of pay and display car park spaces the re-development of the Brown Street car park. Any loss of car parking will result in considerable harm to the vitality and future growth of Hale village as well as creating further congestion in surrounding roads.
- The applicants say that Brown Street car park is currently underused. This has only happened recently when the Council introduced excessive parking charges which had an effect on shoppers finding alternative places to shop.
- My fellow Hale Central Councillors and I, residents and businesses in Hale are seeking to reduce this burden to the levels found in the surrounding villages and include free or free for up to 2 hours car parking throughout the adjacent villages.
- I request that a comprehensive parking strategy of Hale village be undertaken before this application proceeds. Such a strategy should include future growth prospects of the village.
- I am also perturbed about the lack of re tender which should, in my opinion, have happened when significant changes were introduced into the plans, denying other developers the chance of coming forward with better designs.
- I am further worried at the lack of consultation publicity. I and my Colleagues found out only by accident, allowing scant time to object.

In addition to the above Hale Community Trust and Hale Civic Society has appointed a planning consultant, highways consultant and heritage consultant to independently review the application submission and to submit professional representations on its behalf. The additional points raised within these representations include:-

- Development is contrary to the development plan
- The proposal is not sustainable development and inconsistent with the objections of the NPPF
- The proposal results in loss of parking and not considered as part of a holistic approach to parking management.
- Car park layout does not work
- It is not good practice to use traffic calming
- Garages without driveway contrary to Councils guidelines.
- Visibility at accesses not safe
- Proposal will lead to overspill parking
- Design of the development is poor
- Assessment of the conservation area and listed buildings fails to adequately take account of the implications of these heritage assets
- Proposal is considered to be out of keeping with the character of this part of the setting of the listed buildings and the conservation area in terms of height, massing, materials and architectural style.
- Insufficient information supplied by the applicant to understand the importance of setting to the significance of the designated heritage assets and the likely impact as required by the NPPF.

- Link between health and vitality of district centres and parking provision
- Layout increases risk of crime
- Proposal is unacceptable to Network rail and United utilities

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up to date*** (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that policies controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply, but other policies relevant to this application remain up to date and can be given full weight in the determination of this application. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
4. 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.
5. Policies controlling the supply of housing and those relating to heritage are considered to be 'most important' for determining this application when

considering the application against NPPF Paragraph 11 as they control the principle of the development. The Council does not, at present, have a five year supply of immediately available housing land and thus development plan policies relating to housing land supply are 'out of date' in NPPF terms. Policy R1 of the Core Strategy, relating to the historic environment, does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date.

6. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms. Analysis later in this report demonstrates that there are no protective policies in the NPPF, including policies related to designated heritage assets, which provide a clear reason for refusing the development proposed. Paragraph 11(d)(ii) of the NPPF is therefore engaged, i.e. planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Housing land supply, housing mix and affordability

7. The application proposes the erection of a building that would accommodate both a terrace of 10no. x 3 bedroom townhouses and an apartment block with 12 apartments (9no. 1 x bedrooms and 3no. 2 x bedrooms).
8. The application site is unallocated on the adopted Revised Unitary Development Plan and comprises previously developed land having formerly been in use as railway sidings; a Council depot and most recently a public car park. The site is identified within the Strategic Housing Land Availability Assessment 2013 Review under *Potential Supply From Sites Outside the Planning Process* (Site: 1714 proposed to deliver 15 units over a 10-15 year period).
9. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to paragraph 59 of the NPPF, this means ensuring 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.

10. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest monitoring suggests that the Council's supply is in the region of only three years. Moreover, with the introduction of the Government's own figures for housing need, albeit these are yet to be confirmed, the revised annual housing requirement is now likely to be far in excess of the figures set out in the Core Strategy. Additionally, the Council is required to demonstrate how many new homes it is actually delivering in the Government's Housing Delivery Test. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
11. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The location of this new housing is also significant. Policy L1 of the Core Strategy identifies town centres as preferred and suitable locations in accommodating the Borough's housing requirement, a general approach that is also supported by the NPPF. Whilst Hale is not identified as one of the Borough's four main town centres, and in indeed whilst the site sits just outside the Hale district centre boundary, the site is nevertheless within a very short walk of the centre, and is immediately adjacent to Hale railway station and so can be considered to be a suitable and sustainable location for meeting housing need as set out in the NPPF.
12. The NPPF also requires policies and decisions to support development that makes efficient use of land. The application site is brownfield land and the proposal to retain the public car park but at the same time make best use of the site by delivering 22 new homes in a location that is well served by public transport and accords with the Government's aim of achieving appropriate densities, particularly in the case of new residential development and in circumstances where brownfield land can be exploited. Moreover, the site is conveniently located for existing community facilities such as schools, health centre and library, together with the shops, restaurants and bars within Hale district centre.
13. The NPPF at paragraph 61 requires local planning authorities to plan for an appropriate mix of housing to meet the needs of its population and to contribute to the achievement of balanced and sustainable communities. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided.
14. Core Strategy Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+ beds) residential units with 50% of the small homes being suitable for families. Whilst the Council is in the process of producing a new housing strategy, and there is no up-to-date evidence regarding the specific

housing requirements in Hale, it is nonetheless accepted that the general concern across the Borough is that there isn't a high enough proportion of family houses being delivered. Out of the 22 units proposed, 10 will be large units suitable for families (3 bedroom houses), which equates to a 55:45 small:large split. The application also provides for 3 No. 2 bed apartments and 9 No. 1 bed apartments. Whilst the two bed apartments are not particularly large, and the scheme could not be said to be fully compliant with the Council's [out of date] Core Strategy Policy L2, it is nevertheless considered that the scheme as a whole provides a reasonable mix of units suitable for families.

15. Policy L2.7 identifies that one bedroom general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. As the one bedroom accommodation would be part of the affordable offer rather than general needs accommodation, it does not fall to be considered against this policy requirement and the scheme proposes a reasonable mix of unit sizes and types across the scheme that will contribute to the housing offer in the area.
16. The NPPF defines affordable housing as: housing for sale or rent for those whose needs are not by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 63 states that affordable homes should be sought within all new residential proposals for major development (ie developments for ten units or more). Paragraph 64 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer. Core Strategy Policy L2.3 states that 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.
17. The site sits within a 'Hot' market location for the purposes of applying Policy L2, and with the Borough now in 'Good' market conditions, there is a requirement for 45% of the units provided to be delivered on an affordable basis. Twelve of the twenty two units proposed on site are to be delivered as affordable homes on a shared ownership basis, equating to a 55% provision overall. That said, it is acknowledged that there is no provision made for affordable units to be delivered on a social or affordable rent basis.
18. The applicant is proposing the provision of 100% shared ownership units. The Council has a significant shortfall of affordable housing of all types and the entire provision of the apartment accommodation as shared ownership will assist in offsetting this shortfall. This part of the Borough has traditionally had higher than average property prices which means home ownership is only achievable by those on high household incomes. Shared ownership presents a realistic option for those who would not normally be able to afford a home in this area. Advice

within SPD1 recognises that where a registered provider (Southway Housing Trust the applicant) develops a property for shared ownership funded by public subsidy, occupiers have the right to staircase to full ownership. On re-sale there will therefore be no subsequent benefit to future occupiers, as the current occupier would be entitled to sell the unit at full market value of the property. In these cases both the NPPF and SPD1 expects any recyclable receipts arising from the registered provider from staircasing to be reinvested within Trafford for affordable housing provision. Southway Housing Trust have confirmed they have no objections to making such a commitment.

19. Nonetheless, given the overall affordable provision proposed, that the number of units proposed meets the definition of affordable homes set out in the NPPF, that the 10% target set for affordable home ownership in the NPPF is met, that the Trafford target of 45% affordable provision is exceeded, and that the Council's Housing Strategy Officer welcomes the scheme, it is considered that on balance the affordable provision is acceptable.

Conclusion on the principle of housing on this site

20. The proposal would see the creation of 22 new additional dwellings. Whilst the Council's housing policies are out of date, the proposed development nevertheless delivers a number of benefits that the Core Strategy seeks to achieve in terms of housing numbers, mix and tenure in a sustainable location and on a brownfield site. Paragraph 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. 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.

DESIGN, SITING AND SCALE OF PROPOSED DEVELOPMENT

21. 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". Paragraph 127 requires planning decisions to ensure that developments, inter alia, will function well, are visually attractive, sympathetic to local character and history, establish a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible.

22. Core Strategy Policy L7 requires 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.
23. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
24. The proposed development consists of three distinct elements, namely a terrace of 10 no. four storey townhouses; a four storey apartment block and two levels of car parking. The terrace of townhouses will extend along the western boundary of the site with the apartment block located on the south side. The car park will be located to the rear of both the townhouses and the apartment block and will extend across ground and first floor with a total of 67 car parking spaces provided. The car park decks (ground and first floor) will extend up to the eastern boundary of the site with the railway line. A new vehicular access will be provided to the car park and will be located towards the northern most extremity of the Brown Street boundary. The proposed buildings (including carpark) will cover the majority of the application site.
25. The townhouses will be positioned facing towards Brown Street and will feature a single integral garage with storage area and entrance hall area at ground floor level. At first floor level is a family bathroom and two bedrooms, one with an external patio facing towards the rear of the site (east side). At second floor level would be a through kitchen/dining/living area with access onto a raised landscape terrace area which extends across towards the site boundary with the railway line, a distance of approximately 4m is retained from the rear of the terrace to the site boundary. The raised landscape garden will incorporate an artificial lawn with small raised planters and integrated timber seating. The rear boundary of the terraced gardens will feature a brick wall with timber fencing proposed as the boundary treatment between each plot. The third level of accommodation is located within the roof void and incorporates an en-suite bathroom with an external terrace on the front elevation facing towards Brown Street (west side).
26. The terrace of townhouses will have a conventional rectangular configuration along the western side of the site. The terrace will measure approximately 55m in length and approximately 5.7m in depth; the front elevation of the terrace will be set back from the back of pavement by approximately 1.5m. The terrace building will incorporate a traditional dual pitch roof with gable ends and contemporary fenestration in the form of double height floor to ceiling openings

with a strong vertical emphasis. The townhouses will have a ground to ridge height of approximately 13m – 13.2m (at the highest point towards the south side of the site) due to land level and a ground to eaves height of approximately 9m – 9.2m. The original plans as submitted proposed a ridge height between approximately 13.2m – 13.7m and an eaves height of approximately 9.1m - 9.6m.

27. The main external materials proposed for the townhouses include use of a red multi stock facing brick; natural slate roof and grey double glazed aluminium windows. An external bin store for three domestic sized bins is located to the front of each town house positioned between the garage door and the main front door. The bin stores will be constructed in a matching red brick to that used on the main townhouses with low level planting around the entrance area.
28. The apartment block is located towards the southern part of the site adjoining the end terrace property. The apartment block has a slightly irregular rectangular configuration measuring approximately 13.5m x 18m with the main entrance lobby on the west elevation facing towards the Brown Street/Bath Street junction.
29. The ground floor of the apartment block comprises 3no. one bedroom apartments, each with an open kitchen/dining/living area, bathroom, bedroom and storage room. All three ground floor apartments have their own small external patio area, these areas extend along the east and south side of the apartment block and would be demarcated by low level planting and railings to the east boundary with the railway line. At first, second and third floor level, each floor of accommodation comprises 2no. 1 bedroom apartments and 1no. two bedroom apartment. Each upper floor is accessible by a lift and stairwell with a private landing area serving all the apartments on each level.
30. The apartment block incorporates a modern contemporary design. The building will feature a flat roof with large expanses of recessed double height floor to ceiling glazing, particularly on the west and east elevations and which have a relatively regular vertical emphasis. Sections of the brickwork on the west elevation will have a notable splay to provide some articulation to this particular elevation. The southern elevation also features double height floor to ceiling fenestration, window openings are much narrower than the other two elevations and the positioning of the openings on the elevation follow a more asymmetrical layout.
31. The materials on the apartment block will include a buff brick; grey aluminium windows and doors and sections of grey cladding to the entrance lobby and stairwell core to the levels above. It is considered that a warmer brick colour, more reflective of the character of the surrounding area should be used on the apartment block, rather than the stark and contrasting appearance of the brick currently proposed. This can be secured by an appropriate planning condition.

32. The apartment building measures approximately 12.7m from ground floor to ridge level, the original plans submitted proposed an overall ground to ridge height of approximately 13.2m.
33. The car parking area is located to the rear of both blocks of residential accommodation and is accessed from the new vehicular access from Brown Street. The ground floor area of car parking will provide 40 car parking spaces which includes 4 accessible spaces and four low emission charging points. Provision is also made within the ground floor car park for public motorcycle parking; cycle parking for the public and also cycle parking and bin storage for residents of the apartment block. Pedestrian access to the car park is adjacent to the apartment block main lobby and also from a footpath adjacent to the main vehicular access. A vehicular ramp access is provided to a first floor deck which provides a further 27 car parking spaces. Pedestrian access to this first floor deck is via a stairwell down to the ground floor car park area.
34. The car park will be largely screened from views by existing buildings and trees along Brown Street but will be visible in the street scene from Victoria Road (albeit with some tree screening) the Hale Station car park and the railway line. It has been designed to incorporate a brick wall which extends along the rear raised garden area of the townhouses at second floor level. Below this will be an open aperture beneath which will be galvanised metal fins in a horizontal configuration to the first floor deck of car parking. At ground floor level the car park boundary to the railway line will feature a brick wall with metal cladding fins above. This approach to the car park stems from the need to have suitable secure boundaries to the railway but also sufficient open elements to allow for natural ventilation of the car park. It reasonably and necessarily limits the design quality that can be achieved.

Conclusions on design, siting and scale

35. The scheme has been designed to make the most effective use of the site by retaining a public car park on the site and seeking to add new housing to help meet much needed housing demand. It is considered that the scheme works well from a design perspective in that the car park will be largely screened by the townhouses from the closest residential properties on Brown Street. Although the rear of the car park will be visible from across the other side of the railway on Victoria Road, it lies some distance away and will be partially screened by the existing tree cover on the Victoria Road side of the railway. The rear elevation of the car park includes the use of metal cladding fins, in part to prevent car headlights shining across the railway to the houses on Victoria Road. It is accepted that these materials would not normally be encouraged on a site close to residential properties, but given that the car park is otherwise largely screened to its other boundaries, and given that the rear elevation backs on to the railway, and the benefit that the tree cover to Victoria Road side of the railway provides, it is considered to be acceptable.

36. It is considered that the contemporary design of the terraced houses responds well to the Victorian terraces on Brown Street, sympathetically echoing their rhythm, proportions, and the vertical emphasis of the fenestration, together with the use of red brick, boundary walls and individual front doors. Whilst it would have been preferable for the bin stores to be located to the rear of the houses, the design constraints posed by butting the houses up against the car park, whilst maximising the number of car parking spaces that could be accommodated, prevented this. Given this position, a bespoke bin store design has been introduced which is considered to be acceptable. The apartment building, in contrast, does not seek to mimic the terraces but takes an individual contemporary design approach with a flat roof and the use of contrasting materials. Both buildings include attractive architectural detailing and proportions, and are considered to be well designed. In this regard it is considered that the proposed development complies with Core Strategy Policy L7 and the design policies in the NPPF in that the scheme will improve the character and quality of this underused brownfield site with a well-designed and efficient layout of an appropriate density, it will enhance the street scene with the introduction of appropriately designed buildings with sympathetic elevation treatment and materials, together with good quality hard and soft landscaping works and boundary treatment details.

37. Whilst both proposed buildings will be higher than the existing terraced houses on Brown Street, and also slightly higher than the existing Belgravia House, the eastern side of Brown Street already has a very different character to the western side and includes buildings of greater height and mass. Unlike a site which is constrained on all sides by buildings of a largely uniform height, scale and mass, the railway line to the east of the site and the presence of the existing larger buildings such as Belgravia House to the eastern side of Brown Street, allows scope for the introduction of larger buildings on this site. The height, scale and massing of the buildings are considered to be acceptable in this context, and therefore it is considered that the proposed development complies with Core Strategy Policy L7 in that the scheme will enhance the street scene and character of the area by having appropriately addressed scale, height, and massing.

IMPACT ON HERITAGE ASSETS

38. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. S72 of the same Act requires that with respect to any buildings or other land in a conservation area, in discharging duties under the Planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. There is no specific reference to setting in S72, albeit in effect where

development within the setting of a conservation area has an impact on the character and appearance of that conservation area, the duty is engaged.

39. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date and can be given limited weight.
40. NPPF (paragraph 192) states that local planning authorities should take account of:
 - a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. the desirability of new development making a positive contribution to local character and distinctiveness.
41. Paragraph 193 of the NPPF establishes 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm or loss should require clear and convincing justification (paragraph 194).
42. The NPPF sets out that harm can either be substantial or less than substantial. There will also be cases where development affects heritage assets but from which no harm arises. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 196).
43. Paragraph 197 of the NPPF identifies that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

44. Significance is defined in the NPPF as *'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'*
45. Setting of a heritage asset is defined in the NPPF as *'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*

Designated Heritage Assets

Hale Station Conservation Area

46. The application site is outside of, but located adjacent to the Hale Station Conservation Area, originally designated by the Council in August 1986. The boundary of the conservation area extends along the southern boundary of the application site and extends across the railway line to the east of the application site incorporating a section of Victoria Road/Albert Road/Broomfield Lane and terminating along the rear shared boundaries of Lisson Grove and Hazelwood Road, although no properties on Hazelwood Road are included within the Conservation Area.
47. The boundary of the conservation area also extends along the rear of the boundaries of properties on Bath Street in a south-westerly direction from the application site terminating at the junction of Ashley Road/Langham Road. The boundary of the conservation area extends in a southerly direction incorporating Peel Avenue/Spring Road and also the main shopping area along Ashley Road up to the junction with Cambridge Road/Crescent Road. The extension of the conservation area boundary to include the Ashley Road and Peel Road/Spring Road areas took place in July 2016, alongside the adoption as Supplementary Planning Documents (SPD) of the Hale Station Conservation Area Management Plan (HSCAMP) and the Hale Station Conservation Area Appraisal (HSCAA). The application site and surrounding land not already within the conservation area was not proposed for inclusion when the boundaries were reviewed.
48. The HSCAA identifies that Hale Station Conservation Area is effectively split into two areas of distinct streetscapes, namely Ashley Road centred on the Station and the commercial area of Hale, and the surrounding residential streets. The HSCAA identifies a number of key views and vistas which are predominately dynamic opening out in places to panoramic views. In particular there are key vistas east and west along Ashley Road; views looking towards the clock tower & station and views looking north from the junction of the railway and Ashley Road.

49. Hale Railway Station represents the centre of the Conservation Area, from which suburban roads radiate away along the historic arterial route of Ashley Road. The main retail area of the Conservation Area is centered along Ashley Road with a variety of independent shops, cafes, restaurants and amenities.
50. The HSCAA identifies that Hale grew from a rural hamlet (west of the station) into a thriving suburban extension of Manchester following construction of the railway line and station in the 1860s, the station itself was rebuilt in 1886 in the Italianate style. A significant phase of expansion took place between the 1880s and 1890s and included suburban villas for wealthier families.
51. The earliest example of these detached and semi-detached suburban properties developed particularly to the east of the station, away from the earlier village. The main arterial route through Hale along Ashley Road saw a higher concentration of development than the new suburban areas leading from it. In particular terraced housing and smaller properties that incorporated shops on the ground floor and showrooms or accommodation above were constructed.
52. Within the HSCAA five distinct character zones are identified: Character Zone A: Central Retail Area; Character Zone B: Station Buildings; Character Zone C: Suburban Villas East; Character Zone D: Suburban Villa South and Character Zone E: Suburban Villa West. The character zones of particular relevance to the proposed development site include Character Zones A, B and C.

Character Zone A: Central Retail Area

53. The central retail area encompasses Ashley Road as it runs west to south-east through the conservation area; the buildings lining the street to the west and east of the station are predominantly retail, restaurant and commercial use with residential dwellings interspersed. This character area includes the addition to the Conservation Area adopted as part of the Conservation Area appraisal, namely the central retail core of Hale along Ashley Road extending down to the junction with Crescent Road and Cambridge Road. A significant proportion of the architecture along Ashley Road takes its cue from Domestic Revival and Arts and Crafts designs, with timber-framed gables, contrasting decorative brickwork, barge boarding and decorative plasterwork. Buildings are mainly two storeys; although to the west of the station are a number of three storey buildings. The public realm of this character area consists of relatively narrow pavements and heavily trafficked road. The only significant green space within the character zone is a bowling green to the south side of Ashley Road.

Character Zone B: Station Buildings

54. The station buildings consist of an east and west platform, waiting room, signal box and footbridge. All are listed Grade II and remain in transport use associated with the railway line. The station is built in Italianate style with the local detailing

of white header-bond brick, orange dressings and blue banding. The frilled iron and glass canopies with timber valance are decorative and a prominent feature of the conservation area. The two other buildings within the station character zone are the former station masters house which is currently in use as a veterinary surgery and is also Grade II listed and a modern office building currently in use as an accountancy practice. The public realm surrounding the station is hard surfaced for car parking to the east and to the west with little open space or planting. The building line within character zones A & B tends to be back of the pavement and these zones are densely developed.

Character Zone C: Suburban Villas East

55. This character zone is split into two distinct sections; the largest section to the east side of the railway station incorporates Lisson Grove and Millfield Court. The second smaller section which is of particular relevance to the proposed development site is located around the junction of Victoria Road and Bloomfield to the east side of the development site beyond the railway line and essentially incorporates six attached dwellings that extend around the junction. Constructed in brown brick with red window surrounds, quoins and detailing, slate roofs and clay ridge tiles, they are a good example of the late Victorian style used within the conservation area. There is no public open space in this character zone and any green space is mainly within private garden areas with some mature trees along road side.

Listed Buildings

56. The HSCAA identifies that the nearest listed building to the proposed development site is Hale Station which is separately listed in three parts; the west platform and signal box; the east platform and waiting rooms, and the footbridge; all listed at Grade II. The station was first built in 1862 to serve the hamlet of Bowdon but following rapid growth in the area, the station buildings were rebuilt c.1886.
57. The HSCAA states that the station is built in the Italianate style with polychromatic and stone dressings and slate roofs. The west platform is five bays with the gable accommodating the signal box. The platform canopy extends over the platform and is constructed in fine ironwork with columns with crocketed capitals, brackets with arabesque spandrel decoration and a pierced timber valance.
58. The east platform follows the same architectural style and includes a three bay waiting room. The windows are sashes with brick arched heads, and a hipped glazed roof. The footbridge is of the same date and has been built over the railway line to the north of the platforms. It is a single span bridge with flights of steps in wrought and cast-iron. The bridge and steps rest on sets of four cast-

iron columns and has structural wrought iron lattice work, parapet walls and a timber walkway.

59. The former station masters house was originally a farmhouse, built before the railway was constructed and as stated, currently in use as a veterinary surgery. Following construction of the platform and station buildings, the farmhouse was retained and incorporated into the development. It is a traditional three bay cottage with central entrance, two storeys, service wing to rear, built in Flemish bond brick with slate roof. The building retains its sash windows with stone sills and flat brick arches and has been included for group value.
60. The principal elevation of the Station is orientated to face Ashley Road with key views of the frontage from the west. The former Station Master's house is set back from Ashley Road and is also visible. Due to the modest appearance and form of the building, it is only apparent that it has historic association with the station upon arrival. The most significant vista of the station buildings is from the juncture of Ashley Road with the railway track looking north with intentional inter-visibility between all the buildings and structures.
61. An uninterrupted view of the east and west platform buildings, canopies and signal box is possible from the corner of Ashley Road and Victoria Road with dynamic views along Victoria Road including the footbridge. An oblique and kinetic view of the buildings is possible when moving along Ashley Road from the east. The footbridge, by its very nature, a slightly taller structure forms a backdrop to the group of station buildings and is the most prominent structure visible from Brown Street and the carpark.

Positive Contributors in the HSCA

62. The HSCAA identifies a number of buildings which make a positive contribution to the Conservation Area. Of particular relevance to the development site due to their proximity the following are considered to be of importance:-
63. **Nos.1-15 Midland Terrace (early 19th Century)** – Located to the south-west of the application site and situated between Hale Station and the application site. Midland Terrace is a row of terraced houses built in two phases in the early 19th century, visible on the 1882 OS map. The cottages are built in typical 19th century chequered red and buff brick with slate roofs, round arched doors and segmental arched windows (many of the windows are modern replacements). The cottages have low brick boundary walls to front gardens and are included as a positive contributor as an intact example of housing that pre-dates the railway station at Hale.
64. **Nos. 20-28 (even) Victoria Road and Nos. 4-10 (even) Broomfield Lane (1880s – 1890s)** – This is a row of shops on the corner of Victoria Road and Broomfield Lane located in a south easterly direction from the application site on

the opposite side of the railway line. All have a good historic shop fronts surviving and upper floors which remain intact. They give a pleasant setting to the east side of the station.

- 65. Nos. 30-34 (even) Victoria Road, Nos.1-3 (odd) Broomfield lane and No.1 Albert Road (mid- to late- 19th Century) –** Located to the east side of the site on the opposite side of the railway line. This is a good quality group of houses which create a focal point on the corner of Victoria Road and Broomfield Lane. Their corner arrangement gives them interesting asymmetrical compositions between elevations and bay windows.

Non-Designated Heritage Assets

66. There is one site of archaeological interest within Hale Station Conservation Area identified within the Greater Manchester Heritage Environment record (GMHER) which is that of John Siddeley's Brewery and is situated to the west of the station, on the site of the Millennium Clock Tower. The brewery was originally known as Peel Causeway Brewery and is shown on the 1876 OS map, it was demolished in 1907. The HSCAA states that there are no visible archaeological remains within the Hale Station Conservation Area.

Assessment of Proposed Development on Heritage Assets.

67. The boundary of the Hale Station Conservation Area extends along the southern boundary of the application site. The application site provides a large expanse of public car parking adjacent to the northern boundary of the Conservation Area. The site has a contextual relationship, spatial and functional with the Conservation Area and station buildings and has been subjected to successive changes during the course of the 19th & 20th centuries. The current appearance and use of Brown Street Car Park does little to enhance the setting and appreciation of the station buildings nor the character or appearance of the Conservation Area.
68. The car park affords some views across the site into Character Zones A, B & C in particular towards Victoria Road and the positive contributors in this area. The views currently are intermittent and restricted in part through self-seeded vegetation, however it is recognised that this is impermanent. The application site is also visible from Victoria Road. The two storey office building to the south side of the application site, located within the Conservation Area, restricts views towards the application site and also restricts views from within the application site towards the conservation area. The HSCAA identifies a number of key views and vistas which are predominately dynamic opening out in places to panoramic views. In particular there are key vistas east and west along Ashley Road; views looking towards the clock tower & station and views looking north from the junction of the railway and Ashley Road. As the site is open it does contribute a sense of spaciousness to the background of the station buildings within these

key views. Overall, it is considered that the site makes a limited contribution to the significance of the Hale Station Conservation Area and the group of Station buildings and their appreciation.

69. The significance of Hale Station Conservation Area is set out in the 'Significance Statement' at Paragraph 3.6 of the HSCAA, as follows:-

Hale Station Conservation Area is centred around the attractive Italianate station buildings that epitomise the growth of a rural village into a wealthy suburb and thriving retail centre, all within 30 years at the end of the 19th century. It is one of the best surviving examples in the borough.

The arterial route of Ashley Road bisects the railway line and is significant for its diverse independent shops, cafés and amenities that represent the heart of the Hale economy. The varied textures of the Arts and Crafts movement can be seen at first floor level while on the ground floor the shop fronts vary wildly from traditional Victorian window displays to modern illuminated fascias.

Branching out from Ashley Road are late 19th and early 20th century streets of speculative suburban villas, developed for the growing middle classes. These Victorian villas grew out of the country house ideal, cascaded down the aspiring social scale. They represent an early element of suburbanisation and illustrate the changes that occurred in the landscape in the 19th century. Their importance cannot be overstated for setting the pattern for English suburban housing, following on a smaller scale into the Edwardian and inter-war periods.

The large suburban villa is a key characteristic of Hale Station Conservation Area; one of the wealthiest residential areas in the country. The architecture is both narrow in design and yet widely varied at the same time. The residential properties are designed in the Arts and Crafts style, strongly drawing on the turn-of-the-century Domestic Revival architecture but each building is individual, with fanciful asymmetrical plan forms, decorative timber and plasterwork and contrasting brick colours and patterns. Many original features have survived.

70. The Conservation Area comprises of a densely developed retail area along Ashley Road leading to a wealth of Victorian & Edwardian suburban villas designed in the Arts & Crafts style. There is a consistency in the townscape characterised through the scale of buildings, typically two to three storeys in height with pitch roofs clad with blue slate. The building line particularly within character zones A & B tends to be to the back of the pavement and these zones are densely developed. This is also noticeable to the west of Brown Street in

those streets lying outside the Conservation Area. The proposed development will introduce a building which is higher than many of the immediate surrounding buildings both within and out with the conservation area boundary, with the exception of Richmond Court on the south side of the railway line. The introduction of built development on this site is sensitive given that the site is currently absent of any buildings or structures and its spaciousness contributes to the appreciation of the station buildings, albeit the HSCAMP does identify it as a potential development site.

71. The development would not affect the fabric of any of the buildings in the Conservation Area. The development would however affect the setting of the Conservation Area by reason of its visual impact. From within the Conservation Area, it would be visible from Ashley Road and parts of Victoria Road, including views identified in the HSCAA which incorporate positive contributors and the listed station buildings. It would also be visible from the station buildings and footbridge. From the footbridge the extent of the MSCP element of the development and the elevated garden areas, with any associated domestic paraphernalia, would be highly visible and would represent an alien feature. The development will restrict views of Character Zones B & C from Brown Street and Bath Street, however these views were already partially obscured by the adjacent two storey office building (HW Chartered Accountants). The submitted plans indicate that the building will be a prominent element in views from Victoria Road across the station and looking north along Brown Street.
72. The development would therefore have an impact on the appreciation of the station buildings and the railway line. As the Conservation Area is centered on these station buildings and as they contribute to its significance, any development which has a visual impact of this nature will also have some impact on the architectural and historic interest of the conservation area. The development would have a lesser visual impact on other parts of the conservation area; although it would limit views of Victoria Road and surrounding streets from within and across the site, but this would not impact on the significance of those areas as areas of suburban housing.
73. In accordance with paragraph 190 of the NPPF, the visual impact of the development is mitigated to some extent by virtue of the high quality contemporary design proposed to the residential development and that high quality detailing and materials can be secured by condition. The rear elevation of the car park, facing the railway, would be less attractive, but there is a limit to what can reasonably be expected from the design of a car park as they are required to operate safely and functionally. In addition, it is normally expected that the 'service' side of a building is that visible from a railway line, even in conservation areas. This approach is evident in many historic centres and would not be unusual. From the footbridge, the development would not impact upon the group value of the station buildings as the views available would be looking out of

the conservation area and tandem views that include that part of Victoria Road within the conservation area are limited.

74. Nevertheless, it is considered that the intrusion of the proposed development into views into and out of the conservation area would affect its setting by virtue of its impact on the wider townscape, and consequently its architectural and historic significance. It is considered that this would lead to a moderate level of harm to significance which in NPPF Paragraph 196 terms would be considered 'less than substantial'.

Listed Buildings

Station Buildings

75. Hale Station comprises of four listed buildings located in the heart of the Conservation Area. All separately listed Grade II for group value;

- Footbridge
- Hale Station, west platform building, canopy & signal box
- Hale Station, east platform waiting rooms and canopy
- Station Master's House

76. These listed buildings have been identified due to their close proximity to the development site. The west platform extends up to the site boundary, however none of the buildings share an immediate boundary with the application site and indeed all are separated from the application site by the intervening office building. There would be no impact on the fabric of any of the listed buildings from the proposals.

77. As with the Hale Station Conservation Area, the application site has a contextual relationship, spatial and functional with the station buildings. The car park provides a pedestrian access to the west platform of the station. The footbridge and elements of the Hale Station east and west platforms are partly visible from within the application site, the Station Masters house is not visible.

78. The significance of the listed station buildings lies in their group value and their architectural interest through the use of polychromatic brickwork and other high quality detailing. They also have historic interest in demonstrating the development of Hale as a commuter suburb. Designed in the Italianate style, the buildings relate to one another in terms of function, siting and appearance forming a sense of enclosure either side of the railway line. The buildings are significant for their aesthetic, illustrative historical and communal values and amplify the experience of one another.

79. The impact on the setting of the listed station buildings would be similar to that of the conservation area, in that the visual intrusion of the development within the setting of the buildings would have an impact on their architectural and historic

significance. The buildings, when viewed as a group, would be seen from many views in the context of the development proposals and this change in their setting would have an impact on the way in which they would be perceived and therefore their context and significance. The most significant vista of the station buildings is from the juncture of Ashley Road with the railway track looking north with intentional inter-visibility between all the buildings and structures.

80. Like with the conservation area, the impact of the development on listed buildings is mitigated to some extent by virtue of the high quality contemporary design proposed to the residential development and that high quality detailing and materials can be secured by condition. The same reasoning applies in respect of views from the listed footbridge as is set out above. From the footbridge, the development would not impact upon the group value of the station buildings as the views available take in the parapet of the footbridge, but none of the other station buildings as they would be behind the viewer.
81. Nevertheless, it is considered that the intrusion of the proposed development into views of the listed station buildings would affect the way in which they were perceived in the townscape and consequently their architectural and historic significance. It is considered that this would lead to a moderate level of harm to significance which in NPPF Paragraph 196 terms would be considered 'less than substantial'.

Archaeological Interest (Non-designated)

82. As stated there is one site of archaeological interest within Hale Station Conservation Area identified within the Greater Manchester Heritage Environment record (GMHER) which is that of John Siddeley's Brewery and is situated to the west of the station, on the site of the Millennium Clock Tower. The brewery was originally known as Peel Causeway Brewery and is shown on the 1876 OS map, it was demolished in 1907. The HSCAA states that there are no visible archaeological remains within the Hale Station Conservation Area. GMASS have been consulted on the planning application and have concluded that the proposed development does not threaten the known or suspected archaeological heritage. The proposed development is not considered to impact on the status of the known archaeological interest given the intervening distance and buildings with the application site and no harm would arise.

Conclusion on restrictive policies (Heritage)

83. The Courts have decided that considerable importance and weight must be given to the objective of Section 66(1) and a finding of harm to a listed building or its setting. It is wrong for the decision maker to equate "less than substantial harm" with less than "substantial objection" to the grant of planning permission. The upshot of the Court's analysis is that decision-makers should give considerable importance and weight to the desirability of preserving the setting of listed

buildings when carrying out the balancing exercise required by Paragraph 196 of the NPPF. The application of the test of giving considerable importance and weight is also extended to conservation areas and their settings.

84. Paragraph 196 of the NPPF states that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'*. The analysis above has found 'less than substantial harm' arising to both the Hale Station Conservation Area and the Grade II listed station buildings. There would be harm to the architectural and historic significance of these heritage assets from visual intrusion in the wider townscape.
85. In reaching a decision, the local planning authority would have to be convinced that the level of harm identified was demonstrably outweighed by any public benefits of the proposal which could not be otherwise achieved.
86. Advice within the NPPG with regards Conserving and Enhancing the Historic Environment states that *'Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Public benefits may include heritage benefits.'* (NPPG Paragraph:020 Ref ID:18a-020-20140306).
87. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, [including securing its optimum viable use].
88. The proposed development will secure a number of objectives identified in the Core Strategy and in the NPPF. The scheme will deliver a sustainable development including 22 new residential units on a brownfield site, a significant contribution to the Council's housing land supply figures and targets for delivering residential development on brownfield sites. Principally it will deliver 12 affordable units under shared ownership which equates to 55% affordable housing provision and exceeds the 40% target for this location. It will bring about the redevelopment of a long term under used site and provide a more secure and modern public car park with new cycle & motorcycle parking and provision of low emission charging points. The proposal would result in an improved street scene at this part of Brown Street with a high quality contemporary designed building. The scheme will also boost Hale District Centre's economy both through the provision of construction jobs and also by way of new residents of the development contributing towards local shops and services.

89. The duty is to give considerable importance and weight to the preservation of the setting of the listed buildings and the conservation area and refusal of the application would achieve the maintenance of the current status quo in this regard. Consideration has been given to the harm to significance occasioned by the development and an assessment made. In accordance with application of NPPF policy, it is considered that the public benefits of the scheme identified above are significant and outweigh the less than substantial harm to the designated heritage assets. The impact of the development on heritage assets is therefore considered to comply with NPPF policy in respect of the historic environment, which in the absence of an up to date development plan policy, is a primary material consideration.

IMPACT ON HALE DISTRICT CENTRE

90. Hale District Centre is the largest of the three district centres in Trafford. It features a number of independent retailers and the centre is focused around leisure service with convenience and comparison goods provision also catered for. The application site is not located within the boundary of Hale district centre but is located on the edge of centre.

91. Policy W2.7 of the Core Strategy identifies Hale as a district centre within which there will be a focus on convenience retailing of an appropriate scale, plus opportunities for service users and small scale independent retailing of a function and character that meets the needs of the local community.

92. Paragraph 85 of the NPPF states that planning policies decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. It also recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.

93. A number of the representations received have highlighted concerns with regards the reduction in public car parking and the suggested adverse impact that this would have on Hale district centre. Residents and business have stated that Hale suffers from high vacancy rates and the proposed development would further exacerbate this situation.

94. Trafford are currently undertaking an updated Retail and Leisure study and have commissioned Nexus Planning to conduct the study. A survey on the existing retail provision within Hale was undertaken in October 2018. The survey results, albeit in draft form currently, identified that there are 109 units located within Hale district centre which accounts for 15,624sq.m of commercial floorspace. The current vacancy rate is recorded as being 12.4% of total commercial floorspace and 11% of all units. The survey identified 12 vacant units, this is up from the 5

vacant units out of a total of 100 units in 2007 (Previous Trafford Retail and Leisure Study 2007).

95. The survey identifies Hale as a diverse well used centre with a number of high-end leisure uses. The current vacancy rate is considered not to be as a result of any underlying issue in respect of vitality and viability of Hale district centre. The survey has not made any specific reference to lack of car parking spaces or car parking charges being directly linked to the existing vacant units within the centre. It is not within the scope of this planning application to assess what impact any previous action by the Council in introducing car parking charging may have had on the vitality and viability of the centre in any case, but to establish whether the development proposals would have an adverse impact on the vitality and viability of the centre as it is now.
96. The survey identifies that Hale remains a very attractive and vibrant centre and has a good range of services throughout. It is not considered therefore that the proposed development would have any detrimental impact on the vitality and viability of Hale district centre, particularly as it has been evidenced elsewhere in this report that any loss of car parking at Brown Street could be accommodated at other pay and display car parks within the District Centre. It is also a generally accepted planning principle (as demonstrated by the reference in Paragraph 85 of the NPPF) that new residential development in centres can assist in improving their vitality and viability by improving footfall and the take up of local shops and services.
97. The numerous representations which raise concerns about the impact of the development on the vitality and viability of Hale district centre are acknowledged and have been carefully considered. It is only natural that local businesses and interest groups would be concerned if the district centre were to suffer an adverse impact as a result of these proposals. However, it is considered that all the available evidence would suggest that these concerns are unfounded and that there is no reasonable basis on which harm to the vitality and viability of the district centre as a result of these proposals would represent a justifiable reason for refusal of the application.

IMPACT ON RESIDENTIAL AMENITY

98. Policy L7 requires new development to be compatible with the surrounding area and not to prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion or noise and/or disturbance.
99. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code.

100. The Council's adopted SPG for new residential development (PG1) sets out more detailed guidance and specific distances to be retained between buildings and window to window distances. The SPG refers to buildings of four or more storeys and states where there would be major facing windows; buildings should retain a minimum distance of 24m across public highways and 30m across private gardens. Distances to rear garden boundaries from main windows should be at least 13.5m in order to protect privacy. With regards overshadowing, in situations where this is likely to occur a minimum distance of 15m should normally be provided.
101. The nearest residential properties to the application site include Belgravia House apartments to the north of the site; properties along Brown Street to the west of the site, Bath Street to the south west of the site and Victoria Road on the opposite side of the railway line to the east of the application site.
102. Belgravia House is a four storey building with a basement car park area and three levels of living accommodation above ground level. The south elevation of Belgravia House faces towards the application site and has a number of habitable room windows. The elevation features a projecting central gable which has two windows at second floor level (within the roof void), two windows at first level and two windows at ground floor level. These windows all serve a bedroom within each floor of the building. The two windows at ground floor level within the projecting gable each have four panes of glass all of which are clear glazed. The two windows at first floor level within the projecting bay also have four panes of glass, the bottom two panes on each window are obscured glazed the upper two on each window are cleared glazed. The two windows at second floor level also have four panes of glass, the window on the left hand side of the projecting bay is fully obscured, the second window has the bottom two panes of glass obscure glazed, whilst the upper two are clear glazed.
103. On either side of the projecting bay there is an individual window at ground, first and second floor. These windows are secondary windows serving a lounge area, which are also served by a window either on the front elevation facing towards Brown Street or on the rear facing towards the railway line. The first and second floor secondary lounge windows are fully obscured and both the ground floor secondary windows are clear glazed.
104. Belgravia House is set back approximately 11m from the boundary with Brown Street. The south facing elevation of Belgravia House retains a distance of approximately 3m to the shared boundary with the application site; the projecting bay on the same elevation retains a distance of approximately 2m to the shared boundary. The intervening space between the boundary wall and the south facing elevation of Belgravia House is a narrow landscape strip with some small and medium size trees and bushes.
105. The proposed townhouses are set back approximately 1.5m from the back of pavement and measure approximately 5.7m in depth. The north facing gable elevation of the townhouses is set away from the shared boundary with Belgravia

House between approximately 6.5m-7.3m with the new vehicular access to the development located in the intervening area between the townhouses' north facing elevation and the shared boundary with Belgravia House. The shared boundary with Belgravia House consists of a brick wall which measures approximately 2m in height. The new car parking deck will be attached to the rear of the townhouses; this will include ground floor level parking, a part first floor area of parking and at second floor level the raised garden areas to the townhouses. The decked structure will project beyond the rear of the end townhouse (on the northern extremity of the terrace) for a distance of approximately 14m, before returning back within the site (extending away from boundary with Belgravia Court) for a distance of approximately 10.5m before extending out to the eastern boundary of the site with the railway line. The decked structure follows a curvilinear configuration with the proposed elevation treatment along the decks north and east elevation consisting of vertical galvanised fins. The height of the decked structure from ground level is approximately 8.2m which includes the height of the boundary wall that encloses the second floor garden terraces. The decked structure will retain a distance of approximately 8.5m – 9.5m to the south facing elevation of Belgravia House.

106. The positioning of the townhouses in close proximity to the eastern boundary with Brown Street (terrace set back approximately 1.5m from back of pavement) ensures that the north facing gable elevation of the terraced townhouses is located away from the south facing windows of Belgravia House. The raised car deck structure located to the rear of the townhouses will extend immediately parallel with the south facing windows of Belgravia House.
107. As stated previously, Trafford Council's New Residential Planning Guidance recommends a distance of 15m be retained between a main elevation (with habitable windows) and a two storey blank gable. In this particular instance the main habitable room windows affected are the ground floor bedroom windows and first and second floor bedroom windows of Belgravia House within the central projecting bay. The windows either side of the bay as stated are obscured glazed secondary windows (apart from the ground floor which are clear glazed but still secondary windows). A distance of approximately 8.5m would be retained between the raised deck and the windows on the projecting bay. The raised deck has been designed to incorporate lightweight materials in the form of galvanised fins which will enclose the majority of the first and second floor sections of the north facing deck elevation. A section of the second floor garden boundary wall will be exposed on the elevation, this wall is included in the overall height of the raised deck which as stated measures approximately 8.2m in height. The deck has also been staggered away from the shared boundary with Belgravia House as it extends towards the eastern boundary to reduce its impact. As a comparison, the deck would extend up to approximately the level of the roof eaves on the south facing elevation of Belgravia House.
108. When planning permission was granted for Belgravia House in March 2002 (Ref:H/53281) it was acknowledged in the officer's report that the side elevations

of the proposed building (north and south elevations) contained some windows to habitable rooms e.g. secondary windows to lounges and sole bedroom windows. Some of these windows would be up to 10metres from the site boundary and those at ground level would face towards walls/fences. It stated that some of these windows would be required to be obscured glazed, including the lower half to the sole windows to prevent overlooking to neighbouring sites. The approved plans with obscured glazing included the south elevation of Belgravia House which did not overlook residential properties. Whilst the provision of glazing on the south elevation was to prevent overlooking, it is an acknowledgement that the site to the south of Belgravia House (i.e. the application site) could be developed for residential development in the future and the obscure glazing would prevent undue overlooking and loss of privacy. The thinking behind this approach is one that is commonly adopted by Officers today, that is, it is often considered unreasonable for a development, particularly an apartment development, to have an unrestricted outlook to the sides of the site, when the main aspect is to the front and rear. To do so would be to unreasonably and unnecessarily prejudice the future development of adjacent sites, thereby failing to make effective use of land in accordance with NPPF guidance.

109. It is therefore considered unreasonable in this scenario to require rigid adherence to the separation distances set out in SPD1, particularly when the habitable room windows on south facing side elevation of Belgravia House did not meet the minimum privacy distances to shared boundaries in the first instance. The objective behind the minimum privacy distances set out in PG1 is, in the context of the proposed development, to prevent the new development having an overbearing impact on residents' outlook from Belgravia House. However, given the predominance of obscure glazing in the lower half of the windows in the south facing side elevation of Belgravia House, and the secondary outlook from other windows in this same elevation, it is not considered that the development will have an overbearing impact. So whilst the separation distance to the development from the windows on the south side facing elevation of Belgravia House falls short of the recommended separation distance as stated within PG1 it is considered that in this situation the shortfall is nonetheless acceptable, as no harm to the residents amenity would result.
110. The rear garden decks to the terraced houses, as stated have a boundary wall which extends around the perimeter of the garden/external amenity space at second floor level. The wall is approximately 2m in height which is sufficient to prevent any undue overlooking particularly towards Belgravia House in terms of external areas and inter-looking of windows. The vertical galvanised fins to the car decking area on the north facing elevation will be tilted to ensure that car lights do not shine directly towards the windows of Belgravia House. There are no windows proposed on the north facing elevation of the townhouses facing towards Belgravia House.
111. As the terrace of townhouses will be positioned beyond the front elevation of Belgravia House, there are no specific planning guidelines that could be

appropriately applied to this relationship, but nonetheless, it is appropriate to consider any impact on the outlook of residents within the apartments in the south western part of Belgravia House. The nearest part of Belgravia House to the townhouses is the south west section of the building which comprises a front two storey bay window. The bay window serves a lounge area at ground and first floor, the second floor lounge does not have a bay window but a conventional window opening. These lounges are also served by the secondary windows on the south (side) elevation of the building. The area immediately to the front of Belgravia House includes an area of hardstanding and soft landscaping. The lounge areas have windows on the bay splay at first and second floor facing away from the terrace, notwithstanding this the intervening distance between both properties, the staggered positioning and the narrow gable elevation of the townhouses is such that it is considered that the siting of the townhouse terrace will have no adverse impact on the occupants of Belgravia House by way of overlooking or an overbearing impact.

112. The nearest residential properties on Brown Street to the proposed development are Nos. 68-74 Brown Street on the opposite side of Brown Street from the development site. The four properties form the end section of a terrace of two storey residential properties which extends along the west side of Brown Street.
113. A distance of approximately 13m will be retained from the west elevation of the townhouses to the front elevation of No.72 and No 74 Brown Street, both these properties would directly face the townhouse terrace. The front elevation to the townhouses will incorporate a bedroom window and store room window at first floor level; a living room window and stairwell/landing window at second floor level and an external terrace/balcony at third floor level within the roof. Both No.72 and No.74 Brown Street have habitable room windows at ground and first floor level facing towards the application site.
114. The intervening distance of approximately 13m is below the recommended privacy distance (24m) in this situation where habitable room windows face each other across a highway. However, given the context of the immediate surrounding terraced streets, the separation distances between existing properties across streets in the vicinity of the site is similar to those that would result from the proposed development. It is acknowledged that the townhouses have an additional storey (and a bedroom with inset balcony in the roof) over and above the majority of residential properties in the locality. That said, in tightly packed residential streets such as Brown Street, loss of privacy can equally occur as a result of a passer-by walking past the window or residents otherwise ensure privacy is achieved through the use of window blinds or net curtains. It is considered that there is unlikely to be any significantly greater loss of privacy from the proposed development than that which would be lost had the proposed houses been the same height as the existing properties on Brown Street. It is considered that this latter point, when considered together with the benefits that arise from the scheme in terms of the retention of the public car park and the benefits associated with delivering the terrace of residential properties which sit

in front of it - and the added benefit of providing a stronger street frontage to Brown Street in line with the historic terrace further to the north - should carry more weight in the decision making process than the shortfall in meeting the PG1 guideline separation distance to No. 72 and No. 74 Brown Street. It is therefore considered that this relationship across Brown Street is acceptable.

115. Towards the southern extremity of the site, 13 Bath Street sits on the corner of the junction of Bath Street and Brown Street on the opposite side of Brown Street from the development site. This property is a traditional two storey end of terrace residence with a two storey outrigger to its rear and has a side elevation facing the application site. The main aspect of this property is to the front and rear, but the property also has two narrow windows at ground floor on the main side gable elevation and a kitchen door and window on the side elevation of the outrigger, all of which face towards the application site. 13 Bath Street also has a small rear garden/yard area; a medium sized street tree is located on the pavement to the side of 13 Bath Street which offers an element of screening as viewed from the application site. A distance of approximately 12.5m will be retained from the west elevation of the proposed townhouses to the side elevation of 13 Bath Street and approximately 15m to the side elevation of the outrigger. There are no first floor windows on the side elevations of 13 Bath Street which face towards the application site. The townhouses will result in a degree of overlooking to the rear yard/garden area, across a distance of approximately 10.5m however this is a small area of amenity space, but a degree of overlooking would result from any redevelopment proposal of two storeys or more on the application site. It is not considered that the overlooking would be so detrimental as to justify a refusal of planning permission on this basis. There would be a degree of inter-looking to the side ground floor windows from the proposed townhouses but these windows are open to overlooking from passers-by in the street in any event and again, it is not considered that any overlooking and resultant loss of privacy would be so harmful to amenity to justify a refusal of planning permission on this basis.
116. The proposed apartment building is located adjacent to the south side of the site and is not immediately adjacent to any neighbouring residential properties. The nearest residential property would be 13 Bath Street. As the apartment block is set back from the townhouses a distance of approximately 20m would be retained between both buildings which is considered an acceptable intervening distance in this particular context. Again, the two windows in the side elevation of 13 Bath Street are open to overlooking from the street in any event.
117. Properties on Victoria Road may have views of the development, particularly from their upper floors, but the distance between the scheme and these properties is sufficient that there would be no adverse impact on their amenity arising, with appropriate mitigation for car headlights proposed.

Parking Demand

118. There is competing anecdotal evidence as to whether the Council introducing car parking charges at Brown Street car park has made a significant difference to its

level of utilisation and to the pattern and intensity of on-street parking in the area. Consideration of this issue is however outside the scope of this planning application. The correct assessment when considering this application is whether the loss of car parking spaces at Brown Street car park would lead to greater parking demand and stress on residential streets when compared to the existing situation; not whether some other action carried out by the Council outside of the planning process has had any impact on on-street parking demand within Hale District Centre. For the reasons given in the Highways section of this report it is not considered that the proposals, once completed, would have any discernible impact on on-street parking levels in the District Centre. As such there would equally be no discernible impact on residential amenity from this issue.

Noise

119. The applicant has undertaken a noise impact assessment with regards the proposed development. The assessment determines the impacts of the existing noise climate on the noise sensitive elements of the proposed development and sets noise level limits for the noise generating elements of the development at the nearest noise sensitive receptors. The noise assessment concludes that mitigation measures in the form of appropriate glazing and ventilation units will need to be incorporated into the scheme in order to protect future residents of the proposed development. The Council's Pollution & Housing section have accepted the findings of the report and have recommended a condition ensuring the development is carried out in accordance with the approved details. The Pollution and Housing section have also requested a condition to ensure that any plant and associated equipment required for the development does not exceed stated background noise levels.

External Lighting

120. The Council's Pollution and Housing section have stated that the lighting provided in the scheme should be erected and directed so as to avoid nuisance to residential accommodation in close proximity. Guidance can be obtained from the Institute of Lighting Professionals Guidance: Guidance Notes for the Reduction of Obtrusive Light GN01:2011
121. An appropriate condition, should planning permission be granted, is recommended, requiring details of any external lighting within the development site to be submitted to the Council for approval prior to its installation on buildings or within the wider site. An additional condition is recommended to require a detailed lighting scheme for the car park which will need to ensure that the car park is adequately lit for users but that it does not cause harm to nearby residents' amenity.

Conclusion on impact on residential amenity

122. The potential impacts on existing residents in Belgravia House, together with those in Brown Street, Bath Street and Victoria Road have been carefully

considered and the conclusion reached that the proposed development will not result in such a level of harm to the living conditions of occupiers of neighbouring properties that their amenity would be adversely affected to a degree where a refusal of planning permission would be justified. Nor is it considered that the amenity of future occupants will be adversely impacted upon given the location of the proposed residential accommodation close to the railway and the existing vehicle repair business on Brown Street. It is considered therefore to be compliant with the NPPF and Core Strategy Policy L7.3 in that it will be compatible with the surrounding area; and will not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing impact, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

HIGHWAYS & PARKING

123. 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”*.
124. Paragraph 109 of the NPPF states 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”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.
125. Policy L7 states that ‘In relation to matters of functionality, development must:
- Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety;
 - Provide sufficient off-street car and cycle parking, manoeuvring and operational space
126. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF’s emphasis on good design and, together with associated SPDs, the Borough’s design code.
127. The site is accessed from Brown Street, which is a 30mph residential road that has double yellow lines along it at the site frontage; the opposite side of Brown Street is currently restricted with residents’ parking bays. The existing carriageway is less than 5.5m wide and as such parking within the residents’ parking bays effectively reduces the available carriageway width to one vehicle.

128. The applicant has undertaken a Transport Assessment (TA) as part of the application. This TA was updated and resubmitted along with a parking survey of Hale District Centre during the determination of the application. The applicant has also undertaken a further speed survey on Brown Street.
129. It is acknowledged that the Local Highway Authority (LHA) initially raised a number of objections to the proposals. However, the amendments to the scheme were intended to address these objections. The LHA has reviewed the amended plans and now has no objection to the proposals, subject to various conditions, set out below.

Access

130. The proposal includes new/revised access points. The proposed vehicular site access to the car park is located towards the northern extremity of the existing boundary with Brown Street. Each of the townhouses would have their own individual accesses. There would be no vehicular access to the apartments.
131. The latest proposals in the Transport Statement make reference to a traffic management scheme which will enable the provision of reduced visibility splays at the revised car park entrance. The traffic calming measures include the introduction of a round topped road hump on Brown Street located to the south side of the existing vehicle access to Belgravia House along with 2x pairs of speed cushions located opposite the new townhouses. The introduction of such traffic calming measures would need to be subject to the normal procedure of public consultation with residents by the Council's Highways department before they were able to be implemented.
132. In accordance with Manual for Streets, (MfS), a new access to serve this form of development would require a visibility splay at the site access to achieve 2.4 x 43 metres. However, following a speed survey it has been established that the 85th Percentile speed along Brown Street is 28mph [note: the 85th percentile speed is defined as the speed at or below which 85 percent of all vehicles are observed to travel under free flowing conditions past a monitored spot]. In line with MfS, a reduced visibility splay is acceptable given the speed survey and therefore the new access requires a visibility splay of 2.4 x 39 metres without the introduction of traffic calming measures.
133. Traffic calming measures have been proposed, and given their proposed location, frequency and design, together with the way in which Brown Street operates, the LHA consider that speeds can be reduced to 20 mph along this section of Brown Street. Accordingly, sight lines can be reduced and the LHA is now satisfied that the proposed visibility splays at the entrance to the car park of 2.4 x 43metres to the south and 2.4 x 25metres to the north are both acceptable and achievable and would not lead to any harm to highway safety. An appropriate condition would be required to be attached to any grant of planning

permission to ensure submission of the traffic management scheme described above to be implemented before the car park is first brought into use.

134. The earlier submission also had restricted vehicle/pedestrian visibility splays, whilst these have been improved they remain restricted. The LHA would request that the proposed landscaping is maintained at a height no greater than 0.6metres so that visibility is not further restricted. This can be secured by condition.
135. The existing vehicular crossing would need to be removed as part of the proposals and the footway reinstated at this point.
136. During construction works at the site if planning permission is approved, the existing pedestrian and disabled access to the railway station will be closed. It is proposed that during construction works a temporary disabled ramp access to the station will be provided by the applicant who has discussed this solution with Northern who manage the station. Following completion of construction works a new pedestrian and disabled access to the west side platform will be provided along the south side of the application site adjacent to the apartment block. Further consideration of this issue is contained within the 'Equalities' section of this report.

Parking (including cycle & motorcycle)

137. Policy L4 of the Core Strategy identifies that car parking standards are maximum standards. The maximum levels of car parking for broad classes of development will be used as part of a package of measures to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion.
138. Paragraph 106 of the NPPF states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network or for optimising the density of development in city and town centres and other locations that are well served by public transport.
139. The existing car park has 80 car parking spaces including two accessible spaces. SPD3 states for residential dwellings in Area B that 1 car parking space is required for each 1 bedroom dwelling, 2 car parking spaces are required for 2 bedroom and 3 bedroom dwellings. The maximum parking requirement for the development proposal would therefore be 20 car parking spaces for the townhouses, 9 car parking spaces for the 1 bedroom flats and 6 car parking spaces for the 2 bedroom flats. This represents a maximum parking requirement of 35 car parking spaces for the residential element of the proposals.

140. The proposed townhouses will have two allocated spaces, one within the integral garage and one demised parking space within the new public car park and therefore would comply with the maximum requirement set out within SPD3. As originally submitted the application proposal included the allocation of a further 12 spaces for the apartments within the car park. The applicant has now confirmed that the occupants of the apartment block will not now be allocated a parking space within the car park. These residents would not be eligible to apply for a parking permit under the Council's policy on parking permits. This would mean that, if the occupants owned a car, they would have to find a car parking space on surrounding streets either in a place that, or at times when, a permit was not required to park.
141. The applicant has made reference to the 2011 Ward census information for Hale Central and referenced that car ownership figures suggested that out of a sub-section of 116 households, 45 households did not own a car (38%). The applicant identifies the highly sustainable location of the application site as another relevant factor to consider with regards the shortfall in parking provision under maximum standards. The site is located adjacent to Hale railway station and nearby bus routes such as Hale Road to the north side of Brown Street and Ashley Road to the south of the site. Altrincham Interchange is within 0.7 miles or 15 minutes' walk, and provides further opportunities for bus travel and access to Metrolink services at high frequency. The applicant has also provided a first edition travel plan which seeks to encourage travel by walking, cycling, public transport and car-sharing.

Public car parking

142. The proposed parking provision is now 67 spaces within the public car park, 10 of these will be allocated to the townhouses, therefore 57 of these spaces will be available for public use. The 57 parking spaces also include four accessible spaces and four spaces for low emission charging points. There is no standard set out in policy or guidance to indicate what might be an appropriate level of car parking to serve town or district centres.
143. Following initial concerns raised by the LHA with regards internal manoeuvring space and parking space dimensions and locations, the applicant has provided a swept path analysis and relocated the disabled parking spaces to improve the additional manoeuvring space required to access such spaces. The LHA have considered the details as submitted and are satisfied that all the parking spaces can be used but acknowledge that whilst some spaces will require several additional manoeuvres. They are all nonetheless accessible. This is not an uncommon arrangement in a multi-storey car park.
144. The majority of representations received have detailed concerns relating to the loss of circa.23 public car parking spaces through the redevelopment of the site. In addition residents have expressed their observations regarding difficulties in

parking cars outside their properties on Brown Street and surrounding residential streets and problems in general with limited on-street parking in the village. Parking permits can be used by local residents on application to the Council's Parking Services section. These permits allow use of parking on-street where indicated but also the use of Brown Street car park by residents. Local businesses have also stated that the loss of car parking spaces within Hale village would have a detrimental impact on the economic wellbeing of the village. The closure of the car park for the duration of the construction works would also result in no public car parking provision on Brown Street for the duration of the works, which it is considered by those making representations, would further exacerbate the difficulties residents and businesses have expressed.

145. Residents and business have also stated anecdotally that prior to car parking charges being introduced by the Council, the Brown Street car park was normally at full capacity. Since the introduction of charging it is suggested that residents/customers have chosen to park on surrounding streets due to the charges applied to use the car park. The charging scheme for the car park applies Mon-Sat 8am – 6pm (inc. Bank Holidays) and is 0.20p for up to 30 mins; £1.00 for up to 1 hour; £1.50 for up to 1½ hours; £2.00 for up to 2 hours; £2.50 for up to 3 hours; £3.00 for up to 4 hours and £5.00 for over 4 hours. The Council's Parking Services service have indicated that there would be no change to the existing opening hours or charges to the car park from the existing car park and existing permit holders will still be able to park here.
146. In order to address the issue of parking within the village in general, the Council's Parking Services section undertook a parking survey over a two week period (excluding Sundays) between Monday 17th September 2018 to Saturday 29th September 2018. The surveys were carried out at four times throughout the day (9.30am; 11.30am; 14.30pm and 16.30pm). The survey included on-street parking along Brown Street; Bold Street; Byrom Street; Bath Street; Hale Road and Ashley Road/Hale View. The pay and display car parks at Brown Street; Cecil Road and Victoria Road were included along with the free car park at Cecil Road.
147. With regards the Brown Street Car park, the results of the survey show that the average number of parking spaces occupied over the 12 day period was 37, corresponding to an average parking occupancy of 46%. The survey results indicate that the fewest number of car parking spaces available (15 spaces plus the two disabled parking spaces) was recorded on the 24th September at 11.30am and 14.30pm. This corresponds to a maximum parking demand for 63 cars.
148. A parking survey of Brown Street Car Park on a typical evening and weekend evening was also undertaken. The days and times in this survey were Thursday the 11th and 18th October both at 20.45pm; Friday the 19th October at 18.00pm and 20.45pm and Saturday 20th October at 18.25pm and 20.45pm. The survey

results show that the maximum demand for parking was 35 spaces on a weekday evening and 40 on a Saturday evening. Intermittent officer observations at weekends have also demonstrated the car park was not occupied at full capacity at these times. For example, at 12.06pm on Sunday 2 December, there were 22 cars parked and a similar number at 10.19am on Saturday 27 October.

149. The survey results also included Victoria Road car park which has a capacity of 47 parking spaces, the average usage here over from the parking survey was 68%. Cecil Road car park, which has a capacity of 135 parking spaces, was also included in the survey and the average usage over the survey period was 58%.
150. As detailed within the representations reference has also been made to the possible redevelopment of another Council owned car park within Hale village, namely the Cecil Road car park on the west side of Cecil Road. In relation to the Cecil Road car park, this site was included in the Strategic Land Review Programme, approved by the Executive in March 2018 as a site subject to an options appraisal. No decision has been made with regard the site and it is not open to bids from developers. The possibility of loss of public car parking spaces at the Cecil Road car park can therefore be no weight in the decision making process at this time.
151. It is also evident that, despite objectors' assertions to the contrary, the survey evidence strongly suggests that there is ample spare capacity for public car parking across Hale District Centre. Given the current usage of Brown Street car park it is considered that the loss of 23 car parking spaces would only infrequently impact on the ability to find a space in the car park. In these circumstances, and even were Brown Street utilised to full capacity now, there is spare capacity in other pay and display car parks in the district centre to accommodate the additional demand. Additionally, the overall effect of a loss of car parking spaces at Brown Street would not alter the current pattern of parking in Hale which generally takes place. Most visitors / residents seek a space as close to the place they are visiting or their home as possible; either using the free, time limited / permit, on-street car parking spaces which fill up first, and then, if no free / permit parking is available at a distance the visitor / resident considers to be reasonable, the car parks are used.
152. There is competing anecdotal evidence as to whether the Council introducing car parking charges at Brown Street car park has made a significant difference to its level of utilisation and to the pattern and intensity of on-street parking in the area. Consideration of this issue is however outside the scope of this planning application. The correct assessment when considering this application is whether the loss of car parking spaces at Brown Street car park would lead to greater parking demand and stress on residential streets when compared to the existing situation; not whether some other action carried out by the Council outside of the planning process has had any impact on on-street parking demand within Hale District Centre. For the reasons given above it is not considered that the

proposals, once completed, would have any discernible impact on on-street parking levels in the District Centre.

153. It is therefore not considered that the loss of 23 car parking spaces at Brown Street would lead to greater parking stress within the District Centre or have any impact on highway safety or the free flow of traffic. The potential impact of the proposals on the vitality and viability of Hale District Centre is considered elsewhere in this report.

Parking / access for the residential element

154. As with the earlier submission, parking for the townhouses includes the provision of individual garages which are proposed to be accessed directly off Brown Street. These garages are greater in size than that stated in SPD3, which requires garages to be a minimum of 2.4 x 4.8metres. The proposed garage dimensions are approximately 2.6m x 4.8m therefore the LHA accept that these are suitable parking spaces.
155. As stated in the initial LHA response to the consultation on the planning application, the space between the garage door and the back of footway is below that which is recommended in the SPD3. Advice within SPD3 indicates that a distance of 5.5m is normally required in front of a garage door unless a roller shutter door is used, whereby a reduced distance is likely to be considered acceptable. The distance retained from the garage door to the back of pavement is approximately 1.5m which does not provide any practical space to park a car off-street. The applicant has proposed the use of remotely opening garage doors to be operated by a remote electronic key fob which allows the owner to open the garage door as they approach the driveway. This will allow the car to be driven into the garage without obstructing the driveway.
156. The remotely activated fob is a similar device commonly used to open vehicular gates. It has been suggested in a representation that the use of such fobs is unlawful if it is not operated hands-free. It is unclear if such devices are unlawful and in any event alternative hands-free devices are available, for example those which are built into cars and can active the door/gate on approach. It is considered that given the low volume of traffic on Brown Street and the proposal to use remotely opening garage doors, the reduced driveway lengths to the townhouses are considered acceptable in this location.

Cycle Parking

157. SPD3 states that for 1 bedroom dwellings 1 allocated or 1 communal cycle parking space should be provided, and for 2/3 bedroom dwellings, 2 allocated or 1 communal cycle parking space should be provided per plot. Twelve secure cycle parking spaces are provided for the apartments within the new car park. Cycle parking is also proposed for the public within the car park with a total of 18

spaces for public use, currently there is no cycle parking provision at Brown Street car park.

158. The supplementary transport statement indicates that cycle parking for the town houses will be provided in each of the dwellings. On the original floor plans a downstairs w.c. was indicated that has now been omitted to allow use of this downstairs room as a cycle store within the townhouse as insufficient space would exist within the garage area to store a cycle alongside a parked vehicle.
159. An area is indicated within the public car park for motorcycle parking. No specific details are shown with regards how motorcycles could be accommodated securely. If planning permission is granted it would be appropriate to include a condition requesting full details of secure motorcycle and cycle parking spaces to be submitted.

Servicing

160. The supplementary Transport Statement states that refuse / recycling will be collected from Brown Street which is considered acceptable.
161. The refuse/recycling store for the apartments is proposed to be located within the car park. Bins are to be positioned adjacent to Brown Street on collection days (dedicated area adjacent to south side of townhouses) and returned thereafter. A refuse collection strategy condition is included in the recommendation.
162. A dedicated bin store is located to the front of each of the townhouses constructed in brick and timber.

Transport Assessment

163. A transportation assessment has been provided as part of the proposals which details Trip Rate Information Computer System (TRICS) analysis for the proposed site. The data refers to 14 sites, of which only 4 sites are located within a town centre, edge of town centre or neighbouring centre. The data is gleaned over the past ten years and indicates a total of 8 two-way movements proposed in the am peak (8-9am) and in the pm peak (5-6pm) which is considered reasonable and would have a low traffic impact on Brown Street during the weekday peak periods. The impact on the highway network would not be 'severe' in NPPF Paragraph 109 terms.

Construction Phase

164. A construction logistics plan has been submitted as part of the proposals which includes proposals to remove all existing public car parking from the site during construction. Furthermore, it also states that there will be requirements to apply for an 'H Bar Order' to remove the existing permit parking on the opposite side of Brown Street. A Temporary Traffic Order would be required for works to close the footway at the frontage of the site temporarily, whilst roads would need to be

blocked to unload wagons. These works and this would need to be undertaken at the developers cost.

165. If planning permission should be granted it is considered that a Construction Management Plan condition is included and would include details regarding delivery vehicles and the necessary traffic management required to ensure that deliveries do not block access along Brown Street. Additional issues such as construction parking; hours of work; measures to mitigate dust, noise and procedures for keeping the local street network clean from construction debris would also be detailed. Alternative parking provision equivalent to the number of spaces which are affected should be sought for the permit holders who would be affected during construction works and this can also be controlled by condition.

Travel Plan

166. A travel plan has been submitted with the application which proposes welcome packs for new residents with information. It is stated that within 1 month of completion with a substantial 75% occupancy a baseline travel survey will be undertaken. The targets are set out as 75% sustainable travel, 2% motorcycle travel, 3% taxi and 20% car use. No measures are proposed within the report other than residents being provided with welcome packs. It is therefore appropriate to include a condition requiring the submission of a Full Travel should planning permission be granted.

Conclusion on highways and parking.

167. The LHA have considered the proposed development including the amendments made to the proposal as originally submitted, and raise no objections to the proposal subject to conditions requiring a Traffic Management Scheme, a Travel Plan, and a Construction Management Plan.
168. With regards the new vehicular access and in particular a reduced visibility splay, the LHA is satisfied that the proposed traffic calming measures will help reduce vehicle speeds on Brown Street and therefore sufficient visibility is achieved from the new access to serve the development.
169. It is considered that given the highly sustainable location of the development and the measures contained with the travel plan to reduce dependency on cars, it is not necessary for the apartments to be allocated a car parking space in this location.
170. The Supplementary Transport Statement provides additional information on the parking surveys undertaken, these included street surveys undertaken on Brown Street, Bold Street, Bath Street, Byrom Street and Hale Road. Surveys were also carried out on a number of local car parks including Brown Street. The results show that capacity is available on the roads, although during the hours of the surveys these are restricted to residents only. The surveys also show that

capacity exists in both the Brown Street car park and other nearby public car parks. Whilst the proposal will result in a net loss of approximately 23 public car parking spaces it is considered that there is sufficient parking capacity elsewhere in the district centre to absorb the loss of these spaces.

EQUALITY ASSESSMENT

171. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
172. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations. 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. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.
173. The existing application site provides two disabled parking spaces as well as a step free access to the west platform of Hale station. During construction works, in the event of planning permission being granted, the disabled parking spaces will not be available to members of the public nor will the access to the west platform from the car park. The implications of removing access from the car park to the platform and the disabled parking spaces would cause significant inconvenience to disabled members of the public; in particular wheelchair access to the west platform would not be possible with the closure of the car park unless an alternative means of access was provided.
174. As part of the proposed development, the applicant has been in discussions with Northern (who operate the Railway Station) and have agreed to provide a temporary ramp at the station building during the period of construction to allow access for wheelchair users and other members of the public such as parents with prams and elderly members of the community with shopping trolleys. This would need to be a temporary arrangement, as any permanent ramp may require planning permission / listed building consent.
175. The applicant has submitted an equality statement outlining the proposed temporary access details. With regards the loss of the disabled parking spaces, the new car-park will provide four disabled parking spaces which are located

beside the main pedestrian access to the car park. These are considered to provide an overall betterment to the current provision. In addition a new footpath access will be provided to the south side of the apartment block following redevelopment of the site and this will allow wheelchair access to the north bound platform. It is acknowledged that this route would be less direct and less convenient to navigate than the existing arrangement where step free access is taken directly from the car park and that concerns have been raised in this regard. However, it is not considered to be so complex or inconvenient to navigate that it would be unusable and in the context of the development proposed, is considered to be a reasonable means of minimising any disadvantage protected groups may have in accessing the station and has been proposed in order to meet the needs of protected groups.

176. During construction works there is no available space to relocate the two disabled parking spaces in the immediate vicinity. Disabled parking is however available in the Victoria Road car park to the east side of the station building. It is acknowledged this would take marginally longer to negotiate from the car park to the station's main entrance, albeit it is much closer to the access to the south bound platform. It would be considered a reasonable alternative whilst construction works take place given the lack of alternative land to provide temporary disabled parking.
177. Within the new development the 12 apartments will be affordable housing units which will be accommodated across four levels the upper levels all accessible by lift improving access to this type of housing for those with mobility issues..
178. It is considered that the temporary alternative access to the station during construction works, together with on completion of the development an alternative step free access to the south bound platform (albeit over a less direct route) would on balance provide satisfactory provision for protected groups and in granting the application the PSED would be discharged and the requirements of Policy L7.5 and the NPPF would be met.

AIR QUALITY AND SUSTAINABILITY

179. Core Strategy Policy L5 requires applicants to demonstrate how they have sought to minimise their contribution towards and / or mitigate their effects on climate change. Parts of this policy remain broadly compliant with the NPPF and therefore up to date, whilst parts do not and are out of date. It is considered that Policies L5.1 to L5.11 are out of date as they do not reflect NPPF guidance on climate change, whilst the remainder of the policy, including that relating to air quality and pollution is compliant with the NPPF and remains up to date.
180. The site does not sit within an Air Quality Management Area, and consequently there has not been a requirement for the applicant to submit an air quality assessment with the application. Nonetheless the NPPF encourages the provision of low emission vehicle charging points in new residential

developments. At present, there is no specific local planning policy requirement for EV charging points in the Borough.

181. The Council's Pollution & Housing Section have also stated that it would be advantageous for the development to include the provision of low emission vehicle charging points. This will benefit local air quality and help promote the uptake of low emission vehicles. It is suggested that the provision of electric (EV) charge points would comprise charge points in every new house (minimum 7kWh) with dedicated parking or 1 charge point (minimum 7kWh) per 10 car parking spaces for unallocated parking. The applicant has committed to providing four low emission charging points within the public car park. As the site is not within an AQMA, no mitigation against air quality impacts can be required. Further EV charging points within the public car park would limit the level of car parking available as they are not normally available for general use. As such, this level of provision is considered to be appropriate and acceptable in this location.

ECOLOGY & TREES

182. Policy R2 of the Core Strategy identifies that the protection and enhancement of the environment is a key element of the Council sustainable strategy for the Borough. Developers will be required to demonstrate how their proposals protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets.
183. The applicant has undertaken an extended Phase 1 Habitat Survey of the site which has considered the impact of the proposed development on protected species.
184. The survey identified that there were no buildings or mature trees with features suitable for roosting bats were present on site. The site is considered not suitable to support bat roosting habitat, bats use linear landscape features to commute and forage along and the site does not support such linear features. Some of the semi-mature trees around the perimeter of the site provide suitable nesting habitat for birds. If any works are to be carried out to potential bird nesting habitats (such as trees) within the bird nesting season (March to August) a bird nesting survey will be required immediately prior to the works commencing.
185. The survey identified the presence of Cotoneaster at the northern boundary of the site. Cotoneaster is a non-native invasive plant species and it is recommended that it should be eradicated from the site prior to any works beginning.
186. The survey recommends that any proposed planting should include native and non-native flowering plant species and varieties to provide a continued source of pollen and nectar for invertebrates. It is also suggested that bird boxes be installed within the new development (building) as part of biodiversity enhancement measures.

187. Greater Manchester Ecology Unit (GMEU) have been consulted on the proposals and have raised no objections to the proposal subject to the inclusion of a condition to require a further survey of trees if works are proposed to commence during bird nesting season. An informative is also suggested to request the disposal of the invasive species cotoneaster from site. GMEU also welcome any biodiversity enhancement measures.
188. The site has little tree cover; two semi-mature trees are located towards the north-east corner of the site with a number of saplings located around the site boundaries. A mature tree is located on the adjacent site to the south side of the site.
189. Given the site coverage of the proposed development there is limited space for new tree planting. The applicant has proposed an Oak and Silver Birch to be planted to the south-west corner of the site beside the access to the car park and apartments. The Councils arboriculturist officer has no objections to the proposals but would recommend the use of a Common Alder in lieu of the proposed Oak due to the potential spread of Oaks which can be up to 20m and could therefore come under pressure to be removed.
190. The soft landscaping proposals include ornamental and evergreen/defensible planting at ground level; ornamental planting to roof gardens and clipped box hedging to the town houses and adjacent to the new pathway along the southern side of the site. Given the restrictive nature of the development proposal, it is considered the quantum of planting proposed is acceptable for a site of this size and location within an urban setting.

FLOOD RISK, DRAINAGE & CONTAMINATION

191. Policy L5 of the Core Strategy requires that new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.
192. United Utilities have considered the proposal and have raised an objection to the proposal with regards the applicants proposal to discharge surface water to the combined sewer. It is considered that insufficient evidence has been submitted to justify the discharge of surface water to the combined sewer. The LLFA have recommended that a Grampian style condition is included which states that development must not commence until infiltration tests have been undertaken to determine the most appropriate drainage of the site.
193. The application site is located within a Critical Drainage Area and as identified within the Council's Strategic Flood Risk Assessment. The site is also within a Flood Zone 1 (lowest risk of flooding) with regards the Environment Agency flood maps.

194. The LLFA as stated have recommended a condition that no development commences until infiltration tests have been undertaken to determine the most appropriate drainage for the site. Further details on this shall be included on the additional information report.
195. The applicant has submitted a Phase 1 Contaminated Land Risk Assessment in support of the proposed development which identifies that the site is located on land that may contain contaminants. The Council's Pollution & Housing section have considered the proposals and have raised no objection to the proposal subject to inclusion of a contaminated land conditions in relation to remediation and associated verification.
196. The proposal is therefore considered to be acceptable with regards drainage, flood risk and land contamination in accordance with Policy L5 of the Core Strategy and the NPPF.

CRIME & SECURITY

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

OTHER ISSUES

199. Within the representations it was queried if an Environmental Impact Assessment was required as part of this development. The Local Planning Authority undertook a screening assessment regarding the proposal and it was concluded that the scale of development does not trigger the requirement for an Environmental Impact Assessment to accompany the planning application having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
200. A number of residents have referred to the Pizza Express business o(142/144 Ashley Road) with 10no. apartments above and the reliance of these residential units on the Brown Street car park for residents parking due to the Ashley Road site having no on-site parking to accommodate the need. Planning permission was granted in March 1996 for this development (ref:H/41985). There are no conditions attached to this approval which secures parking provision for the apartments within Brown Street Car Park. The report to planning committee acknowledges that there would be no on-site parking for the commercial use and the residential accommodation and that both uses would rely on on-street

parking in the area and the nearest public car on park Brown Street. The application was approved on the basis that the viability of the site would be in doubt if reliance on rigid parking standards and it was concluded that the benefits of the scheme outweighed the disbenefits.

Consultation and Publicity

201. Concern has been raised in representations that publicity and consultation in respect of this application has been insufficient. The application has been publicised in accordance with, and exceeding the requirements of, the Town and Country Planning (Development Management Procedure) Order and the Council's Statement of Community Involvement (SCI). A total of 243 properties in the vicinity of the site were originally notified by direct letter, together with the posting of site notices in and around the site and the publication of a press notice. When amended plans were received, all those who had originally been notified were re-consulted along with those who had made representations. Where it had been identified that letters had not been delivered by the postal service, the case officer hand delivered letters to those properties. The purpose of site and press notices is to advertise a proposal more extensively than direct notification by letter would allow. It is evident from the addresses of those making representations that the proposals are known about across the whole of Hale and also Hale Barns, Altrincham and Bowdon; albeit it is acknowledged that this wider knowledge of the proposals has also come about as a result of the community and Ward Councillors seeking to make people aware of the proposals through their own communications. Nevertheless, consultation and publicity carried out by the Planning Service was extensive and more than adequate.
202. Although pre-application consultation by applicants is encouraged by both the NPPF and the Council's SCI, there is no statutory requirement for an applicant to carry out pre-application consultation or for this to be in a particular format. The applicant advertised the proposals on site and invited interested parties to an exhibition at their office premises in Altrincham. This is considered to be a reasonable and proportionate approach for the scale and nature of development proposed. For the avoidance of doubt, although the Council is the landowner, it is not the applicant and the extent of an applicant's consultation is a matter for them, not the Local Planning Authority.

The Council as Landowner

203. The Council owns the land subject of this planning application. It is however not the applicant. The Council's role as Local Planning Authority in the determination of planning applications and as a landowner with powers to utilise its landholdings in whatever ways it feels appropriate (within the confines of the law) are entirely separate. The Council's decision to develop this land, including the tendering process by which the applicant was appointed, is not material to the

determination of this planning application and should not carry any weight in decision making.

DEVELOPER CONTRIBUTIONS

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

CIL

205. The site falls within a 'Hot charging zone' (Hale Central Ward) with regards Trafford Council's CIL Charging Schedule, whereby apartments are liable for a charge of £65 per sqm (GIA) and house are liable for a charge of £80 per sqm(GIA).

SPD1: Planning Obligations

206. 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 normally be through the established mechanism of a Section 106 agreement.
207. Affordable Housing – In this particular case a percentage of affordable housing which would exceed the Council's normal requirement for development in this location, albeit entirely on a shared ownership basis, would be provided on site. The affordable housing provision is considered to be acceptable despite being contrary to the requirements for tenure and mix set out in Policy L2.14 of the Core Strategy for the reasons given earlier in this report in the Principle of Development section. No examination of the viability of the scheme is required in these circumstances.
208. Specific Green Infrastructure – This section of the SPD relates to appropriate tree planting and other forms of Green Infrastructure that would be appropriate to mitigate the impact of the development. Advice within the SPD identifies the provision of 1 tree per residential apartment proposed and 3 trees per residential house proposed. Tree planting is the predominant form of Green Infrastructure provision on development sites and achieved through an appropriate landscape planning condition as the Council prefers to achieve planting on development sites. In addition, other typical Green Infrastructure that can be provided includes hedgerows, green walls and green roofs and can be included within an appropriate landscaping scheme. This development would generate the requirement for the provision of a minimum of approximately 42 trees and/or approximately 80m of hedgerow. Due to the site coverage of the development, tree planting opportunities are limited, 2x specimen trees are proposed to the west side of the apartment building. The soft landscaping proposals include ornamental and evergreen/defensible planting at ground level; ornamental

planting to roof gardens and clipped box hedging to the town houses and adjacent to the new pathway along the southern side of the site. Given the restrictive nature of the development proposal, it is considered the quantum of planting proposed is acceptable for a site of this size and location within an urban setting.

PLANNING BALANCE & CONCLUSIONS

209. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an **up to date** (emphasis added) development plan, permission should not normally be granted.

210. The proposals do not comply with the development plan in the following ways:-

- The housing mix, in providing 12no. 1 and 2 bedroom apartments on the site does not correspond with the target in Policy L2.4 to achieve a split of 70:30 small: large (3+ bedrooms) with 50% of the 'small' homes being accommodation suitable for families.
- The affordable housing would not provide 50% of the accommodation suitable for families, nor would it reflect the overall mix of housing units on the site, nor would it provide 50% of the offer as social / affordable rented units and there are no exceptional circumstances that have been demonstrated to justify this, contrary to Policy L2.14.
- Although there is a commitment by Southway Housing Trust to recycle receipts from the shared ownership model when occupiers 'staircase' out, this cannot be secured by planning condition and therefore the proposals are contrary to Policy L2.15.
- The developer has not demonstrated how the development protects, preserves or enhances heritage assets including their wider settings contrary to Policy R1.6.

211. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that for example, policies controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply, but other policies relevant to this application, for example those relating to design, remain up to date and can be given full weight in the consideration of this application. Whether a development plan policy is considered to be up to date or out of date has been identified for each of the policies in the relevant section of the report.

212. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
213. 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.
214. It has been established that the policies which are 'most important' for determining this application i.e. those relating to housing land supply and heritage, are out of date.
215. In respect of an assessment under Paragraph d)(i), great weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are engaged. Heritage policy in the NPPF should be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms in the absence of up to date development plan policy.
216. In determining this application in accordance with the statutory duty referred to above and in accordance with Paragraph 193 of the NPPF, *'great weight should be given to the asset's conservation'*. The assessment of the proposals have concluded that 'less than substantial harm' would arise to a number of designated heritage assets, including Hale Station Conservation Area and the identified Grade II listed buildings. There would be harm to the architectural and historic significance of these heritage assets from visual intrusion in the wider townscape. It is important to bear in mind that less than substantial harm is not less than a substantial objection.
217. Nevertheless, a number of public benefits arise from the scheme which are considered to demonstrably outweigh the 'less than substantial harm'. These are that the scheme will deliver a sustainable development including 22 new residential units on a brownfield site, a significant contribution to the Council's housing land supply figures and targets for delivering residential development on brownfield sites. Principally it will deliver 12 affordable units under shared ownership which equates to 55% affordable housing provision and exceeds the 40% target for this location. It will bring about the redevelopment of a long term under used site and provide a more secure and modern public car park with new

cycle and motorcycle parking and provision of low emission charging points. The proposal would result in an improved street scene at this part of Brown Street with a high quality contemporary designed building. The scheme will also boost Hale District Centre's economy both through the provision of construction jobs and also by way of new residents of the development contributing towards local shops and services.

218. The fact that the proposals comply with NPPF policy on heritage, and that the statutory duty to give great weight to heritage assets in the decision making process has been engaged, represent the material considerations necessary to outweigh the non-compliance of the proposals with Policy R1. Policy R1 can be given very limited weight given it does not reflect current case law and NPPF policy and in particular offers no opportunity for a developer to demonstrate that there would be public benefits which would arise to justify that a development proposal does not 'protect, preserve or enhance' a heritage asset.
219. Having carried out this analysis, there is no 'clear reason for refusing the development proposed' when considering the application against Paragraph 11d)(i) of the NPPF. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged, i.e. planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
220. Where the proposals do not comply with the development plan in respect of housing mix and affordable housing tenure, those policies are out of date and the development is compliant with NPPF policy, which is a material consideration which would justify departing from the development plan. For the avoidance of doubt, it is considered that the requirement in policy to provide affordable housing at an appropriate percentage should still be given significant weight (and the development complies in that respect), although the means by which that is provided, the definition of affordable housing having been extended by the NPPF, should be given limited weight.
221. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The significant concern raised in numerous representations about the impact of the development on the success of Hale as a centre is acknowledged and has been carefully considered. However all the available evidence suggests that there is capacity in Hale District Centre to accommodate any loss of public car parking from the site and that the loss of 23 public spaces would not have an adverse impact on the vitality and viability of the district centre, highway safety or residential amenity. Indeed residential development so close to the district centre is likely to have a positive impact on vitality and viability by increasing the local population who are likely to utilise local shops and services.

222. The benefits of the scheme including: bringing forward an appropriate form of development for the site; making efficient use of land in a sustainable location close to public transport links; contributing to the Council's housing land supply at a time where the Borough does not have a five year supply; providing a percentage of affordable housing on site in excess of normal policy requirements, are considered to significantly and demonstrably outweigh the adverse impacts. The application of Paragraph 11(d) is an important material consideration which should be given significant weight and justifies the departures from development plan policy identified above. Minor variations from SPD/ SPG guidance (which does not form part of the development plan) are significantly and demonstrably outweighed by the benefits of the scheme. No other material considerations have been identified which would warrant a different view being taken. The application is therefore recommended for approval.

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:-

- Drawing No:492-MP-AL(05)-001-[P02] – Existing Site Location Plan
- Drawing No:492-MP-AL(050-002-[P02] – Existing Site Location Plan and Site Photographs
- Drawing No:492-MP-AL(05)-100-[P03] – Existing Site Plan
- Drawing No:1979-GA-001 Issue No.04 – Application Boundary Existing Site Survey
- Drawing No:1979-GA-100 Issue No.05 – Landscape General arrangement Groundfloor
- Drawing No:1979-GA-101 Issue No.5 – Landscape General Arrangement Combined
- Drawing No:1979-GA-102 Issue No.5 – Landscape Softworks
- Drawing No:1979-GA-103 Issue No.5 – Landscape Hardworks & Furniture
- Drawing No:1979-GA-200 Issue No.5 – Landscape Section A-A
- Drawing No:1979-GA-201 Issue No.5 – Landscape Section Garden Boundaries
- Drawing No:492-A-AL(05)-210-[P06] – Apartment Building – Proposed Ground Floor Plan
- Drawing No:492-A-AL(05)-211-[P05] – Apartment Building – Proposed First Floor Plan

- Drawing No:492-A-AL(05)-212-[P05] – Apartment Building – Proposed Second Floor Plan
- Drawing No:492-A-AL(05)-213-[P05] – Apartment Building – Proposed Third Floor
- Drawing No:492-A-AL(05)-214-[P05] – Apartment Building – Proposed Roof Plan
- Drawing No:492-A-AL(05)-215-[P04] – Apartment Building – Proposed West Elevation
- Drawing No:492-A-AL(05)-216-[P04] – Apartment Building – Proposed South Elevation (02)
- Drawing No:492-A-AL(05)-217-[P04] – Apartment Building – Proposed East Elevation (03)
- Drawing No:492-A-AL(05)-218-[P04] - Apartment Building – Proposed North Elevation (04)
- Drawing No:492-A-AL(05)-219-[P05] – Apartment Building – Proposed Section A-A
- Drawing No:492-A-AL(05)-220-[P05] – Apartment Building – Proposed Section B-B
- Drawing No:492-A-AL(05)-221-[P05] – Apartment Building – Proposed Section C-C
- Drawing No:492-A-AL(05)-222-[P04] – Apartment Building – Proposed Section D-D
- Drawing No:492-A-AL(05)-223-[P04] – Apartment Building – Proposed Section E-E
- Drawing No:492-A-AL(05)-224-[P04] – Apartment Building – proposed Section F-F
- Drawing No:492-H-AL(05)-235-[P05] – Town Houses – Proposed Floor Plans
- Drawing No:492-H-AL(05)-236-[P04] - Town Houses – Proposed Typical Elevations
- Drawing No:492-H-AL(05)-240-[P05] – Town Houses – Proposed Typical Sections
- Drawing No:492-MP-AL(05)-150-[P02] – Existing West Site Elevation - Brown Street
- Drawing No:492-MP-AL(05)-151-[P03] – Existing East Site Elevation – Railway
- Drawing No:492-MP-AL(05)-152-[P02] – Existing North Site Elevation – Belgravia House
- Drawing No:492-MP-AL(05)-153-[P02] – Existing South Site Elevation – Bath Street
- Drawing No:492-MP-AL(05)-160-[P02] – Existing Site Sections A-A and B-B
- Drawing No:492-MP-AL(05)-200-[P06] - Proposed Site Plan – Ground Floor

- Drawing No:492-MP-AL(05)-201-[P06] – Proposed Site Plan – First Floor
- Drawing No:492-MP-AL(05)-202-[P06] – Proposed Site Plan – Second Floor
- Drawing No:492-MP-AL(05)-203-[P05] – Proposed Site Plan – Third Floor
- Drawing No:492-MP-AL(05)-204-[P05] – Proposed Site Plan – Roof Plan
- Drawing No:492-MP-AL(05)-250-[P06] – Proposed West Site Elevation – Brown Street.
- Drawing No:492-MP-AL(05)-251-[P05] – Proposed East Side Elevation – Rear Elevation
- Drawing No:492-MP-AL(05)-252-[P04] – Proposed North Side Elevation – Belgravia View Elevation
- Drawing No:492-MP-AL(05)-253-[P04] – Proposed South Elevation – HW Chartered accountants View
- Drawing No:492-MP-AL(05)-260-[P05] – Proposed Site Sections A-A and B-B
- Drawing No:492-MP-AL(05)-261-[P03] – Proposed Site Sections E-E
- Drawing No:492-MP-AL(05)-287-[P04] – Site Plan – Proposed Section A-A
- Drawing No:492-MP-AL(05)-288-[P04] – Site Plan – Proposed Section B-B
- Drawing No:492-MP-AL(05)-289-[P04] – Site Plan – Proposed Section C-C
- Drawing No:492-MP-AL(05)-290-[P04] – Site Plan – Proposed Section D-D
- Drawing No:492-MP-AL(05)-300-[P02] – Existing Site Plan – Demolition and Removals Plan

Reason: To clarify the permission, having regard to Policies L1, L2, L3, L4, L5, L7, L8, R2, R3, R4 and R5 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

3. The residential apartments hereby approved shall only be used for the purposes of providing affordable (as defined by the Council's adopted SPD1: Planning Obligations, or such relevant policy of the Council adopted at the time) or special needs housing accommodation to be occupied by households or individuals from within the boundaries of Trafford in housing need and shall not be offered for sale or rent on the open market. Provided that this planning condition shall not apply to the part of the property over which:- (i). a tenant has exercised the right to acquire, right to buy or any similar statutory provision and for the avoidance of doubt once such right to acquire or right to buy has been exercised, the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market; (ii). a leaseholder of a shared

ownership property has staircased to 100% and for the avoidance of doubt once such staircasing has taken place the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market.

Reason: To comply with Policies L1, L2 and L8 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 1: Planning Obligations and the National Planning Policy Framework .

4. 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.

5. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples panels and a full specification of materials to be used externally on the building(s) 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 for both the apartment block and the townhouses (including garage doors) and also the car-park. Details of windows and doors at scale 1:20 to be provided. Development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

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

8. 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.

9. No development shall take place until a remediation strategy (in addition to Geo-environmental Investigation Ref A2634/18/B.0 provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be undertaken by competent persons and a written report submitted to and approved in writing by the Local Planning Authority before any development takes place. The remediation strategy shall give full details of the remediation measures required and how they are to be undertaken. A verification plan shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The development shall thereafter be carried out in full accordance with the approved remediation strategy and verification report before the first occupation of the development hereby approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies SL1, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

10. No occupation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason. To ensure a safe form of development that poses no unacceptable risk of pollution to controlled waters in accordance with Policies SL1, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

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

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

13. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement (Ref2018/0636/CIS/01 Version A:29/08/18).

Reason: In the interests of crime reduction, residential amenity and public safety having regard to Policy L7 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 crime prevention, biodiversity and amenity and having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

15. The apartments or the commercial units hereby approved shall not be occupied / brought into use unless and until a scheme for the lighting of the multi storey car park has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a specification for the lighting units and lux contour drawings and be designed so as to minimise light intrusion to nearby residential properties. Thereafter the car park shall only be lit in accordance with the approved scheme.

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

16. Development shall be carried out in accordance with the recommendations contained within the Noise Assessment for Brown Street Car Park, Hale Report Ref:101919 (date 29/11/2018). Prior to the first occupation of any of the residential units hereby approved a completion report, demonstrating that all works have been carried out in accordance with the approved noise mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme and retained thereafter.

Reason: In the interests of the amenity of the future occupiers of the apartments hereby approved, having regard to Trafford Core Strategy Policy:L5.13 and advice within the NPPF. The condition requires the submission of information prior to the commencement of development because the approved details will need to be incorporated into the development at design stage.

17. The rating level (LA_{eq,T}) from any plant and equipment associated with the development, when operating simultaneously, shall not exceed the background noise level (LA_{90,T}) at any time when measured at the nearest noise sensitive premises at the quietest time that the equipment would be operating/in use. Noise measurements and assessments should be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas".

Reason: In the interests of residential amenity having regard to Trafford Core Strategy Policies L7 and L5.13 and advice within the NPPF.

18. Notwithstanding the details shown on the approved drawings, no external plant or machinery, lift overruns, extraction flues, central heating vents, air conditioning units or other vents to either residential or the car park, or other mechanical or engineering equipment shall be erected / installed on the buildings or within the site, unless a scheme has first been submitted to and approved in writing by the Local Planning Authority. The schemes shall include full details of the appearance of any equipment, manufacturer's operating instructions and a programme of equipment servicing and maintenance. Thereafter development shall proceed in accordance with the approved scheme and shall remain operational thereafter.

Reason: In the interests of residential amenity and to ensure to ensure that any plant, equipment, ventilation flues/ducting and other mechanical or engineering equipment can be accommodated without detriment to character and appearance of the host buildings and the surrounding area having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

19. No development shall take place until a scheme detailing infiltration tests has been submitted to and approved in writing by the Local Planning Authority to determine the most appropriate drainage for the site. Development shall be carried out in accordance with the approved details.

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

20. Prior to the first occupation of the residential units hereby approved, a scheme for secure cycle and motorcycle storage shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include siting, number of spaces, details of locking mechanisms, stands and storage areas to demonstrate they meet the Council's cycle and motor cycle parking standards within SPD:3. 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 and motorcycle 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.

21. Before the public car park hereby approved is brought into use, a traffic management scheme which details traffic calming measures for Brown Street shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity, having regard to Policies L4, L7 and R1 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 3: Parking Standards & Design.

22. The development hereby approved shall not commence until a scheme detailing a temporary ramp access at Hale Station has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before any works commence on site and shall be retained for the duration of the construction works.

Reason: In the interest of accessibility having regard to Core Strategy Policy L7 and advice contained within the NPPF.

23. Prior to works commencing on site a scheme detailing the provision of alternative parking for those parking spaces displaced on Brown Street during the construction period, shall be submitted to and approved in writing by the local Planning Authority.

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

24. Prior to the development being brought into use, a scheme of biodiversity enhancement measures as detailed at paragraph 5.3 of the approved Ecology Assessment (Rachel Hacking Ecology) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure suitable biodiversity measures are incorporated into the development, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

25. The proposed soft landscaping to the front of the townhouses shall be maintained at a height no higher than 0.6m.

Reason: In the interests of highway safety having regard to Policies L4 and L7 and advice contained with the NPPF

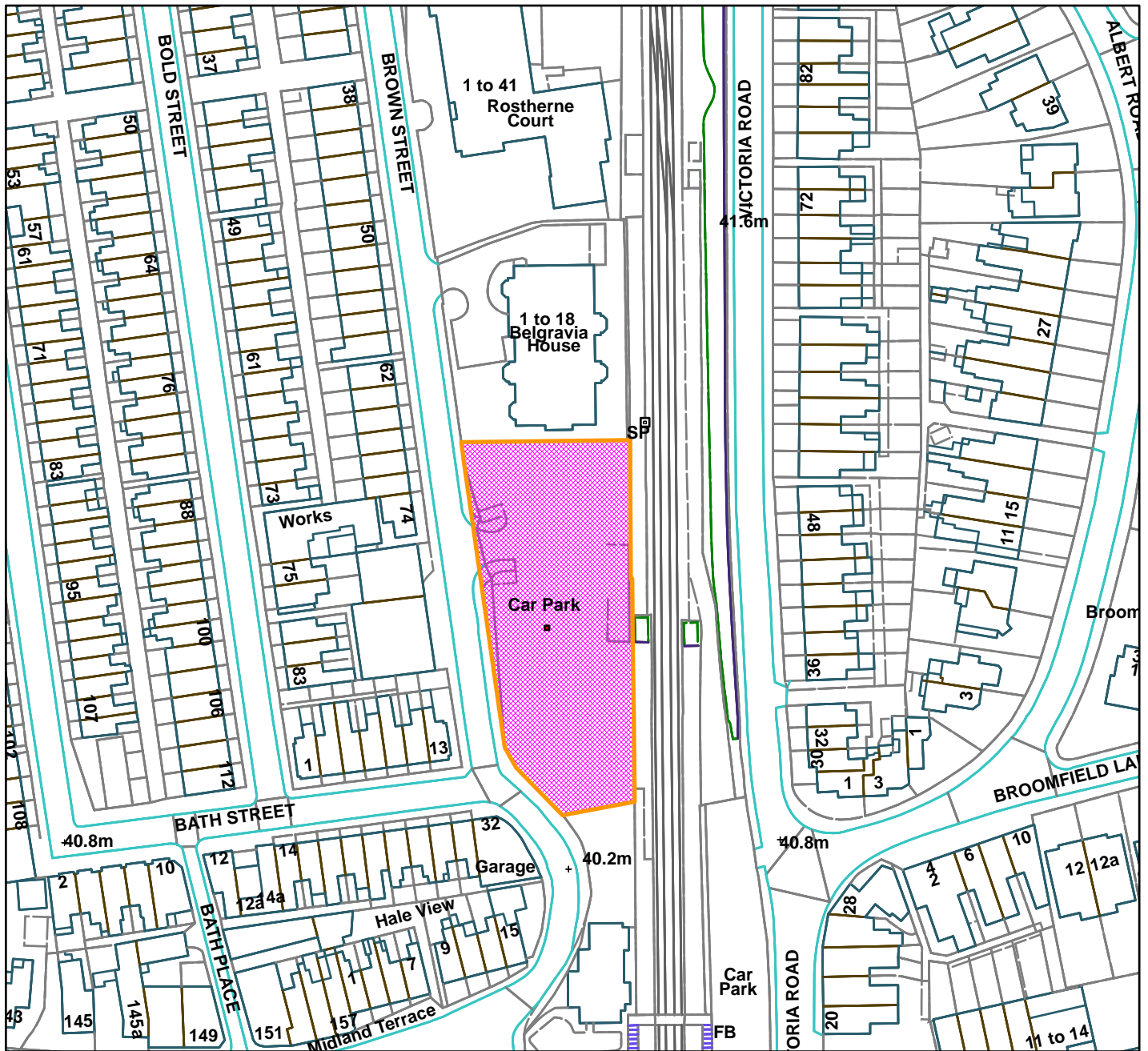
26. The development hereby approved shall not be occupied unless and until a Refuse Management Strategy has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall detail how the refuse and recycling bins shall be made available for collection on bin day and then how they will be returned to their approved storage area thereafter.

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

CM



Car Park, Brown Street, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/12/2018
Date	03/12/2018
MSA Number	100023172 (2012)

WARD: Altrincham

95660/FUL/18

DEPARTURE: No

Application for the demolition of the existing snooker hall (Class D2) and erection of a 3 to 6 storey residential development consisting of 38 residential units (Class C3) with ancillary amenity space, car parking, cycle parking, bin store, landscaping, new boundary treatment and alterations to the access fronting Bridgewater Road and other associated works.

Former Rileys Snooker Club, 1D Bridgewater Road, Altrincham, WA14 1LB

APPLICANT: Maya Property Developments

AGENT: Mr Tom Flanagan, Paul Butler Associates

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 the site of a former snooker hall situated on the northern side of Bridgewater Road in Altrincham. This is just over 1km to the north of Altrincham town centre. Land to the east and south comprises a densely populated residential area with mostly terraced houses and modern residential developments. At the western end of Bridgewater Road there are several commercial premises, including the application site. Designated residents parking restrictions are in place on one side of Bridgewater Road (two hours free parking for non-residents).

To the north of the site is the Bridgewater Canal. A public tow path is located on the northern side of the canal and beyond this are commercial businesses within Bridgewater Retail Park. The closest residential properties are located on Emery Close to the east of the site and Wharf Close on Bridgewater Road to the south, a sheltered housing complex. An electricity substation is located to the rear of a detached block of four apartments both of which are immediately adjacent to the eastern side of the application site. To the west of the site are existing commercial buildings, including Radium House, in use as commercial/industrial space.

Planning permission was approved in August 2006 (ref: H/64400) for the change of use of the premises to a doctor's surgery and members snooker club and new access and parking facilities. At present, it is understood that the building to the front of the site is vacant, having most recently been in use as an NHS staff base for District Nurses and Health Visitors. The snooker club to the rear is no longer in use and it is understood that this business has relocated to an alternative site.

PROPOSAL

Full planning permission is sought for the demolition of the existing snooker hall within the northern part of the site and the erection of an apartment building containing a total of 38no residential dwellings. This comprises 9no one-bed apartments and 29no two-bed apartments. The building ranges from three to six storeys, generally stepping up in height from east to west adjacent to the Bridgewater Canal.

The primary facing material to be used is brickwork, with three different shades of brick proposed to be used to reflect the character and appearance of the surrounding built environment. A rooftop garden/terrace is proposed on the five storey section, comprising a communal area for all residents of the building.

42no parking spaces would be provided within the site, 12no of these at ground level of the proposed building and the remaining 30no to the south of the building. 42no cycle parking spaces would also be provided, with each apartment having one allocated space. The NHS staff base within the south-eastern part of the site would be retained with 10no. car parking spaces being provided for this facility.

The proposal includes a landscaped strip adjacent to the canal boundary, as well as further planting within and to the sides of the external parking area. This parking area also includes grassed paving to the spaces themselves, which are separated by concrete paving strips. Vehicular and pedestrian access to the site is proposed from Bridgewater Road to the south.

This is an amended scheme to that refused at the Planning and Development Management Committee meeting of 12th July 2018. Key changes from the earlier scheme include a reduction in the number of units proposed from 42 to 38, the reduction in height of the tallest section of the building from seven to six storeys, amendments to the elevation of the building fronting the canal and the inclusion of 4no visitor car parking spaces within the site.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L6 – Waste
L7 – Design
L8 – Planning Obligations
W1 – Economy
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

SUPPLEMENTARY PLANNING DOCUMENTS

Revised SPD1 – Planning Obligations
SPD3 – Parking Standards & Design
PG1 – New Residential Development

PROPOSALS MAP NOTATION

Site of Importance for Nature Conservation
Smoke Control Zone
Critical Drainage Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV9 – Sites of Importance for Nature Conservation

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016 with a further period of consultation likely in 2019.

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 the National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 22 October 2018. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

93143/FUL/17: Application for the demolition of the existing snooker hall (Class D2) and erection of a 3 to 7 storey residential development consisting of 42 residential units (Class C3) with ancillary amenity space, car parking, cycle parking, bin store, landscaping, new boundary treatment and alterations to the access fronting Bridgewater Road and other associated works – Refused 13/07/2018.

88589/FUL/16: Construction of new pedestrian and cycle bridge, with ramps, crossing the Bridgewater Canal to the east of Viaduct Road along with the formation of a new canal towpath, approximately 250m long, along the south side of the canal from the new bridge to Wharf Road. Associated construction accesses and temporary footpath diversion – Approved with conditions 15/08/2016.

H/64400: Change of use of premises to doctor's surgery and members snooker club and new access and parking facilities – Approved with conditions 07/08/2006.

APPLICANT'S SUBMISSION

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

- Air Quality Assessment
- Arboricultural Impact Assessment
- Carbon Budget Statement
- Crime Impact Statement
- Daylight and Sunlight Assessment
- Daytime Bat Survey, Ecological Scoping Survey & Bryophyte Survey
- Design and Access Statement
- Flood Risk Statement
- Heritage Statement
- Landscape Proposal
- Noise Impact Assessment
- Phase 1 Environmental Risk Assessment
- Planning Statement
- Statement of Community Involvement
- Transport Statement
- Travel Plan
- Viability Appraisal

CONSULTATIONS

Electricity North West: No response received.

Environment Agency: No objection subject to imposition of recommended conditions.

Greater Manchester Ecology Unit: No objection, conditions recommended.

GMP Design for Security: No objection, condition recommended.

Lead Local Flood Authority: Proposed works will not cause flood risk to the development or surrounding area. Conditions recommended.

Local Highway Authority: No objection, conditions recommended.

Pollution & Licensing (Air Quality): No objection, condition recommended.

Pollution & Licensing (Contaminated Land): No objection, conditions recommended.

Pollution & Licensing (Nuisance): No objection, conditions recommended.

United Utilities: No objection, conditions recommended.

REPRESENTATIONS

Letters of objection have been received from 45no addresses, as well as from three elected members. These raise the following concerns:

Highway/parking issues:

- An increased number of cars will impact on highway safety and add to congestion
- Roads in the area are already not wide enough
- Not enough parking spaces provided – would not comply with SPD3
- Impact on junctions of: Navigation Road/A56, Navigation Road/Wharf Road, Navigation Road/Brunswick Road
- Insufficient on-street parking for existing residents in the area – development will make this worse
- Existing parking spaces in area are often used by employees of local businesses
- Insufficient access for HGVs and other vehicles during construction
- Access would be difficult for refuse and emergency service vehicles
- A number of accidents have occurred in surrounding area, outside of study area of Transport Statement – will be exacerbated
- The submitted Transport Statement is inadequate – further assessment needed
- Some existing on-street parking on Wharf Road could be lost for use by existing residents, resulting in conflict

- Issues with monitoring and enforcing on-street parking post-development
- Insufficient visitor parking spaces and not clear how these will work
- Development would dissuade cyclists
- Development would result in damage to roads
- Inadequate electric vehicle charging points

Design issues:

- Development will be unsightly and will affect the character of the area
- Development is of an unacceptably high density and mass and is too tall, out of keeping with surrounding buildings
- Scale and massing of the development is inappropriate – overdevelopment of the plot
- Proposal would be contrary to Trafford guidelines for New Residential Development
- Development is not in keeping with surrounding properties
- The area is already saturated with new apartment blocks
- Removal of a single storey is not a sufficient reduction in scale

Amenity issues:

- Development will be overbearing on neighbouring houses
- Development will overlook gardens and will affect the amount of light reaching them, making them darker and colder
- Increased noise impact on neighbouring properties, including from traffic
- Impact on views from surrounding houses
- Impact on elderly residents of sheltered housing opposite through noise and traffic
- Impact of development on air quality
- Impact on stability of nearby properties, including during construction
- Impact on public health, including mental health

Housing need issues:

- Mix of accommodation does not meet needs of the local community
- Development would be contrary to policies in the UDP, Core Strategy and the NPPF
- This amount of housing is not required – other apartment buildings nearby are not fully occupied
- Insufficient affordable housing being provided
- Insufficient consultation with local residents
- A danger that many flats would be purchased by private landlords

Other issues:

- Development will place strain on infrastructure including schools, dentists, doctors and the Metrolink
- Insufficient on-site green space for leisure and recreation
- Impact of development on bats, birds and other wildlife, including around the canal
- Existing issues with flooding would be exacerbated and risk of flooding increased at nearby properties
- Impact on surface water drainage and sewage/wastewater network
- Fire safety concerns
- Impact on habitat of a protected moss
- Impact on TV and mobile signals
- Devaluation of nearby properties
- Previous reasons for refusal are still valid

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up to date*** (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. It is acknowledged that policies controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

Housing land supply:

4. 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.
5. 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.
 6. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 59 of the NPPF, this means ensuring 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.
 7. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest monitoring suggests that the Council's supply is in the region of only three years. Moreover, with the introduction of the Government's own figures for housing need, albeit these are yet to be confirmed, the revised annual housing requirement is now likely to be far in excess of the figures set out in the Core Strategy. Additionally, the Council is required to demonstrate how many new homes it is actually delivering in the Government's Housing Delivery Test. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.
 8. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The location of this new housing is significant in that it sits within a short walk of a Quality Bus Corridor on the A56, the Navigation Road Metrolink stop, retail facilities at Altrincham Retail Park and those close to the site on the A56, together with open space along the Bridgewater Canal, at the Navigation Recreation Ground and the playing fields on the north side of the canal. The site

can therefore be considered to be a suitable and sustainable location for meeting housing need as set out in the NPPF.

9. The NPPF also requires policies and decisions to support development that makes efficient use of land. The application site is brownfield land and it is considered that the proposal to make best use of the site by delivering 38no new homes in a location that is well served by public transport and accords with the Government's aim of achieving appropriate densities, particularly in the case of new residential development and in circumstances where brownfield land can be exploited.

Housing mix:

10. The NPPF at Paragraph 61 requires local planning authorities to plan for an appropriate mix of housing to meet the needs of its population and to contribute to the achievement of balanced and sustainable communities. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided.
11. Core Strategy Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+ beds) residential units with 50% of the small homes being suitable for families. Whilst the Council is in the process of producing a new housing strategy, and there is no up-to-date evidence regarding the specific housing requirements in this part of Altrincham, it is nonetheless accepted that the general concern across the Borough is that there isn't a high enough proportion of family houses being delivered. Out of the 38no units proposed, 29no will be two-bed apartments and 9no will be one-bed apartments. Whilst the two-bed apartments are not particularly large, and the scheme could not be said to be fully compliant with the Council's (out of date) Core Strategy Policy L2, it is nevertheless considered that the scheme as a whole provides a reasonable mix of units.
12. Policy L2.6 of the Core Strategy states that the proposed mix of dwelling type and size for new residential development should contribute to meeting the housing needs of the Borough. L2.7 goes on to explain that one-bed general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre.
13. As the proposal includes 9no units of accommodation of this type, a 'Meeting Housing Needs' statement has been submitted with the application as part of the Planning Statement. This notes that the range of accommodation proposed will help to create a sustainable, balanced community whilst representing an efficient use of land without impinging upon the amenity of future occupiers. It is acknowledged that one bed units can enable people, particularly the young, to get a foot on the housing ladder as well as allowing for more elderly residents to downsize. The inclusion of 9no one-bed apartments is therefore, in this case,

considered to be acceptable, particularly as four of these are to be provided on an affordable basis. The development is therefore considered to provide a reasonable mix of unit sizes and types across the scheme that will contribute to the housing offer in the area, albeit the mix proposed does not accord with that sought in Core Strategy Policy L2.4.

Affordability:

14. The NPPF defines affordable housing as: housing for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 63 states that affordable homes should be sought within all new residential proposals for major development (i.e. developments for ten units or more). Paragraph 64 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer. Core Strategy Policy L2.3 states that 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.
15. The site sits within a 'Hot' market location for the purposes of applying Policy L2, and with the Borough now in 'Good' market conditions, there is a requirement for 45% of the units provided to be delivered on an affordable basis. Eight of the 38no units proposed are to be delivered as affordable homes on a shared ownership basis (to be managed by Trafford Housing Trust), equating to a 21% provision overall. That said, it is acknowledged that there is no provision made for affordable units to be delivered on a social or affordable rent basis. More detailed discussion of the level of affordable housing provision appears in the 'Developer Contributions, Affordable Housing and Viability' section of this report, but it is concluded that on balance the affordable provision is acceptable, even though it does not accord with the level or tenure mix of provision sought in Core Strategy Policy L2.

Conclusion on the principle of housing development on this site:

16. The proposed development would see the creation of 38no new dwellings on this site. Whilst the Council's housing policies are considered to be out of date in that it cannot demonstrate a five year supply of deliverable housing sites, the scheme achieves many of the aspirations which the policies seek to deliver. Specifically, 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 38no new residential units on a brownfield site in a sustainable location within the urban area. It is also considered to be acceptable in relation to Policies L1.7 and L1.8, in that it helps towards meeting the wider Strategic and

Place Objectives of the Core Strategy. That said, it is accepted that the scheme does not provide the full level or tenure mix of affordable housing provision sought in the Core Strategy. 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. Paragraph 68 of the NPPF also 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.

DESIGN AND APPEARANCE

17. 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”*.
18. 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”*. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
19. The previous application on this site for 42no units was refused in part because the Committee considered that the proposed development would cause significant harm to the character of the area by reason of its scale, massing and design. As such, it was considered to be contrary to Policy L7 of the Trafford Core Strategy and advice contained within the NPPF. The height of the tallest section of the building has been reduced from seven to six storeys and amendments have been made to the elevation of the building fronting the canal.
20. It is acknowledged that buildings immediately surrounding the application site are of a smaller scale than the proposed building and generally do not exceed two storeys in height. Despite this, it is still considered that the site's location

immediately adjacent to the Bridgewater Canal provides an opportunity for a building of greater height which does not detrimentally impact upon the overall character or appearance of its surroundings. The proposed building steps up in height from three storeys in the eastern part of the site to six storeys towards the west. Issues associated with residential amenity are considered later in this report, however in design terms, this approach is considered to be appropriate and enables the building to integrate with the smaller scale of properties on Emery Close whilst also responding to the need to successfully address the canal. The height of the building is similar to the height of buildings fronting the canal on the opposite side of the A56 (some of which also sit in close proximity to two storey houses) and the scheme is not considered to be of an unacceptably high density (approx. 223 units/ha), given that the site is within a sustainable location where a greater density of development is generally encouraged by Government policy within the NPPF.

21. At ground floor level at the northern end of the development the parking area will be contained within the building envelope. This has led to a generally blank elevation facing the canal at ground floor level but is considered a more appropriate approach than an open parking area, which would have needed to be secured with high fencing. Nevertheless, it remains necessary for this elevation to be adequately screened from the canalside in an appropriate manner. The use of soft landscaping as has been included on the submitted plans will achieve this, ensuring the development addresses the canal and contributes positively to views from the north. It is also noted that planning permission has been granted for a footpath on the southern side of the canal, extending to the front of the proposed building as far as Wharf Road to the west (application ref. 88589/FUL/16). The use of soft landscaping within the site boundary is therefore crucial in ensuring a pleasant environment for future users of this footpath.
22. The external parking and access area to the south of the building, adjacent to Bridgewater Road, is considered to be acceptable in terms of its design and appearance. The parking area incorporates grassed paving to the spaces themselves which, together with the central landscaped strip and additional planting to the front and side boundaries provides an attractive setting for the proposed building. Bin storage is proposed for a discreet location within the north-eastern part of the site with planting to the north and the adjacent substation providing further screening to the east. Bicycle storage is accommodated within the ground floor parking area, ensuring there is no detrimental impact on the visual amenity of the area.
23. The detailed design of the proposed building is considered to be acceptable, and although the projecting elements to the canal included on the previous scheme have been deleted, it still incorporates an appropriate degree of modelling and articulation, whilst the stepped design approach will help to break up the mass of the building. Submitted drawings and sections indicate that detailing such as

recesses to windows and sections of brickwork and arches to the upper windows will serve to add interest to the building and enable it to contribute positively to its surroundings. The proposed materials are also considered to be appropriate and the use of brick as a primary facing material helps the structure integrate successfully with existing nearby buildings. The use of three different types of brick, designed to reflect the character of adjacent domestic, commercial and industrial buildings could be highly successful if the different brick types are carefully selected, and should help to further break up the massing of the building. The discharge of the relevant materials condition will enable officers to retain control over this process.

24. 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. In reaching this conclusion, Officers have had regard to relevant local and national planning policies and representations received in response to public consultation.

RESIDENTIAL AMENITY

25. 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”*.

26. The Council’s adopted supplementary guidance document for new residential development (referred to onwards as ‘PG1’) sets out minimum separation distances which will be sought in order to protect residential amenity. These are as follows:

- 21m between facing habitable room windows across public highways (increased by 3m for three or more storeys)
- 27m between facing habitable room windows across private gardens (increased by 3m for three or more storeys)
- 15m between a main elevation with habitable room windows and a facing blank elevation
- 10.5m between habitable room windows and garden boundaries (increased by 3m for three or more storeys)

27. The residential properties most likely to be affected are those on Emery Close and Bridgewater Road. Radium House is in commercial use and the retained building to the front of the site will retain a lawful office use, whilst there are no residential properties on the northern side of the Bridgewater Canal which could reasonably be affected by the proposed development.

Impact on dwellings on Emery Close (to east):

28. Nos 1–4 Emery Close comprise flats situated immediately to the east of the application site. The area to the rear of these dwellings is hardstanding used as a parking area for these properties, whilst there is an existing electricity substation within the north-western part of this area. Land to the front of these dwellings provides a soft-landscaped amenity space for occupants of these flats.
29. The existing building within the application site which is to be demolished is considered to have a significant overbearing impact on these neighbours due to its height of approximately 8m in close proximity (2.7m) to this boundary. The removal of this existing building is in itself considered to represent an improvement to the amenity of occupiers of these properties in respect of the amenity space to the front. The proposed building will not project forward of these neighbours which would result in improved outlook from the front elevation of these properties and a reduced overbearing impact on the front garden area.
30. It is acknowledged that the proposed building will be taller than the existing, having a height of 8.9m (three storeys) at the point closest to this boundary (1.2m away) and stepping up to 14.3m in height (five storeys) at a point 12.3m from this boundary. The applicant has provided a Daylight and Sunlight Assessment which although being based upon the scheme previously submitted, is considered to be of relevance to the current proposal, given that this is of a reduced scale to the earlier scheme. This considers the potential impact of the proposed building in terms of daylight, sunlight and overshadowing, in particular on windows and gardens serving Nos 1-4 Emery Close, the gardens serving Nos 5 and 6 Emery Close and windows and gardens serving Nos 1-3 Bridgewater Road. This is based on guidelines produced by the British Research Establishment (BRE), 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (2011).
31. With regard to daylight, the assessment uses two methodologies, namely the Vertical Sky Component (VSC) and No Sky Line (NSL). Sunlight is assessed using Annual Probable Sunlight Hours (APSH) whilst two methodologies are used to assess overshadowing: Sun Hours on Ground (SHOG) and Transient Overshadowing (TO). The submitted Assessment explains how each of these methods are used and how impacts are calculated.
32. This Assessment concludes that windows and rooms relevant for assessment within Nos 1-4 Emery Close show full compliance with the VSC and NSL daylight targets and the APSH sunlight targets set out in the above BRE guidelines and as such, these impacts are considered acceptable.
33. The SHOG analysis indicates that the overshadowing impact on the front garden of Nos 1-2 Emery Close will reduce as a result of the proposed development, thanks to the removal of the existing building. This analysis does show a small

reduction to the amount of sun reaching the rear gardens of Nos 5-6 Emery Close, however this reduction is well within the 20 per cent figure set out in the BRE guidelines and is therefore considered acceptable. With regard to transient overshadowing of these properties, the TO analysis indicates that there will be only four occasions during the year when there will be a difference from the existing situation and again, this is considered acceptable.

34. The proposed building is not considered to have a materially greater overbearing impact on these neighbours when compared to the existing situation. The presence of the substation to the rear of Nos 1-4 Emery Close, together with the greater rear projection of the existing building restricts outlook to the rear of these properties to some degree whilst the stepping back of the higher elements of the proposed building will serve to ensure that this is not unacceptably exacerbated. Similarly the distance of approximately 20.7m between the three storey section of the proposed building and the garden boundary of No 5 Emery Close (and approximately 31.8m from the five storey section) is considered to be sufficient for Officers to reasonably conclude that there would be no unacceptable overbearing impact on this neighbour and those further to the east.
35. No windows are proposed within the east elevation of the three storey element of the building whilst those in the upper storeys serve corridors. The projecting balconies on the north elevation of the building are located a sufficient distance from any neighbouring properties to ensure they do not result in any overlooking impact. The parts of the proposed roof terrace accessible to future residents of the building are set back from the eastern edge of the roof and screened with planting. This is considered sufficient mitigation to ensure there is no unacceptable overlooking impact on properties to the east.
36. The refuse storage area is situated adjacent to the rear parking area of these neighbours. This is considered to be acceptable in amenity terms, in that potential impacts from noise and odour would be mitigated to some extent by the presence of the substation and would also be a reasonable distance from the outdoor amenity space to the front of Nos 1-2 Emery Close.
37. Public consultation responses have been carefully considered, however the proposed development is not considered to result in an unacceptable impact on the amenity of occupiers of dwellings on Emery Close for the reasons set out above. The application is therefore considered to be acceptable in this respect.

Impact on dwellings on Bridgewater Road (to south):

38. The south elevation of the apartment building would be approximately 15m from the rear garden boundary of the closest dwelling to the south (No 1 Bridgewater Road) and 28m from the rear elevation of these properties at its closest point (also No 1). This complies with the respective 13.5m and 27m required by PG1 in the interests of avoiding an unacceptable overlooking and overbearing impact.

39. The Sunlight and Daylight Assessment referred to above concludes that windows and rooms relevant for assessment in Nos 1-3 Bridgewater Road show full compliance with the VSC and NSL daylight targets and the APSH sunlight targets set out in the BRE guidelines and as such, these impacts are considered acceptable. The SHOG analysis indicates that there will be a marginal increase in the amount of direct sunlight reaching the rear gardens of these properties which is also considered acceptable.
40. Given the above, the proposed development is considered to be acceptable in terms of its impact on these neighbouring properties.

Impact on other properties:

41. Properties on Wharf Road/Close to the south-west, those on the southern side of Bridgewater Road and on Brunswick Road beyond are deemed to be a sufficient distance from the proposed building not to be affected in terms of overlooking, overshadowing and overbearing impacts.
42. The proposed development is not considered to result in an undue impact on surrounding properties through noise once operational, given that this is a residential use within a largely residential area and therefore wholly appropriate. Whilst some additional vehicular movements will be generated, the highway section of this report explains that this impact will be limited and there is not considered to be an unacceptably greater impact from noise resulting from the development.

Amenity of future occupiers of proposed development:

43. The siting and design of the proposed building is such that there would not be any undue overlooking, overshadowing or overbearing impact on future occupiers.

Noise:

44. The application is accompanied by a Noise Impact Assessment which recommends the incorporation of façade sound insulation enhancements within the proposed building, along with an increased glazing specification and mechanical ventilation in the interests of ensuring an acceptable standard of amenity for future residents of the proposed building. A condition will be attached to any consent issued requiring the implementation of these mitigation measures and on this basis, the application is deemed to be acceptable in this respect.

Air Quality:

45. Core Strategy Policy L5 seeks to minimise air pollution in new developments and in this respect is considered to be up to date in relation to the NPPF. The application site does not fall within an Air Quality Management Area, but is nonetheless accompanied by an Air Quality Assessment which concludes that dust emissions during construction should be controlled in the interests of protecting residential amenity. The Council's Pollution and Licensing section has recommended a condition requiring the implementation of dust management measures identified in the submitted assessment, however Officers consider that a Construction Management Plan condition specifying this requirement will be adequate to address this matter (and other construction related impacts).
46. With regard to air quality issues associated with the operational phase of the development, the assessment concludes that there would be a negligible impact from additional road vehicle emissions and no adverse impact on future residents. The Council's Pollution and Licensing section concur with this conclusion and as such, the application is considered to be acceptable in this respect.
47. The applicant has agreed to the imposition of a condition requiring the submission of a scheme for electric vehicle charging points and this should be attached to any consent issued.

HIGHWAY MATTERS

48. 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"*.
49. Paragraph 109 of the NPPF states 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"*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.

Car parking:

50. The Council's adopted SPD3: Parking Standards and Design seeks to achieve a maximum of one car parking space for each one-bed residential unit and two spaces for each two-bed unit in this location (Area C). Based on these standards, the proposed development would be expected to provide up to 67no car parking

spaces. The proposed plans indicate that 42no parking spaces would be provided. These are located at ground floor level of the building and within a car park to the south of the proposed building.

51. A Transport Statement has been submitted to accompany the application and seeks to provide justification for the reduction in car parking levels from the adopted standards. This includes details of local car ownership levels taken from 2011 census data, a comparison with other similar apartment schemes using TRICS data, an extract from 2007 DCLG research into car ownership levels and a car park accumulation assessment. In addition, parking occupancy assessments have been carried out at 'The Bridge' apartments, approximately 350m to the north-east of the site as well as at the 'Budenberg' and 'Woodfield' apartment schemes approximately 380m west of the site. The assessments undertaken at the Budenberg and Woodfield schemes represent an additional set to that relied upon in the recently refused application for 42 units on this site.
52. The local car ownership study area includes 125no properties, taken from the smallest available output area of the 2011 census. Whilst not all of the properties within this area are comparable to the proposed development, in terms of size, type and tenure, it is noted that this forms one element of the overall justification for the level of parking to be provided. This study concludes that the car ownership level within this area is 0.89 per household and therefore less than the one space per residential unit proposed.
53. The comparison with other similar schemes uses data from the TRICS (Trip Rate Information Computer System) database, with only comparable sites being referenced (i.e. privately owned flats, in the UK excl. London, in suburban/edge of town locations). This comparison indicates that these similar developments have an average car ownership level of 0.61 cars per flat, again less than the one space per unit proposed.
54. The 2007 'Residential Car Parking Research' published by the DCLG indicates that flats in comparable locations (i.e. 'urban locations') have an average car ownership level of 0.5-0.7 cars per unit, which is also less than the one space per unit proposed. The submitted accumulation assessment concludes that parking demand would not outstrip the proposed level of supply throughout the day, the maximum demand being 30no spaces between 9pm and midnight. This is twelve fewer spaces than the number to be provided.
55. As noted above, parking surveys at the nearby 'The Bridge', 'Budenberg' and 'Woodfield' apartment schemes have been carried out. These are considered to represent similar schemes to that currently proposed in terms of location, property values and expected resident profile. The applicant's transport consultant has provided the following response in relation to concerns regarding the difference in tenure of apartments at 'The Bridge':

There is no reason to believe that the tenure of the proposed development will be significantly different to that at The Bridge Apartments.

Whilst it is accepted that many of the units at The Bridge have been marketed on a shared equity basis, all this does is to provide an indicator to the income level of residents. However, the ostensible income level of each tenant is not the only determinant of car ownership. It is considered that by far the biggest factors likely to influence car ownership are the location of the site in relation to the local area, the proximity of local facilities and alternative travel means and the associated 'lifestyle' that is available to residents. By definition the scheme is likely to be more attractive to a younger tenant demographic. Data shows that car ownership levels amongst this demographic are very low.

In these respects the two schemes are considered to be entirely alike.

Perhaps more importantly, the submitted information does not relate solely to a comparison with The Bridge apartments. The analysis also provides a detailed comparison with car ownership surveys of the Budenberg apartments and with car ownership levels in the local census output area, neither of which have tenure profiles which are likely to be any different from that at the proposed development.

In all cases, the comparison supports the view that car ownership at the scheme is likely to be significantly below 100%, and furthermore, that the Budenberg and census based figures corroborate closely with the survey results from The Bridge apartments.

56. On this basis, Officers are satisfied that 'The Bridge' would represent a similar scheme to that currently proposed in terms of potential car ownership.
57. Surveys at 'The Bridge' were carried out on a Friday and Saturday evening as well as in the early morning of two weekdays and provide the proportion of occupied parking spaces in relation to the total number of occupied apartments. The surveys show a maximum parking occupancy rate of 83 per cent of the number of occupied apartments, which again is less than the 100 per cent parking proposed to be provided with this development. Surveys at the shared car park serving the 'Budenberg' and 'Woodfield' apartment schemes were carried out in the early morning of two weekdays. Results from these show a maximum parking occupancy rate of 81 per cent of the number of occupied apartments.
58. The Transport Statement notes that the car park now serving both the 'Budenberg' and 'Woodfield' developments was initially unique to the 'Budenberg' apartments. After the 'Budenberg' scheme became fully occupied however, it is stated that actual demand from the occupiers of this development was very low

and a planning application was submitted, and subsequently approved to allow for the car park to be shared with the adjacent 'Woodfield' apartments.

59. The sustainable location of the application site, in terms of its proximity to public transport links has also been referred to as providing justification for the level of parking proposed. The site is approximately 550m from the Navigation Road Metrolink/railway station with the closest bus stops being 280m (towards Manchester) and 400m away (towards Altrincham) on the A56. These services provide access into Manchester, Chester and towards Altrincham town centre. Officers consider this to be a highly sustainable location in this respect, with public transport serving as a genuine alternative to private vehicles for commuting and trips to leisure/retail facilities.
60. With regard to visitor parking, the Transport Statement proposes two options. The first option would be to allocate one parking space to each apartment, leaving four spaces available for visitors. The second option involves allocating groups of parking spaces to groups of units, whereby visitors to a particular unit could use any space within that group which is not already occupied. This would enable greater flexibility to visitor parking provision, potentially resulting in a higher number of spaces being available to visitors depending on eventual car ownership. Four dedicated visitor spaces are also included as part of this option.
61. It is considered that this second approach will appropriately address the need to accommodate visitor parking, given that it has been demonstrated that the overall parking provision is sufficient and that four spaces will be available for visitors in any event. As suggested in the supporting statement, a condition will be attached to any consent issued requiring the submission of a Parking Management Strategy to ensure this approach is followed.
62. Although no longer in use, the retained former NHS building to the south of the proposed development would be served by 10no parking spaces as a result of the development. Half of these are located to the front of the building and accessed from the retained entrance whilst the other half are accessed from the relocated entrance that also serves the proposed residential development. The most recent use of this building is considered to fall within Class B1 of the Use Classes Order, which would attract an SPD3 car parking requirement of 5no spaces. Planning consent has not however been granted for this use, with the most recent planning application giving consent for its use as a D1 doctor's surgery and no other use (ref. H/64400). On the basis of this being its lawful use, the building would have an SPD3 parking requirement of approximately 20no spaces.
63. The applicant has provided a letter from the NHS which explains that the building ceased being used as a surgery in September 2013 and that there is no intention for the building to be used as a doctor's surgery in the future. This notes that the previous surgery was closed due to a lack of demand for the facility, with patients

being relocated to other practices in the area. It is understood that this was most recently in use as an NHS staff base which ceased operation in July 2018. On this basis, it is considered that there is no reasonable likelihood of the building resuming its D1 use and it is therefore not essential for the number of spaces sought by SPD3 to be provided in this instance. The 10no parking spaces retained in association with this building is therefore considered to be acceptable.

64. It is acknowledged that 2007 DCLG research into car ownership levels is now somewhat dated, as is the census data from 2011, and as such the level of weight that can be afforded to that data in justifying the level of parking provision proposed has to be limited. It is considered that the survey of parking demand at 'The Bridge', 'Budenberg' and 'Woodfield' developments undertaken by the applicant and the up to date TRICS data provide a reasonable reference for the parking demand that is likely to be generated by the proposed development, and this suggests that demand is likely to be less than one space per apartment. It is also acknowledged that there is a degree of existing parking stress on Bridgewater Road and other roads close to the site and residents feel very strongly about the potential safety and amenity implications of any scheme that may exacerbate this. However, it is considered that 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. Although there may be some limited on street 'over-spill' parking, it is not considered that this would be so significant as to exacerbate existing parking stress to a degree that highway safety or residential amenity would be affected to a level that would warrant a refusal of planning permission.

Access and impact on highway network:

65. The proposed relocated vehicular site access is considered to be acceptable. This is considered to provide sufficient visibility in both directions for drivers exiting the site, whilst the controlled access gates would be set back a sufficient distance from the carriageway to ensure vehicles waiting to turn in will not obstruct the highway to a significant degree.
66. Pedestrian access to the proposed building will be via an access gate from Bridgewater Road. This passes through the car parking area, however the delineated pedestrian access route helps to provide a safe arrangement in this respect.
67. The submitted Transport Statement provides information from the TRICS database to assess the potential trip generation of the development and the resulting impact on the local highway network. This considers a number of other sites which are similar in terms of use, ownership and location and includes details of the number of vehicular trips to and from the developments at peak times. This data demonstrates that the proposed development would generate

approximately 11no two-way trips in the peak AM period (08.00-09.00), 12no two-way trips in the traditional peak PM period (17.00-18.00) and 19no two-way trips in the identified peak PM period (19.00-20.00). Considered in isolation for the lawful existing use of the site, this equates to approximately one additional vehicle on the surrounding network every 5 minutes during this peak period, which is concluded as being an imperceptible impact.

68. The Transport Statement also notes that a 'fallback' position exists whereby the site could be used lawfully as a snooker club (D2 use), thereby generating some level of vehicular movement to and from the site without the need for planning permission. Whilst three alternative D2 uses have been suggested within the Transport Statement, it should be noted that the original consent for the snooker club restricted the use of the property to this use alone and as such, any of these alternative D2 uses would require planning permission. Notwithstanding this, the lawful use of the premises would generate some level of vehicle movement, meaning the net traffic-generation of the development would be reduced from the figures stated above.
69. The LHA concurs with the conclusions of the above assessment, with the number of additional trips generated by the proposed development falling well below a level which could demonstrably impact on the highway network and surrounding junctions. This impact is likely to be even less when compared to the lawful 'fallback' position of the property resuming its use as a snooker club.
70. Figures have been provided to show the number of vehicular accidents in the vicinity of the site between 2015 and 2017. This shows that a total of two accidents were recorded in this period, which does not indicate that there is a particular identifiable safety issue in the vicinity of the site and the number of trips generated by the proposed development is not deemed to be of a level which would exacerbate this.
71. A number of representations have been received which question the approach to, and conclusions reached in Curtins' supporting statement. Many of these are matters of planning judgement which this report has appropriately addressed as necessary. A number of objections refer to the insufficient width of roads in the surrounding area, and the associated difficulty for access by emergency vehicles and conflicts with commercial traffic. A proposed development cannot reasonably be expected to remedy existing issues which may exist through the planning process and the application scheme is not deemed to worsen the current situation in these respects to an extent that would warrant a refusal of planning permission. Notwithstanding this, a condition will be attached to any consent issued requiring the provision of 'give way' markings at the junction of Wharf Road and Bridgewater Road in the interests of highway safety, which will serve to improve the existing situation with regard to vehicles using this junction.

Cycle parking:

72. SPD3 seeks to achieve either 1no communal cycle parking space for each apartment or 1no (one-bed)/2no (two-bed) allocated spaces. This relates to a total requirement of 38no communal spaces or 67no allocated spaces. The ground floor of the proposed building would provide space to accommodate 42no bicycles. On the basis that these serve as communal spaces, this level of cycle parking provision is in accordance with the requirements of SPD3 and is considered to be acceptable.

Servicing:

73. It is proposed that bins will be moved from the bin store to near the site access by a residential management company on collection days. This is considered to be an appropriate arrangement and no concerns have been raised by the LHA in this respect.

Summary:

74. 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 and the 'residual cumulative impacts' 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.

FLOODING AND DRAINAGE

75. 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. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it.

76. The application site falls within Flood Zone 1 as defined by the Environment Agency, having a low probability of flooding although the site does fall within a Critical Drainage Area. The applicant has submitted a Flood Risk Statement to accompany the application.

77. The Lead Local Flood Authority has been consulted on the application and has not raised any objections to the development. Conditions are recommended which require the submission and implementation of an appropriate sustainable urban drainage scheme.

78. United Utilities has also commented on the application. No objections have been raised subject to the implementation of a number of drainage-related conditions.

The detailed wording of these conditions has been agreed following discussions between the LLFA and United Utilities.

79. A number of representations have been received which raise concerns regarding the potential flooding and drainage implications associated with the proposed development. Some also question the accuracy of the information provided by the LLFA and United Utilities. Both of these consultees are aware of the site's location within Flood Zone 1 and a Critical Drainage Area and both have assessed the application in this context, having regard to relevant policy and guidance. Officers are satisfied that the information provided is accurate and sufficient to conclude that the application is acceptable in this respect.
80. Whilst the concerns of local residents have been considered, the evidence before Officers from expert consultees indicates that the application is acceptable in terms of flooding and drainage matters. This is subject to the imposition of the conditions referred to above.

TREES, LANDSCAPING AND ECOLOGY

81. 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. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.
82. The application is accompanied by an Arboricultural Impact Assessment (AIA). This advises that a single tree within the site will be lost as a result of the development whilst other surveyed trees on adjacent land would be protected by the existing boundary wall during construction. As such, there is no requirement for a Tree Protection Plan.
83. A detailed landscaping scheme has been submitted with the application and the proposed site plan shows a number of trees and other soft landscaping to be provided within and to the sides of the external parking area, a strip of planting adjacent to the canal and smaller trees/shrubs to the roof terrace. The proposed landscaping scheme is considered to be acceptable and ensures the site is appropriately planted in terms of number and species and also meets the requirements of SPD1 and Core Strategy Policy R5.
84. 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"*.

85. The application is accompanied by a Daytime Bat Survey, Ecological Scoping Survey and Bryophyte Survey dated September 2017/January 2018. The bat survey concludes that the existing building on site offers 'negligible' bat roost suitability and that no further bat survey work is required (unless work does not commence within two years). The ecological scoping survey concludes that no evidence of other protected species was found on site and therefore no specific mitigation is required. This recommends that any works to scrub are carried out outside of the bird nesting season. The bryophyte (moss) survey has been carried out on both sides of the canal in proximity to the application site. This notes that the priority species of Screw-moss is present along the north side of the canal only, which will only receive marginally different levels of shading than at present and that no specific mitigation is required.
86. The Greater Manchester Ecology Unit (GMEU) has been consulted and advises that a number of conditions and informatives should be attached to any consent issued to ensure appropriate protection to bats, birds and the Bridgewater Canal. Subject to these recommended conditions, incorporated into a Construction Method Statement where necessary, the proposed development is considered to be acceptable in this respect.

HERITAGE AND CONSERVATION

87. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
88. NPPF paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. 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.
89. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date and can be given limited weight.

90. The Grade II listed Former Lloyds Bank and Post Office is situated approximately 150m to the north-west of the application site, on the western side of the A56 whilst the Grade II listed Railway Inn Public House is a further 58m to the north of this. The Former Canal Warehouse adjacent to Coal Wharf (also Grade II) is approximately 245m to the south-west of the site, immediately to the south of the Bridgewater Canal. Given the proximity of these listed buildings, it is necessary to consider the impact of the proposed development on the setting of these heritage assets.
91. The significance of the above heritage assets is largely derived from their architectural and historic significance. In the case of the former Lloyds Bank, much of the interest is associated with its internal arrangement.
92. Whilst the proposed building will be relatively prominent in the surrounding area, particularly from the north, there is not considered to be a demonstrable detrimental impact on the setting or significance of the listed buildings identified above. The distance between the proposed building and these heritage assets serves to minimise the potential impact on their setting and in the case of the Railway Inn and warehouse in particular, the presence of intervening buildings reduces this impact further.
93. Given the above, the proposed development is not considered to result in any harm to the significance of these designated heritage assets and as such, the application is deemed to be acceptable in this respect, having regard to the relevant local and national planning policies set out above.
94. Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
95. The Bridgewater Canal, adjacent Radium House and Altrincham Bridge over the canal to the west are considered to be non-designated heritage assets. The significance of the canal is derived largely from its historic interest, the significance of the bridge is largely architectural and artistic, whilst that of Radium House is generally architectural and historic. Radium House is a former canalside foundry, representing the early industrial history of the Bridgewater Canal.
96. There is considered to be some limited harm to the setting of Radium House given the close proximity of its northern end to the proposed building, however the parts of the building of primary importance (i.e. towards the south) would not be affected to the same degree. The significance of Altrincham Bridge is

considered to be unaffected by the proposed development, given the nature of this significance identified above and the intervening distance from the proposed building.

97. Whilst the proposed building would be located in close proximity to the Bridgewater Canal, this is not deemed to demonstrably harm its setting. The erection of buildings adjacent to the canal is an established form of development and the scale of the proposed building is not considered to be inappropriate in this location.
98. In arriving at this decision, considerable importance and weight has been given to the desirability of preserving the setting of the nearby listed buildings and non-designated heritage assets referred to above. It is considered that the proposed development would not cause harm to the designated assets and only very limited harm to one non-designated asset. It is concluded in the Planning Balance section of this report that this minor level of harm is not considered to be sufficient to outweigh the benefits of the scheme or therefore to warrant a refusal on this basis. As such, the proposal is deemed to be acceptable with regard to its impact on heritage assets.

DEVELOPER CONTRIBUTIONS, AFFORDABLE HOUSING AND VIABILITY

99. The proposed development would be liable to a CIL (Community Infrastructure Levy) rate of £65 per sqm, being situated in a 'hot' CIL charging zone. A number of representations raise concerns regarding the impact of the proposed development on local GPs, schools and other community facilities. However, the number of residential units proposed is not considered to be high enough to warrant a refusal of permission on these grounds or a request for contributions towards these facilities, as the resulting impact would not be significant (having regard to the provisions of SPD1). As noted above however, the scheme does attract CIL contributions and the Borough-wide expansion of existing primary schools is included on the Council's CIL123 list.
100. Paragraph 59 of the NPPF states that, *"to support the Government's objective of significantly boosting the supply of homes...it is important that the needs of groups with specific housing requirements are addressed"*.
101. 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. There is considered to be a significant affordability gap, particularly in the southern half of the Borough.

102. 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.
103. For the purposes of affordable housing, the site is located within a 'Hot' market location, where a 40% affordable housing target will be applied in 'Normal' market conditions, as prescribed by Policy L2 of the Core Strategy. Paragraph 3.11 of SPD1 recognises that under 'Good' market conditions (which the Borough is currently experiencing), this requirement will be raised to 45%.
104. The applicant has submitted a development viability appraisal with the planning application which concludes that seven intermediate tenure (shared ownership) affordable housing units can be provided on site, representing an 18.4% contribution. It is proposed that the units will be managed by Trafford Housing Trust and would comprise 4no one-bedroom apartments and 3no two-bedroom apartments. It is noted that 8no affordable units were offered under the earlier refused application, albeit this was for a 42no unit scheme. The applicant's viability appraisal has been independently reviewed by financial viability consultants appointed by the Council. The view reached by the Council's consultants was that this scheme could provide a greater level of affordable housing than that offered.
105. A particular concern identified by the Council's viability consultants was that the figures provided in the applicant's viability appraisal differed to some degree from those provided in the viability appraisal submitted with the earlier application. In particular the sales values are less per square foot whilst the base build cost and professional fees have increased compared to the earlier appraisal. This indicates that the same number of affordable housing units as were offered in relation to the earlier application would be viable as part of the current scheme (eight).
106. In response to the above comments, the applicant has subsequently offered to provide an additional shared ownership unit, taking the affordable housing offer to 8no units or 21% of the total number of units proposed. The Council's financial viability consultants have advised that they consider this to be an appropriate offer of affordable housing and acknowledge that the full 45% sought by SPD1 is highly likely to be unviable in this instance. It should be noted that this is a slightly higher percentage of affordable housing than that offered under the earlier application, which was not refused on the basis of insufficient affordable housing provision. On this basis, Officers consider this to be an acceptable level of affordable housing provision, given the submitted viability appraisal and the

advice received from the Council's viability consultants. This will be secured via a S106 legal agreement.

107. SPD1 also seeks contributions for Spatial Green Infrastructure but only for schemes that provide for approximately 100 residential units or homes for 300 people or more. There is therefore no requirement for such provision with this scheme.

OTHER MATTERS

Security and safety:

108. Paragraph 91 of the NPPF seeks to ensure that new developments are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. 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. The Core Strategy policy is considered to reflect the aspirations of the NPPF in this regard and is therefore considered to be up to date.
109. A Crime Impact Statement (CIS) has been submitted alongside the application and notes that the layout of the proposed scheme is acceptable in terms of security and safety, subject to a number of recommendations being implemented. Specifically, these relate to access control and postal arrangements, lighting to the car parking area and the provision of secure bicycle storage facilities.
110. Greater Manchester Police's Design for Security section has been consulted and has recommended that the development is designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement.
111. Some of the recommendations made in the submitted CIS would not constitute material planning matters (for example postal arrangements) whilst the remainder can be secured through appropriate planning conditions (such as lighting and bicycle storage). On this basis, the proposed development is considered to be acceptable with regard to matters of security and safety.

Contaminated land:

112. The application is accompanied by a 'Phase 1 Geoenvironmental Appraisal' which recommends that an intrusive investigation is carried out to fully assess matters of contamination. The Council's Pollution and Licensing section has been consulted and advises that a condition should be attached to any consent issued

requiring the submission of a ground investigation, remediation strategy and verification report.

113. Subject to the imposition of appropriate conditions, the application is considered to be acceptable with regard to matters of contaminated land.

External lighting:

114. The application does not include details of any proposed external lighting and as such, a condition will be attached to any consent issued requiring the submission of a lighting scheme. This will ensure there is no harm to residential amenity through excessive light levels and will also ensure that any external lighting does not cause disturbance to bats and other wildlife in the surrounding area. Subject to this condition, the proposed development is deemed to be acceptable in this respect.

Other representations:

115. 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.
116. 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. Concerns have also been raised regarding the potential impact of the development on mental health and public health more generally. There is no evidence to suggest this will occur in relation to the current application.
117. Fire safety is a matter dealt with through Building Regulations and as such, is not something to which detailed consideration is 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.
118. Other concerns relate to the potential impact on television and mobile phone signals as a result of the development. There is no evidence to suggest that mobile phone signals will be affected but it is considered prudent to add a condition which seeks to ensure that television reception will not be affected.
119. A concern has been raised that a large number of flats would be purchased by private landlords for renting out. Officers understand that this is not the intention,

however should some of the units be subsequently rented out, this would not be a matter for which planning permission could reasonably be refused.

CONCLUSION AND PLANNING BALANCE

120. A number of public benefits arise from the proposed scheme which are considered to demonstrably outweigh any residual harm. These are that the scheme will deliver a sustainable development including 38no new residential units on a brownfield site, a significant contribution to the Council's housing land supply figures and targets for delivering residential development on brownfield sites. It will also deliver 8no affordable units under shared ownership and will bring about the redevelopment of an underused site. The proposal would result in an improved street scene on this part of Bridgewater Road with a high quality contemporary designed building. The scheme will also boost the local economy both through the provision of construction jobs and also by way of new residents of the development contributing towards local shops and services.
121. Having carried out this analysis, there is no 'clear reason for refusing the development proposed' when considering the application against Paragraph 11d)(i) of the NPPF. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged, i.e. planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
122. All other detailed matters have been assessed, including highway safety and residential amenity. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The proposals are considered to be compliant with the development plan and where this is silent or out of date, national planning policy. It also largely complies with relevant adopted local guidance and where it does not the development is considered to be acceptable on its own merits for the reasons set out in the main body of this report. There are also further benefits which weigh in favour of a grant of planning permission. The application is therefore recommended for approval.

RECOMMENDATION

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

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

- The provision of 8no shared ownership residential units on site (4no one-bed and 4no two-bed)
- (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
A280_P_002 (Rev A)	Block Plan
A280_P_010 (Rev F)	Proposed Ground Floor Site Plan
A280_P_038 (Rev A)	Proposed Health Centre
A280_P_200 (Rev H)	Ground Floor Plan
A280_P_201 (Rev F)	First Floor Plan
A280_P_202 (Rev C)	Second Floor Plan
A280_P_203 (Rev E)	Third Floor Plan
A280_P_204 (Rev E)	Fourth Floor Plan
A280_P_205 (Rev F)	Fifth Floor Plan
A280_P_208 (Rev F)	Roof Floor Plan
A280_P_300 (Rev F)	Proposed North Elevation
A280_P_301 (Rev F)	Proposed South Elevation
A280_P_301_2 (Rev E)	Proposed South Elevation: Isolated
A280_P_302 (Rev F)	Proposed East Elevation
A280_P_303 (Rev E)	Proposed West Elevation
A280_P_303_2 (Rev E)	Proposed West Elevation: Isolated
A280_P_400 (Rev D)	Proposed Cross Section A
A280_P_401 (Rev C)	Proposed Cross Section B
A280_P_402 (Rev C)	Proposed Long Section C
A280_P_500 (Rev B)	One Bed Apartments
A280_P_501 (Rev C)	Two Bed Apartments: Sheet One

A280_P_600 (Rev C)	Proposed South Elevation Detail
A280_P_601 (Rev C)	Proposed North Elevation Detail
1802-EXA-00-XX-DR-L-101	Landscape: General Arrangement
1802-EXA-00-XX-DR-L-501	Landscape: Planting Plan
1802-EXA-00-XX-DR-L-901	Landscape: Proposal

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

- No development shall take place unless and until a sustainable surface water drainage scheme, based on the hierarchy of drainage options in National Planning Practice Guidance with evidence of an assessment of site conditions has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt and in accordance with Section 5.2 of the submitted Flood Risk Statement (dated 10 September 2018 ref. 947-01), the assessment of site conditions and the hierarchy of drainage options shall include an assessment of (in the following order of priority):

- the potential for infiltration; and then
- the potential for discharge of surface water to the Bridgewater Canal; and then
- discharge to the nearby highway drainage system which communicates with the Bridgewater Canal.

If the assessment of site conditions demonstrates that infiltration is not acceptable, any rate of discharge shall be restricted to greenfield run off rate. For the avoidance of doubt, no surface water shall connect with the combined sewer either directly or indirectly. The development shall be completed 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.

- No development shall take place unless and until details of a scheme identifying a porous material to be used in the hard standing, or a scheme directing runoff water from that hard standing to a permeable or porous area or surface has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason: 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 development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) the parking of vehicles of site operatives and visitors
 - (ii) the loading and unloading of plant and materials
 - (iii) the storage of plant and materials used in constructing the development
 - (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (v) wheel washing facilities, including measures for keeping the highway clean
 - (vi) measures to control the emission of dust and dirt during construction
 - (vii) measures to prevent disturbance to adjacent dwellings from noise and vibration
 - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (ix) measures to protect the Bridgewater Canal from accidental spillages, dust and debris.

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

6. No development shall take place unless and until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been 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 the building is 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. The scheme is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in risks to site operatives.

- 7. Demolition and construction work shall be limited to the following hours:

07.30-18.00	Monday – Friday
08.00-13.00	Saturday

No demolition or construction work shall take place on Sundays, Bank Holidays or public holidays.

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.

- 8. 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.

- 9. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

11. The development hereby approved shall not be occupied unless and until a Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The submitted strategy shall include details of how residents' parking spaces shall be allocated and how visitor parking will be appropriately managed. 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.

12. The development hereby approved shall not be occupied unless and until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location and appearance of the charging points. The scheme shall be implemented prior to the first occupation of the development and retained thereafter.

Reason: In the interests of promoting sustainable travel having regard to Policies L4 and L5 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development hereby approved shall not be occupied unless and until 'give way' markings have been provided at the junction of Wharf Road and Bridgewater Road in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety having regard to Policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

14. The development hereby approved shall not be occupied unless and until a full Residential 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. No external lighting shall be installed on the building or elsewhere on the site unless and until a scheme for such lighting has 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 residential amenity, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 and the physical security specification within section 4 of the submitted Crime Impact Statement dated 04/09/2018 (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.

17. 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 and bicycles have been provided, constructed and surfaced in complete accordance with the plans hereby approved. 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.

18. The development hereby approved shall not be occupied unless and until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The

schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

19. The recommendations and mitigation measures contained in the submitted Noise Impact Assessment (Ref. LH0509177NR Rev. 1) shall be implemented in full prior to the first occupation of the development hereby approved and retained as such thereafter.

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

20. (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.

21. The 'green roof' shown on the proposed third floor plan shall be accessible for maintenance purposes only and shall at no time be available for use by residents as amenity space or for any other purpose.

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

22. The development hereby approved shall not be occupied unless and until a Refuse Management Strategy has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall detail how the refuse and recycling bins shall be made available for collection on bin day and then how they will be returned to their approved storage area thereafter.

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

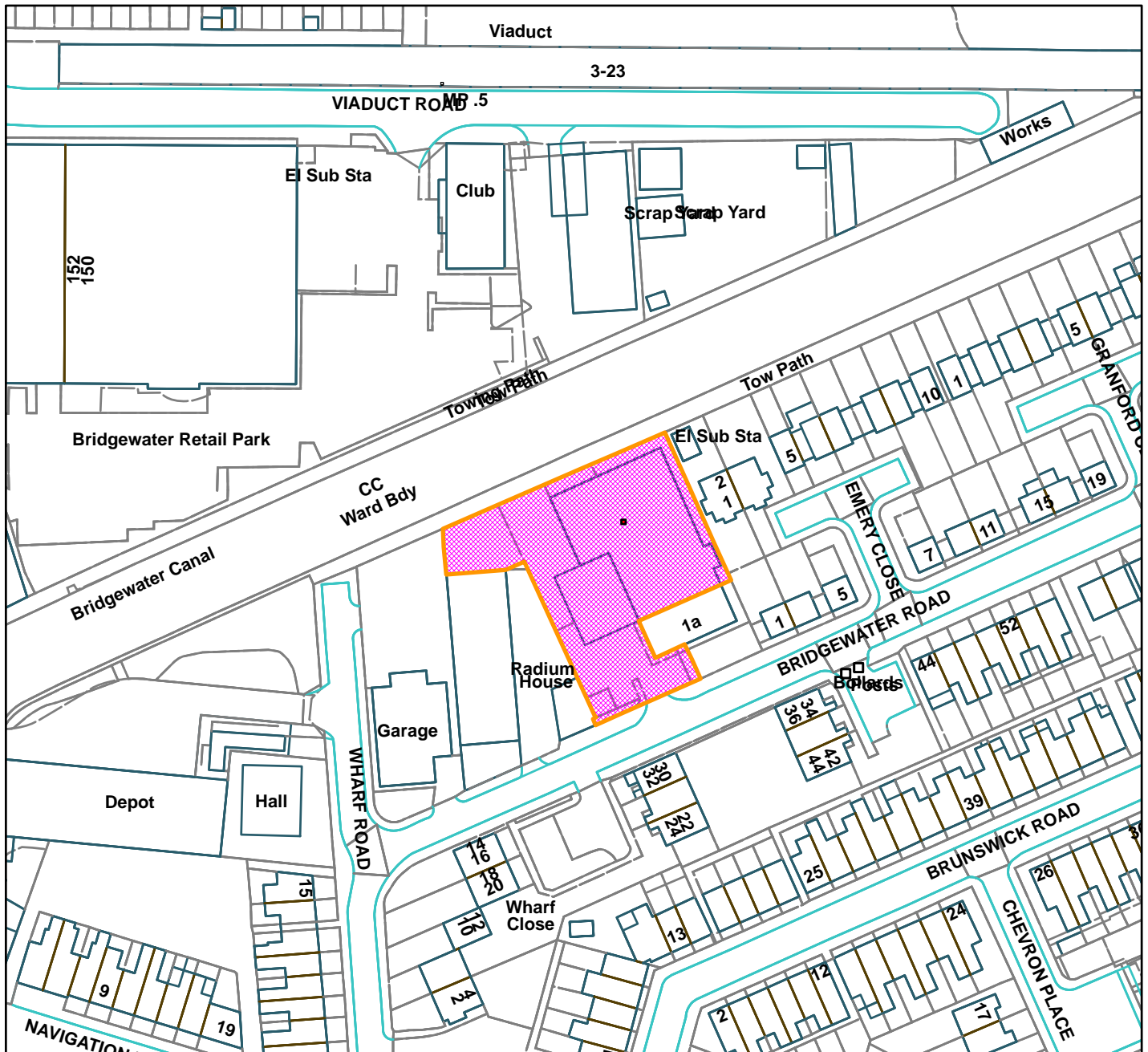
23. (a) No above-ground development shall take place until the potential impact area in which television reception is likely to be adversely affected by the development hereby approved, during its construction and operational phases is identified, and details are provided to the Local Planning Authority of when in the construction process an impact on television reception might occur;
- (b) The existing television signal reception within the potential impact area identified in (a) above shall be measured before above ground works on the relevant phase first takes place, and details provided to the Local Planning Authority of the results obtained.
- (c) The construction and operational impacts of the development on television signal reception shall be assessed within the potential impact area identified in (a) prior to any above ground development taking place. Such assessment shall identify measures to maintain at least the pre-existing level and quality of signal reception identified by the measurements undertaken in accordance with (b) above, and such measures shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground development first taking place. The approved measures shall be implemented prior to first occupation of any of the units within a timescale that shall have first been agreed in writing with the Local Planning Authority and retained and maintained thereafter.

Reason: In the interest of residential amenity and in accordance with Policy L7 of the Trafford Core Strategy.

JD



Former Rileys Snooker Club, 1D Bridgewater Road, Altrincham, WA14 1LB (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/12/2018
Date	03/12/2018
MSA Number	100023172 (2012)

WARD: Bowdon

95823/FUL/18

DEPARTURE: No

Engineering operations for the provision of car parking with landscaping, lighting and access improvements

Land At, Higher House Farm, Dairyhouse Lane, Altrincham,

APPLICANT: The Cartwright Group Properties Ltd

AGENT: Eden Planning

RECOMMENDATION: GRANT

SITE

The proposed car park would be located on a field located within the Green Belt which is accessed via an existing hard surfaced track off Dairyhouse Lane near the Broadheath Industrial Estate in Altrincham.

The site is approximately 1.67 hectares in size and was previously occupied by semi-derelict buildings which were associated with the site's former ownership by the Ministry of Defence. It is understood that these buildings were demolished circa 2005-2007. The last authorised use of the site was a riding school. Since this authorised use ceased, the site was used for car parking on an unauthorised basis. This unauthorised use of the site ceased circa 2007-2009.

The development site fronts Dairyhouse Lane, extending from the existing lane access point across to No. 1 Dairyhouse Lane and extends back approximately 115 metres. The site then extends across the back of the residential properties Nos. 1 – 17 Dairyhouse Lane, which are located to the south east of the proposed development site. The access also provides access to three dwellings and a trailer storage site to the north west of the site.

To the north and north east of the site is an agricultural field, whilst to the west of the site there are two dwellings, The Cottage and The Barn which are accessed via one shared access point off the track from Dairyhouse Lane which also leads to the trailer storage area to the north.

To the east of the residential dwellings along Dairyhouse Lane is the Broadheath Industrial Estate; the triangular site to the south of the site is vacant with an agricultural use. This land falls outside of the Green Belt boundary.

The site has an existing dense boundary treatment of trees, hedges and planting along the entire boundary, with the exception of the proposed access point, which is currently blocked by an earth mound. The site generally comprises scrub vegetation and trees. One dwelling is located within the application site; this provides accommodation for night shift workers.

PROPOSAL

An amended scheme has been submitted to the Local Planning Authority for consideration that seeks to provide a total of 300 car parking spaces, to be accessed from Dairyhouse Lane. The vehicular access is proposed to be sited 36 metres to the west of No. 1 Dairyhouse Lane. 250 car parking spaces would serve the existing business the Cartwright Group and 50 car parking spaces would be leased to other local businesses in the Broadheath area. The proposed area of hardstanding would cover approximately 420m² of the existing site.

The site would retain its landscaped boundary and incorporate a wildflower meadow area towards the south eastern area of the site. Additional tree planting is proposed to fill the gap where a previous vehicle entrance into the site is located and within the eastern part of the site to provide mitigation for the trees lost to facilitate the car park.

A pedestrian footpath is proposed to connect the car parking area to Dairyhouse Lane; this would be located 7 metres to the west of No. 1 Dairyhouse Lane and would connect to a point on the opposite (southern) side of Dairyhouse Lane, where a 1.2 metre wide footpath is proposed which will provide a connection to Baltic Road / George Richards Way to facilitate access to the Cartwright Group's sites and the wider Broadheath Industrial Estate area. The pedestrian footpath is not included as part of the application and would be secured by a Grampian condition and provided via a S278 Agreement with the Local Highway Authority, which allows a developer to carry out works to the public highway.

The parking bays would be created of a porous paving grid with gravel infill (such as Bodpave) with a bonded gravel surface to the access/ vehicle circulation routes. The footpath links through the site would be created of gravel bonded resin.

A vehicle barrier would be provided at the access point into the parking area to prevent access outside of operational hours (night-time / weekends) and provide security for vehicles during shift times during the day.

The parking use would operate Monday to Friday from 07:00 – 19:00 and Saturday 07:00 – 13:00. Within these hours the main activity and vehicle movement times would be from 07:00 – 08:45 and 17:00 – 19:00 as staff arrive and depart from shifts. Outside of these times during the day, there would be a limited number of vehicle movements whilst at night / the majority of the weekend, there would be no use of the site. Low level bollard lighting is proposed within the parking area.

In order to facilitate the proposed development 17 individual trees, 2 groups and 1 hedge would require removal (not including the Category U Trees), 2 trees would require a light pruning to facilitate the proposed development and a further 4 trees would require pruning for health and safety reasons or to comply with highway regulations. 9 individual trees and 2 groups have been classified as category U and are also proposed to be removed.

Of the trees proposed to be removed, seven trees (four category C (trees of low quality and value, including visual amenity) and three category B (trees of moderate quality, including visual amenity value)) are located within the entrance to the site. The remaining trees proposed to be felled are located within and around the periphery of the site. The trees proposed to be removed are either category C trees or category U (trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years).

The original scheme submitted proposed the provision of the access to the site from an existing track off Dairyhouse Lane which currently provides access to The Cottage, The Barn and the trailer park and Higher House which is an existing dwelling within the Cartwright Group's ownership and within the application site boundary.

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

R2 – Natural Environment

R3 – Green Infrastructure

R4 – Green Belt, Countryside and other protected open land

PROPOSALS MAP NOTATION

Greenbelt

Protection of Landscape Character

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV 17 – Areas of Landscape Protection

C4 – Green Belt

GREATER MANCHESTER SPATIAL FRAMEWORK

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

Application site

H/59850 - Formation of temporary car park.

Approved - 11.03.2005, subject to a number of conditions restricting the implementation of the planning permission until:

- 1) Landscaping details were submitted and approved;
- 2) The applicants had obtained planning permission for the erection of a multi-storey car park within the vicinity of their sites on Atlantic Street Broadheath; and provided a timescale for the bringing into use of the multi-storey car park; and,
- 3) The temporary car park use would cease on the occurrence of any one of the following circumstances:-
 - i. the completion of the multi-storey car park; or
 - ii. if the applicants fail to implement the permission for the multi-storey car park in accordance with the agreed timescale; or
 - iii. on the expiry of this permission on 27th January 2007

Although planning permission was granted for the erection of a multi-storey car park (H/61507), it was not considered viable to implement this permission. Despite this, the temporary car park was implemented on an unauthorised basis.

H/66218 - Use of land as temporary car park. Extension of existing temporary permission to allow use until 27 January 2008 and extension of hours to allow use between 0730-1830 hrs Monday-Friday and 0730-1300 hrs on Saturdays and increase in area of site.

Refused for the following reasons on the 18.09.2007

1. The proposed development is located within the Green Belt where there is a presumption against inappropriate development and where development will only be allowed if it is for an appropriate purpose or where special circumstances can be demonstrated. The development of this site for car parking constitutes inappropriate development and the applicant has failed to demonstrate that there are any such special circumstances to permit the type, scale and form of development proposed to justify this development in a Green Belt location. The development is, therefore, contrary to Government advice contained in 'PPG2: Green Belts' and to Proposals C4 and C5 of the Revised Trafford Unitary Development Plan.

2. The use of the site as a car park would result in a significant increase in activity on and around the site, particularly early in the morning to the detriment of the amenity and quietude of nearby residential occupants; as such the proposal is contrary to Proposal D1 of the Revised Trafford Unitary Development Plan.

3. The increase in size of the car park and the number of car parking spaces would result in a further encroachment of inappropriate development into the Green Belt contrary to Government advice contained in 'PPG2: Green Belts' and to Proposals C4 and C5 of the Revised Trafford Unitary Development Plan.

H/71005 - Use of land as temporary car park from 0730-1830 hrs Monday to Friday. Refused for the following reasons on the 16.06.2009

1. The proposed development is located within the Green Belt where there is a presumption against inappropriate development and where development will only be allowed if it is for an appropriate purpose or where special circumstances can be demonstrated. The proposed car park would constitute inappropriate development, which would have a detrimental impact on the openness and visual amenity of the Green Belt. The applicant has failed to demonstrate that there are any such special circumstances to permit the use of the site as a car park and as such the development is contrary to Government advice contained in 'PPG2: Green Belts' and to Proposals C4 and C5 of the Revised Trafford Unitary Development Plan.

2. The use of the site as a car park would result in an increase in activity with additional noise and disturbance on and around the site, particularly early in the morning to the undue detriment of the amenity of the nearby residents; as such

the proposal is contrary to Proposal D1 of the Revised Trafford Unitary Development Plan.

Adjacent site

The site located to North West of the application site is also owned by the Cartwright Group and is currently used as a storage area for trailers. The following is a summary of the recent history of this adjacent site:

H/CLD/48096 - Certificate of lawful development for the use of the land around the existing buildings for the storage of vehicles including the storage of HGV cab units and trailers. Approved - 10.04.2000

APPLICANT'S SUBMISSION

The Cartwright Group operate from around 38 acres of land in the Broadheath area, with the main Cartwright Group building and car park located off Atlantic Street. The main car park can presently accommodate up to 115 cars in marked parking bays, with an additional area of hard-standing being used for storing trailers. The Cartwright Group also uses two buildings located on Ocean Street, which is located to the north-east of the main site and has a car park for 28 cars. Farrow House, which is located to the east of the main site on Atlantic Street, has recently been acquired by the Cartwright Group and is presently being refurbished and it is intended to be used as a staff training facility, with a commercial letting for a fast food outlet. It is anticipated that a further 27 car parking spaces are expected to be available within the grounds of Farrow House. Overall 170 off street car parking spaces will be available to serve staff and visitors of the Cartwright Group.

The Cartwright Group currently employ 864 members of staff across their sites in Broadheath. Over the years since the previous planning application were submitted employee growth has been sustained with an approximate annual increase of 6-8% of staff. The Cartwright Group have provided the following figures on employee numbers at the Broadheath sites since 2011:

- 2011 – 513 staff
- 2013 – 622 staff
- 2015 – 727 staff
- 2017 – 812 staff
- 2018 – 864 staff

The Business Need and Economic Benefits Statements submitted as part of this planning application sets out that growth in turnover and productivity has also increased over recent years and it is the Company aim that this is sustained, which will require further growth in employee numbers at the site and it is anticipated that the Cartwright Group will employ circa 1000 employees by 2020/21.

Surveys have been carried out to assess the existing parking situation and expected demand. This data shows a peak unmet car parking demand figure of 290 spaces, with the unmet demand exceeding 250 for the majority of the day between 9.30 am and 3pm. The applicant considers that the proposed car park of 300 spaces would adequately meet the existing and predicted demand of the Cartwright Group and provide additional spaces for other businesses in the Broadheath area.

The data which backs up the predicted demand is explored in further detail later in this report at paragraphs 21 to 28.

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

- Site location plan
- Masterplan
- Site Access Proposals
- Design and Access Statement
- Planning Statement
- Flood Risk Assessment
- Tree Survey
- Transport Statement
- Topographical Survey
- Maintenance Management Plan
- Business Needs and Economic Benefit Statement

The following amended information was submitted on the 14th November:

- Revised Site Location Plan
- Revised Masterplan
- Revised Site Access Proposals
- Planning Addendum
- Revised Design and Access Statement
- Transport Update Note
- Ecological Addendum Report
- Flood Risk and Drainage email
- Updated Tree Survey and Arboricultural Impact Assessment

CONSULTATIONS

Environment Agency – no observations made

Local Highway Authority (LHA) – Following the submission of the additional information it is proposed to move the access some 75 metres to the east of the existing access. The access is proposed to be some 5 metres wide. The submission on the 15th November, indicated visibility splays of 69 metres to the east and 107 metres to the west.

Dairyhouse Lane is subject to National Speed Limit and therefore the achievable visibility splays fall below what is acceptable. However, a speed survey has been undertaken which indicates that the 85th Percentile speeds are 33.3mph from the East and 31.5mph from the West. The LHA are satisfied that the visibility splay can be reduced to 2.4 x 47metres to the West and 2.4 x 44metres to the East. The visibility splays will need to be protected and therefore the LHA would also wish to see Traffic Regulation orders introduced as part of the highway works, this could be secured through the highways agreement for the works.

The position of the proposed car park access requires a pedestrian route to link the car park to the adopted highway at the junction of Dairyhouse Lane and Baltic Road. It is proposed that a new 1.2 metre footway will be provided along the south side of Dairyhouse Lane. The LHA have raised concerns over the width of the proposed footway as it is not DDA compliant as requested – this would, require the footpath to be 1.5 metres wide. The LHA also raise concerns over the deliverability of the proposed 1.2 metre width given the available widths that are suggested. It states in 4.6 of the additional transport statement that '*Set within the foliage of the hedge are a series of fence posts which are set back between 1.23m and 1.58m from the carriageway hedge*', which implies that the hedge will need to be cut back which could damage the hedge in the long term.

The LHA support the proposed additional parking as this will displace a number of vehicles parked in the surrounding streets.

The LHA have no objection in principle subject to the provision of the footway and the imposition of conditions requiring the proposed highway works to be completed before the development is first brought into use and the submission of a Travel Plan.

Local Lead Flood Authority (LLFA) – no objection subject to condition

Greater Manchester Ecology Unit (GMEU) – an Ecology Survey was undertaken to inform the application. The findings of this survey were generally agreed with however further information was requested regarding farmland bird populations. It was concluded that the proposed development would result in the loss of some greenfield land which has some potential to support the important bird species found in the area by providing seed sources, habitat for invertebrates, nesting habitat and shelter.

Following receipt of the amended plans and addendum to the Ecology Survey GMEU confirmed they are generally satisfied with the amended scheme and do not object to the proposed development. GMEU requested that the following conditions are attached to mitigate any impact of the proposed development:

- Submission of a detailed Landscape Plan;
- No vegetation clearance required to facilitate the development should take place during the optimum period for bird nesting (March to July inclusive);

- Details new bird nesting boxes in boundary trees should be submitted.
- Lighting details to be submitted.

Environmental Health, Nuisance – It has been noted that the proposed car park is adjacent to a trailer storage which is used by the applicant in relation to their business operations and this section is not aware of any historical complaints relating to the use of this trailer storage area. It has also been noted that the access to the proposed car park has been moved from its original proposed location, further away from the residential properties on the lane leading to the trailer storage area.

There are no objections in principle to this application providing conditions are attached requiring a car parking management plan and lighting details to be submitted and restricting the hours of use of the proposed car park.

REPRESENTATIONS

A total of nineteen letters of representation have been received. Thirteen letters of support have been received and six letters of objection from three local residents who have each provided comments in response to the original and amended schemes.

The following summarises the comments received in support of the proposed development:

- There has been a huge increase in traffic with the resulting congestion in the whole of the area.
- The existing parking situation results in highway safety issues in the area (affecting pedestrians, cyclists and motorists due to restricted visibility splays) and local residential amenity.
- There is double parking within the area and lorries parking on pavements which results in blocking the pavement and damage to the pavement.
- The existing situation results in operational issues for businesses in the area.
- The parking situation is dangerous and prevents vehicles from accessing businesses in the area resulting in failed deliveries and failed collections.
- Commercial vehicles regularly struggle to navigate the road systems.
- The proposal will deliver a more efficient and safe local highway, improve the local residential amenity and support the growth of local businesses.
- The current situation results in staff being unable to enter or exit sites due to double parking and commercial vehicles parking on pavements, which has caused noticeable subsidence to the public pavements.
- The local infrastructure needs improving urgently before a fatal accident occurs.
- The disturbance to residents is minimal.
- The proposed development will prevent fly tipping from occurring on Dairyhouse Lane.
- Parking facilities are vital to all businesses in the area; employees often have to move cars which is unproductive.
- Businesses are struggling to attract and retain staff in the area due to parking issues which in turn affects business expansion plans.

- The restricted access via Seamon's Moss Bridge has created even greater congestion. The majority of our staff who previously used this route to work will no longer do so because of the bad design and danger to their vehicles causing further congestion to other already populated routes.
- There is a lack of public transport to the business park.
- The proposal by the Cartwright Group to build a new car park would ease some of these issues. If their staff had another car park this would reduce double parking and make the roads safer, it would free up off road parking for other local businesses and reduce the amount of unauthorised parking in private car parks.
- There are issues with unauthorised car parking occurring in local businesses' car parks to the detriment of businesses and visitors.

The following objections were raised in response to the development as originally proposed:

- The Green Belt has been greatly eroded in the Broadheath/Dunham Massey area in recent years and if granted the development will cause a major loss of amenity, disruption and financial loss.
- The proposed car park will be visible unless more is done to screen the proposal;
- The previous temporary car park, which was much smaller in scale made access to the Cottage and The Barn almost impossible at certain times. The proposed development will make exiting the site in the afternoon impossible.
- There is no pavement on this section of Dairyhouse Lane.
- There is no street lighting along this section of Dairyhouse Lane and *"The proposed lighting for the track would be insufficient to give adequate coverage, and would also cause to me and my family the loss our human right of seclusion from obtrusive lighting from outside our property."*
- Dairyhouse Lane at the moment is unable to handle the volume of traffic it currently carries, it would need to be widened and traffic lights used.
- The whole of Dairyhouse Lane will need to have double yellow lines installed.
- The track leading to the site will need to be widened in order for 2 cars to pass each other safely as well as make provision for vehicles coming and going from The Barn and The Cottage.
- Drainage is required to remove surface water from the site.
- The site is visible by all and will be seen by all traversing the Trans Pennine Trail
- The application makes reference to exceptional and special circumstances, this application is not materially different to previous applications and the objections remain the same.
- Few conditions on previous permissions were adhered to with HGV trailers parked on the land for many weeks, access hours flaunted, and the land was not returned to the state before its use as a car park and is today in a deteriorating condition.
- A previous planning application exists for a car park on the Cartwright Group land and this would be perfect for the required expansion without need to further encroach on the Green Belt.

- An element of the new plan is a footpath on the south side of Dairyhouse Lane, on land belonging to the National Trust. I think this is outside the jurisdiction of the applicant and cannot be included in the submission. Without the path, the road would be very dangerous for drivers parking on the proposed site.

The following comments objecting to the proposed development were received in relation to the amended scheme:

- The comments regarding the difficulties in accessing The Cottage and The Barn are no longer relevant as the access to the site has now been moved.
- The scale of the proposed car park is excessive for Cartwright's needs and 50 of the spaces are not required by the company. The car parking provision should be reduced in size.
- The number of cars parking in the streets varies depending on the level of activity at the company, presumably due to the number of agency workers employed at the site.
- Cannot see any reason for removing the small tree in the far eastern end of the plan if not for gaining access through here as well?
- The new access road is too small to provide adequate access for the amount of cars that will use the car park.
- Dairyhouse Lane is a very busy road and this would only compound the problem.
- Planning Committee should also look at the impact of noise, light on the amenity of residents of The Barn.
- This slow degradation of the local area is not acceptable.
- Previous planning applications looked at a significantly smaller number of spaces to what is being proposed now. The smaller number was seen as too many by Trafford in those applications, I am sure the 300 spaces now requested will make life on Dairyhouse Lane intolerable.
- The car park is proposing to open at 0700hrs. Cars are parking currently at 0530 to 0600hrs and will continue to if planning is approved.

OBSERVATIONS

BACKGROUND

1. As detailed in the section 'Planning History', three planning applications for the change of use of use this land for use as a car park have previously been determined by the Local Planning Authority.
2. The first application submitted to create a car park on this site was in 2005 (H/59850). At this time car parking was acknowledged to be an issue for the company and the Cartwright Group employed circa 500 staff and this application sought temporary planning permission for 160 vehicles to be provided for 18 months whilst a more permanent parking solution in the form of a multi-storey car park was sought. The 2005 application sought to demolish the existing buildings on site and construct the temporary car park with access gained via the existing access point. The application was assessed against

Green Belt policy at that time which comprised National Planning Policy Guidance Note 2 'Green Belt' (PPG2) and the Unitary Development Plan. It was considered at this time that whilst the proposed car park would not maintain the openness of the Green Belt, the area proposed to be developed was less than the already developed area of the site, which was considered to be a benefit to the visual impact of the site. Overall it was considered that the application was acceptable under very special circumstances as the application was for a temporary period whilst a permanent parking solution was sought. Planning Committee granted temporary planning permission subject to the conditions detailed within the Planning History section.

3. Following the grant of this planning permission, the use of the site for car parking commenced, however the conditions outlined above were not satisfactorily complied with, and the car park was considered to be unauthorised.
4. A subsequent planning application was submitted in 2007 (H/66218) which sought to increase the size of the car park to accommodate 235 vehicles and extend the use of the car park for a further 12 months until January 2008 and vary the hours of operation to allow the car park to be used from 07:30 to 18:30 Monday to Friday and 07:30 to 13:00 on Saturdays. The previous permission allowed use of the car park from 08.00 to 18.30 Monday to Friday only and not at all on a Saturday. Permission for the multi storey car park was granted in April 2005, however due to prohibitive costs this development was not brought forward. As there was no reasonable likelihood of the applicant providing an alternative permanent parking area within a reasonable timeframe, it was considered that the continued use of the site as a car park, without the very special circumstances previously taken into account and in combination with the increased size of the proposed car park, (which constituted further encroachment into the Green Belt), would be contrary to local and national planning policy. Additional concerns relating to landscaping and residential amenity were also raised. At this time the Cartwright Group employed circa 450 staff. Planning Committee refused planning permission for the three reasons detailed within the Planning History section.
5. In 2009 a third planning application (H/71005) for the creation of a temporary car park to accommodate 150 vehicles was submitted. The site at this time was vacant and all uses on the land had ceased.
6. This temporary use was sought whilst the applicant sought to purchase the triangular shaped area of land to the south of the site, however the owners of the site, National Trust, indicated at this time that the sale of this land was unlikely to happen. Again to due to the lack of very special circumstances demonstrated at this time, i.e. a viable alternative for permanent car parking, the development of this site for car parking was considered to be inappropriate development, with no very special circumstances and this application was

refused by Planning Committee for the two reasons detailed within the Planning History section.

7. It is considered that the principal considerations in the determination of the current planning application are the principle of development within the Green Belt and whether very special circumstances exist, the design of the proposed development and its impact on landscaping, the impact of the proposed development on residential amenity, highway impact, ecological impact and drainage.

PRINCIPLE OF DEVELOPMENT

8. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an **up to date** (emphasis added) development plan, permission should not normally be granted.
9. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2018 NPPF, particularly where that policy is not substantially changed from the 2012 version. Policies relevant to this application remain up to date and can be given full weight in the determination of this application. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
10. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
11. The proposed development comprises the change of use of the site to a car park, an engineering operation to create the car park and associated landscaping. No built development is proposed, with the exception of an automated barrier to the entrance of the parking area.
12. The application site is located within the Green Belt which 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.
13. The NPPF sets out that the development of new buildings within the Green Belt is considered to be inappropriate unless the development falls within the seven criteria listed in paragraph 145. Paragraph 146 goes on to list other forms of development which are not inappropriate in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. These uses are:
- a) Mineral extraction;
 - b) Engineering operations;
 - c) Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - d) The re-use of buildings provided that the buildings are of permanent and substantial construction;
 - e) Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - f) Development brought forward under a Community Right to Build Order or Neighbourhood Development Order.
14. Core Strategy Policy R4 reflects policy set out in the NPPF by stating that new development will only be permitted within the Green Belt where it is for one of the appropriate purposes specified in national guidance, where the proposal does not prejudice the primary purposes of the Green Belt set out in national guidance by reason of its scale, siting, materials or design or where very special circumstances can be demonstrated in support of the proposal.
15. The applicant has set out in their submission that they consider the application to be appropriate development within the Green Belt on the grounds that the proposed development is an engineering operation and a form of local transport infrastructure. It is not considered the latter is relevant as this development would not have any benefit to public transport and does not require a Green Belt location. Engineering operations such as laying a hard surface are not necessarily inappropriate in Green Belt, and if parked vehicles are only present during office hours the openness of the Green Belt may only be affected at certain times. However, it will comprise a material change of use in the land and owing to the numbers of car parking spaces involved there will be a marked intensification in activity. It is therefore considered this application would not preserve the openness of the Green Belt.
16. Furthermore due to the permanence of the car park, the development as a whole is considered to conflict with one of the purposes of including land within the Green Belt, which is to “assist in safeguarding the countryside from encroachment”.

17. The development is therefore not considered to comply with the listed exceptions in the NPPF and is considered to be inappropriate development in the Green Belt.
18. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Neither local nor national policies specify what demonstrating a case for very special circumstances should entail. It is therefore for the decision taker to determine whether very special circumstances have been demonstrated.

The Applicant's Very Special Circumstances Case

19. The applicant has set out the following very special circumstances within their planning submission to justify the creation of the proposed car park within the Green Belt.

The immediate and longstanding need for parking & operational issues from lack of parking

20. The applicant sets out that the need for quantitative and qualitative improvements in parking associated with their business, and the Broadheath business area generally, are long standing requirements in the area.
21. Previous applications have been submitted to the Council to remedy the ongoing operational issues faced by the Company (as a consequence of its growth), high levels of on-street parking in the area, and associated congestion and amenity issues experienced in the area. As previously set out earlier within this report the Cartwright Group currently employ 864 staff and anticipate that the number of staff employed to grow to circa 1000 by 2020/21. The company is currently served by 170 off-street car parking spaces across the sites owned by the Cartwright Group in the Broadheath area.
22. The applicant has continuing issues with negative feedback from staff and staff retention issues with regard to the lack of parking in the area, which in turn impacts on the future Company growth in terms of staff numbers and turnover. Staff surveys and exit interviews have confirmed that the lack of parking is a major factor in employees' decisions to leave the company.
23. Staff surveys have identified the following as contributing factors to leaving the Cartwright Group:
 - Poor facilities on site i.e. no onsite parking

- Less travel time, easier work life balance, easier access to parking facilities – in new role has time to walk from car to work given closer parking facilities
 - Cost of getting to work and then having to try and find a parking space; new role has no parking issues
 - New job has better facilities, plenty of parking – current issues making me late for work as can't find a space
 - Other comment – invest in parking facilities for everyone on site
24. The submitted Transport Assessment states that the Cartwright Group has 170 off street car parking spaces available for use on its current estate with the company currently employing approximately 860 people across their sites in the Broadheath Industrial Area.
25. In order to demonstrate that additional off-street car parking is required as part of this application, parking beat surveys have been undertaken on the local roads and the existing off-street car parking areas available to the Cartwright Group's employees. These surveys were undertaken on Thursday 19 July 2018 and were carried out at 30 minute intervals and counted the number of cars parking in the various locations throughout the day.
26. The parking beat survey covered Dairyhouse Lane, George Richards Way (west of Asda), Baltic Road, Ocean Street, Atlantic Street (west of Baltic Road), Pacific Road and the HQ of the Cartwright Group.
27. The survey demonstrated that up to 150 cars are parked on-street in the areas surveyed, mainly along Atlantic Street and George Richards Way. The survey also demonstrated that on-street parking levels are very consistent throughout the day with parking of 130 or more cars being observed from 0800 until 1600. The Cartwright Group's car parks were also found to be operating over capacity with double parking and parking within areas not designated for car parking occurring.
28. It is acknowledged that not all the on street car parking occurring within the parking beat survey area is as a result of the Cartwright Groups employees and a staff travel survey was commissioned to ascertain the level of parking which results from employees of the Cartwright Group. Two surveys were conducted which provides data on the mode of travel and parking locations of 415 employees, which equates to approximately 50% of the regular staff at the site. The surveys provided the following data on staff parking locations:

	Full Survey	Summary Survey	Total*
Atlantic Street	17	32	49
George Richards Way	8	23	31

Baltic Street	2	11	13
Dairyhouse Lane	3	3	6
Ocean Street	3	10	13
Country Print	1	11	12
Pacific Road	2	0	2
TOTAL	36	90	126

* 415 employees

29. In order to allow a direct comparison, the data from the staff survey was doubled to reflect the full workforce. This data suggests that the majority of the on-street parking across the industrial estate results from staff employed at the Cartwright Group, with the two following exceptions:
- Dairyhouse Lane: The Cartwright Group demand was surveyed at 6 cars which equates to 12 if this is doubled to reflect the full site staffing. However, parking of up to 21 cars was observed, which is significantly higher and suggests some non-Cartwright Group demand.
 - Pacific Road: The Cartwright Group demand was surveyed at 2 cars which equates to 4 if this is doubled to reflect the full site staffing. However, parking of up to 22 cars was observed, which again suggests significant non-Cartwright Group demand. This is therefore likely to be related to the other industrial units along Pacific Road.
30. The total parking demand was determined through the data gathered in relation to on-street parking demand attributed to the Cartwright Group, data on double parking within the Cartwright Group's car parks, forecast growth and the addition of some surplus capacity to allow for contract parking and flexible spaces to allow for peak demand and is included within the Transport Assessment at table 4.3.
31. This data shows a peak unmet car parking demand figure of 290 spaces, with the unmet demand exceeding 250 for the majority of the day between 9.30 am and 3pm. The applicant considers that the proposed car park of 300 spaces would adequately meet the existing and predicted demand of the Cartwright Group and provide additional spaces for other businesses in the Broadheath area.
32. The data provided to evidence the parking requirements of the Cartwright Group is considered to be robust and is accepted by the Local Planning Authority.
33. A number of letters of support have been received from businesses within the local area which have raised significant concerns over the current parking situation and how it impacts on the ability for local businesses to operate efficiently due to HGVs and LGVs finding it difficult to traverse the local roads due to inconsiderate parking. Issues have also been raised regarding

unauthorised parking within private sites on the Broadheath Industrial Estate. Additional information has been received in support of this planning application which indicates the type and frequency of complaints received. During the period 11th September to the 5th November eight complaints were received from neighbouring residents and businesses requesting that staff cars are moved, either from roads which are causing a blocking nuisance, parked by residential access points or from other companies where staff have parked in other car park areas.

34. Businesses operating from more modern and bespoke industrial units, with adequate parking, in line with current standards, can easily attract employees and the current parking issues affecting Cartwrights and the wider Broadheath Industrial Estate area makes it difficult for a skilled workforce to be retained. Information received from the applicant states that the loss of a skilled workforce affects the efficiency and economic profile of the business and its ability to deliver orders as when staff leave, the timescale required to hire, and train new employees has a significant lead-in timeframe that affects operational efficiency. This has, on occasions, resulted in the Company's ability to deliver orders being compromised and delivery dates being missed.
35. The applicant has stated that this has led to the Company to consider downsizing / relocating if the issues cannot be resolved in the short-medium term.
36. In determining whether or not very special circumstances exist it is considered that this particular issue should be afforded significant weight.

Wider economic impacts for Trafford Borough

37. The application is accompanied by a Business Need and Economic Benefit Statement which explains that the Cartwright Group was established in 1952 at Atlantic Street in Altrincham and remains a family owned and run business. The core business operation is the manufacture of commercial trailers.
38. The Cartwright Group is a major business in the local area and has grown significantly in size since the late 2000's when staff numbered circa 500. Information provided by the applicant shows how the total staff numbers have increased at the site since 2011:
2011 – 513 staff
2013 – 622 staff
2015 – 727 staff
2017 – 812 staff
2018 – 864 staff
39. This employee growth represents a circa 40% growth over the period since the previous applications were considered; an annual increase of circa 6-8%. The

Cartwright Group business strategy includes aims for both turnover and staff growth to ensure ongoing productivity and growth. They are also keen to maintain the HQ operations in Broadheath. The growth of the company is set to continue and as set out in the supporting information it is anticipated that the number of staff employed in Broadheath will increase by 25% to 1,000 employees by 2020/21.

40. Employees are drawn from a relatively local area, with approximately 60% living within a 10-mile radius of the site and the majority of staff employed on a permanent, full-time basis, with limited part time contracts, injecting more than £27million in to the economy in wages alone.
41. In recent years the business has experienced 4% year on year growth. Turnover increased from £89m to £150m over the last 4 years and is predicted to reach £170m in 2018/19. Future growth of the company is foremost in the company business strategy and it is envisaged that the year by year growth of 4% over recent years will continue as the logistics and transport sector continues to grow.
42. The Cartwright Group has acquired land in the area to accommodate growth when available and viable to do so, this includes Farrow House and land at Ocean Street. The latter was a site being considered for a multi storey staff car park, but the success and continued growth of the business requires this site to be used as a trailer storage area for a major client, DHL. The Cartwright Group accept that the Atlantic Street site has reached capacity, at approximately 850 employees and for this reason, they have recently acquired a site in North Lincolnshire which has adequate room to grow and accommodate non-HQ functions and some fabrication and manufacturing lines.
43. The Council's Strategic Growth team have confirmed that the number of staff employed by the Cartwright Group in Altrincham (circa 840) equates to circa 8.5% of jobs in the Trafford manufacturing sector with a large number of local people employed on a permanent, full-time basis across a range of skill levels, including taking on 25-40 apprentices per annum.
44. The Cartwright Group have been a signatory to the Trafford Pledge, which supports residents of all ages find employment, since its inception in 2014. Prior to this they were a signatory to its predecessor, the Partington Pledge, which was an initiative to support young people, aged 16 to 24 into employment.
45. The Cartwright Group also run an apprenticeship scheme which takes on 25-40 apprentices on an annual basis, with apprentices who complete the apprentice programme being given a position in their chosen field with further opportunities for development.

46. In determining whether or not very special circumstances exist it is considered that the contribution made to the local economy by the Cartwright Group should be afforded significant weight.

Availability of alternative sites to accommodate parking

47. An alternative site assessment (Appendix 2 of the Planning Statement) has been submitted as part of this planning application. The assessment identifies and assesses sites on the basis of the:
- Site size threshold and parking format
 - Proximity to the Cartwright Group HQ on Atlantic Street – a 500 metre walking distance catchment area was applied.
 - Site suitability
 - Site availability and deliverability
 - Is the site located in Green Belt

48. Eight sites were identified within the assessment:

SITE	COMMENTARY
Dairyhouse Lane	This site is the subject of this planning application.
Triangle land to south of Dairyhouse Lane	This site is located outside the Green Belt, however it is owned by the National Trust which have not been willing to enter into negotiations at this time with the applicant.
Former public house site (Bay Malton), Seamons Road	This site is located in the Green Belt. The site is also located in private ownership and discussions with the owner have confirmed that the site is not available for purchase or lease. Furthermore, planning permission (94632/COU/18) was granted for the change of use of this former public house to a residential dwelling on the 12 th October 2018.
Former B&Q site, Atlantic Street	The site is not available for purchase or lease either in the short or longer term.
Asda car park, Atlantic Street	The owners of The Cartwright Group had previously approached Asda (via Store Manager) to lease spaces. As part of this exercise the applicant contacted Asda again and it was confirmed that there is no potential to lease spaces to the Cartwright Group for their use. This car park is also time restricted and is therefore not suitable for employees to use.
Vacant Rose Cottage, Seamons Road	The site is owned by National Trust and local enquiries have not been able to confirm whether the site is available. The site is host to an existing dwelling. The site is small in size and is not of a sufficient size to accommodate the level of car parking required.
The Cartwright Group Land Ownership	The Cartwright Group has a number of ownerships in the vicinity with the core/hub being properties along Atlantic

	<p>Street. The senior management team and owners of the business have considered the availability of land within their ownership and specifically whether the re-ordering of existing manufacturing and storage areas could release some land for employee car parking, including the construction of a multi-storey car park.</p> <p>The nature of the business operation, manufacturing large scale products, severely restricts the ability to reorder operations. The only land available for a multi-storey car park would be the main car park fronting Atlantic Street.</p> <p>The Cartwright Group have confirmed that they do not consider the delivery of a multi-storey car park in this location to be reasonable or deliverable and state that <i>“As a global HQ it is appropriate for the building to have a visible presence and a welcoming appearance for visitors and customers, reflecting the business brand. The offices immediately adjoin the manufacturing buildings to the rear. The front elevation is the only open elevation and a multi-storey car park here would impact not only the outlook, but also reduce daylight and potentially air quality.”</i></p> <p>Furthermore the Local Planning Authority do not consider the delivery of a multi-storey car park on this site to be acceptable in terms of layout, design and impact on the character and appearance of the area.</p>
Century Park (included in Planning Addendum)	The site is small at 0.08 ha in size and would not provide the level of car parking required to alleviate the current issues experienced by the Cartwright Group.

49. It is considered that the site search undertaken by the applicant represents a robust exercise, and that it has therefore been demonstrated that there are no suitable alternative urban sites to accommodate the parking requirement outside of the Green Belt.
50. The site at Ocean Street was considered for a multi storey staff car park, however the business requires this site to be used as a trailer storage area for a major client, DHL.
51. In determining whether or not very special circumstances exist it is considered that this particular issue should be afforded significant weight.

Local Highway Safety Issues

52. The Cartwright Group and a number of local businesses have raised concerns that the current parking situation, largely un-managed off-site parking within the wider Broadheath Industrial Estate area, impacts on highway and pedestrian safety and disrupts vehicle movements, many of which are LGV / HGV.
53. A road safety review was included within the submitted Transport Statement, which identified one accident on George Richards Way which was categorised as 'slight severity'. This data was provided by 'Crashmap' which only includes accidents that have required police attention and does not allow for minor accidents. The data therefore does not identify a significant history of accidents.
54. However, it is clear from site visits and from anecdotal evidence that the level of parking that takes place on the highway within the area, together with inconsiderate / illegal parking, and blocked visibility splays, impacts on the efficiency and safety of the local highway network. As a result of the current issues experienced in the area the Local Highway Authority have proposed to introduce a series of Traffic Regulation Orders (TROs) which will further decrease the level of on street car parking available within the local area. Within the immediate vicinity of the application site, the TRO proposes to introduce a 'No waiting at any time' restriction along the southern side of Dairyhouse Lane and either side of the existing access off the northern side of Dairyhouse Lane and introduce a 'No waiting Mon-Fri 9am – 5pm' restriction to the front of the dwellings along Dairyhouse Lane. This will leave a small stretch of approximately 85 m available for unrestricted parking. These TROs were proposed prior to the submission of this planning application.
55. In determining whether or not very special circumstances exist it is considered that the benefits that the development will deliver in terms of highway safety within the area of the site and the wider Broadheath Industrial Area should be afforded moderate weight.

Local Residential Amenity Issues

56. Parking on residential roads and specifically Dairyhouse Lane, has resulted in negative impact to local residents including:
 - Staff arriving early to secure a parking space, and then sitting in the car with radios/ music playing right outside residential properties.
 - Unlawful (Environmental Protection Act 1990) dropping of litter.
 - Congestion and blocking of accesses from inconsiderate parking.
 - Overlooking of properties whilst walking on the footpath on Dairyhouse Lane directly in front of the properties and when parked.

57. As detailed earlier in this report eight complaints were received during the sample period 11th September to the 5th November requesting that staff cars are moved, either from roads which are causing a blocking nuisance, parked by residential access points or from other companies where Cartwright Group staff have parked in other car park areas.
58. The proposal seeks to provide parking in a co-ordinated and managed way that is separated and screened from adjacent residential properties. It will also provide a pedestrian route that, whilst passing a small number of properties, will see users of the car park cross to the southern side of Dairyhouse Lane, instead of passing by the fronts of the existing dwellings on Dairyhouse Lane.
59. In determining whether or not very special circumstances exist it is considered that the potential benefits to residents in the area from the provision of the car park should be afforded moderate weight.

Environmental benefits

60. The applicant considers that the proposed development will result in the enhancement of the eastern areas of the site and the southern tree boundary as landscaping/wildlife enhancement areas will be developed through the site landscaping management strategy. In turn this will provide ecological benefits as these parts of the site are currently overgrown and of only limited ecological value. They will be retained and enhanced through the site landscaping management strategy.
61. In determining whether or not very special circumstances exist it is considered that the environmental benefits purported to result from the proposed car park should be afforded limited weight.

Wider Broadheath Business Parking Needs

62. Due to the highly developed nature of the Broadheath employment area and it being the key business area in the south of Trafford, there are a significant number of businesses, a lot of which have also developed over time and have limited parking facilities.
63. The recent parking survey referenced that circa 30+ cars which are not associated with employees of the Cartwright Group park on the surrounding roads on a daily basis. It is acknowledged that this must therefore also be impacting on the operation of the local highway network, and be having an impact on the amenity of residents, and could exacerbate in the future as other companies also grow.
64. The application has also highlighted that Trafford Council has plans to extend parking restrictions on roads in the Broadheath area through the implementation

of TRO's as detailed in the above section 'Local Highway Safety Issues' in order to address problems relating to on-street parking. The applicant has highlighted that this could have an unwanted impact in that it may exacerbate parking pressures on other, less suitable roads in the area and therefore push the impacts out to these areas rather than addressing it via a parking solution.

65. The applicant considers that the current proposal represents potentially the only opportunity to provide a holistic, long term solution to parking issues experienced by the Company and by businesses in the Broadheath area, which would also allow certainty to Trafford Council and residents that a further requirement and approach to extend the car park should not arise in the future.
66. It should be noted that the impact of employee parking along Dairyhouse Lane could be relieved within the immediate area should the proposed TRO be confirmed.
67. The applicant has advised that parking spaces would be available for lease from the Cartwright Group by other businesses, therefore allowing flexibility and a solution to businesses parking issues. The Cartwright Group have advised that a condition to cap the number of spaces available for lease would be acceptable.
68. In determining whether or not very special circumstances exist it is considered that the benefits that might arise from the provision of the car park to other businesses in the area should be afforded limited weight.
69. As paragraph 144 of the NPPF indicates that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, all other aspects of the proposed development must be considered before undertaking this balancing exercise.

Design and Landscaping

70. Core Strategy Policy L7 requires development to be appropriate in its context in terms of inter alia layout, materials, hard and soft landscaping, boundary treatment and be compatible with the surrounding area. Core Strategy Policy R2 requires developments to, inter alia, protect and enhance landscape character and biodiversity and conservation value of its natural urban and countryside assets. Both Policy R2 and Policy L7 of the Core Strategy are considered to be compliant with the NPPF and therefore up to date as they comprise the local expression of the NPPF's emphasis on good design and, and the requirement to protect and enhance landscapes and biodiversity. Both policies can therefore be given full weight in the decision making process.

71. The proposed car park will be accessed off Dairyhouse Lane and comprises the development of 420 m² of the site for the purpose of car parking and laying of hardstanding. The remainder of the site will remain largely as it is, however in order to facilitate the proposed works a number of trees are proposed to be removed from the site.
72. In order to create the access and access drive to the car park seven trees are required to be felled. Four of these are category C trees (trees of low quality and value, including visual amenity) and three of these are category B (trees of moderate quality, including visual amenity value). The trees form part of a cohesive block of trees that are prominent from the public viewpoint of Dairyhouse Lane.
73. Nine trees will need to be felled due to the fact that these trees sit within the footprint of the proposed car park. All of these trees are category C and are well screened from all public viewpoints. As they are not visible from outside the site, their loss will have limited visual impact on local amenity or character in the wider setting.
74. 11 trees have been categorised as category U. These trees are not proposed to be removed to facilitate the proposed development but the applicant's tree survey recommends that they should be removed regardless of the planning outcome to benefit better adjacent trees and to improve the ecological status of the site.
75. One conifer hedge of approximately 10 stems of low amenity value will need to be removed to facilitate the installation of the internal road within the car park. These trees currently provide a screen to the Higher House from within the proposed car park. These trees cannot be seen from any public viewpoint, the loss will have limited visual impact on local amenity or character in the wider setting.
76. One letter of objection queried why a small tree in the far eastern corner is required to be removed, it is not clear what tree is referred to, however as noted above the tree felling works are required to either facilitate the development or improve the health and environment of the remaining trees and ecology of the site.
77. The loss of these trees will be mitigated through the planting of replacement trees within the car park, along the boundaries of the site and within the scrub area to the east of the car park, as indicated on the revised masterplan drawing M80125_100 Rev B.
78. The masterplan also includes the provision of tree planting along the end of the access drive which will help to screen vehicles in the car park from Dairyhouse Lane, which will help retain the green setting of the site. Additional tree planting is also proposed to an existing gap adjacent to Higher House, where the original

access point was proposed. The tree planting proposed here will close the gap and provide a continuous green boundary to the site and screen the view of the car park from the occupiers of The Barn.

79. The car park is proposed to be hard surfaced in resin bonded gravel with the car parking spaces proposed to be constructed from a porous paving grid with gravel infill. The pedestrian footpath located to the east of the site will be surfaced with resin bound gravel.
80. Whilst not needing to be removed, some trees will be affected by the construction of the proposed access road, car park and pedestrian footpath. The Root Protection Area (RPA) of these trees will be protected through the erection of tree protection fencing. A condition is recommended to ensure that tree protection fencing is installed prior to the commencement of development.
81. The application was accompanied by a Tree Survey and Arboricultural Impact Assessment which assessed the existing trees on site. The findings and conclusions of this report are accepted the proposed tree works are considered to be acceptable subject to the recommended conditions requiring all tree works to be carried out in accordance with the recommendations in the submitted Tree Survey.
82. The proposed car park will be screened from public view with new tree planting provided to mitigate for the loss of existing trees.
83. The design and layout of the proposed car park is functional and the proposed materials will respect the site's location in a Green Belt setting by retaining a more informal appearance through the use of bonded gravel.
84. A detailed landscaping plan is required to be submitted to ensure the appropriate mitigation is in place to address the necessary tree removal and visual appearance of the site. A landscaping condition is recommended to address this point.
85. Low level lighting bollards are proposed to be provided, the exact location and type of the proposed bollards can be secured by condition.
86. The proposed pedestrian footpath on the southern side of Dairyhouse Lane will require part of the existing hedge (which is a protected under the Hedgerow Regulations(1997)) to be cut back to facilitate the proposed footpath. The hedgerow, due to being predominantly hawthorn is capable of a severe trimming without impacting on the health of the hedgerow. However, in order to ensure that the proposed works will be carried out in a manner which minimises any impact to the health of the hedge a condition is recommended requiring all works within two metres of the hedge trunk to be carried out by hand only, with no machinery permitted to ensure that the root zone is protected. Furthermore

the recommended condition requires that any part of the hedgerow which becomes uprooted, destroyed, severely damaged, seriously diseased or dies within 5 years of construction of the footpath to be replaced.

87. Following the submission of further information it is now considered that the proposed footpath can be provided whilst maintaining the health of the hedgerow.
88. The design and appearance of the proposed car park and landscaping is considered to be acceptable and complies with Core Strategy Policies L7 and R2.

Residential Amenity

89. In relation to matters of residential amenity, Core Strategy Policy L7 requires development not to prejudice the amenity of occupiers of adjacent properties by reason of, inter alia, visual intrusion, noise and / or disturbance, odour or in any other way. Policy L7 of the Core Strategy is considered to be compliant with the NPPF. It can therefore be given full weight in the decision making process.
90. The application site is bounded by residential dwellings to the west, east and south east.
91. The original scheme proposed to locate the car park access to the north of Higher House (within the applicant's ownership and site boundary) and to the north east of The Cottage and The Barn. This access point would have shared the same main vehicular access point from Dairyhouse Lane as these residential dwellings and the trailer park to the north.
92. Concerns were raised by the occupants of The Cottage and The Barn regarding the visual amenity of the site and operational problems of the site access, as was previously experienced when a smaller car parking area operated from the site. Officers also raised concerns over potential noise and disturbance from the comings and goings of vehicles along this track to the proposed site access, given the extremely close proximity of The Cottage and The Barn to the access track.
93. As a result an alternative site access is now proposed, directly off Dairyhouse Lane, 36 metres to the west of No. 1 Dairyhouse Lane. It is considered that this amended location will minimise disturbance to nearby residents as vehicles will not have to directly pass by residential dwellings, with the exception of those on Dairyhouse Lane, which forms part of the adopted highway network.
94. A pedestrian footpath is proposed to the east of the site which will allow users of the car park to safely exit the car park and cross to the footpath proposed on the southern side of Dairyhouse Lane. The location of the proposed footpath

has been moved as part of the revised proposal and is now located 7 metres from the side boundary of No. 1 Dairyhouse Lane. Prior to this amendment the pedestrian footpath was located 1.5 metres from the site boundary. It is considered that the relocation of this pedestrian footpath provides a larger area for pedestrians to dwell before crossing Dairyhouse Lane to reach the proposed footway, further away from No. 1 Dairyhouse Lane, which would in turn reduce any impacts of noise and disturbance to the occupiers of this residential property and provides a safer space for pedestrians.

95. There is a strong existing landscaping buffer adjacent to No. 1 Dairyhouse Lane which further reduces any impact the proposed footpath and its users may have on the occupants of No.1 Dairyhouse Lane.
96. Concerns were raised by officers regarding the shift patterns of staff and how the car park would be operated. The applicant has confirmed that employees who start shifts between 6am-7am will be allocated spaces in the car parks on Atlantic Street and staff (including office staff) that start between 7am and 9.30am will be allocated spaces on the Dairyhouse Lane car park.
97. The applicant has also advised that shift patterns are divided into half hours and the Company are able to record the number of employees starting/ finishing shifts in these periods. As the number of staff arriving and departing will be distributed across different shifts it is considered that the potential car movements will not be so concentrated as to detrimentally impact on the amenity of existing residents along Dairyhouse Lane.
98. It is considered that the amended development would not prejudice the amenity of the occupiers of the nearby residential dwellings in terms of noise, disturbance, overlooking or visual intrusion and the proposed development complies with Policy L7 of the Trafford Core Strategy and the NPPF.

Highways

99. 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”*.
100. Paragraph 109 of the NPPF states 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”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.

101. The application is accompanied by a Transport Statement and an addendum, which was submitted in response to the amended scheme.
102. The amended scheme now proposed seeks to reduce conflict between entry and exit movements of the proposed car park users and the occupiers of The Cottage and The Barn and to also reduce any impacts to the amenity of these occupiers.
103. The proposed access to the car park has been moved so that it is now accessed directly off Dairyhouse Lane, approximately 36 metres to the west of No. 1 Dairyhouse Lane.
104. The specific location has been chosen to minimise the impact on trees. The proposed car park access, which will not be adopted highway, will be 5m in width in order to accommodate two-way traffic and to minimise conflict close to the junction with Dairyhouse Lane.
105. The submitted plan also shows the visibility splays achievable at this location, which are 69m to the east and 107m to the west. A speed survey has been completed and the LHA have confirmed that the survey has adequately demonstrated that the proposed visibility splays are acceptable. The LHA have stated that a Traffic Regulation order is required as part of the highway works, to protect the visibility splays to the access/egress of the site and this will be secured through the highways agreement for the works.
106. The pedestrian access to the site has also been amended and is now located 7 metres to the west of Dairyhouse Lane. The revised location has provided the opportunity for a larger pedestrian dwell area on the northern side of Dairyhouse Lane which provides a safe area for pedestrians to wait whilst crossing the road.

Proposed footpath and accessibility

107. This pedestrian access connects to a 1.2 metre wide footpath on the southern side of Dairyhouse Lane. The proposed footway will be located on adopted highway which runs between the carriageway and existing hedgerow. Set within the foliage of the hedge are a series of fence posts which are set back between 1.23m and 1.58m from the carriageway edge. It is understood that these mark the boundary between the adopted highway and land owned by National Trust. Drawing no. VN81104-D101 identifies the land available between the kerb edge and hedge. Although the applicant has proposed that the new footpath would be surfaced in resin-bonded gravel, the LHA do not consider this material to be appropriate as it is a non-standard material and costly to install and maintain and have stated that the footway must be surfaced in a standard bituminous material.

108. The LHA consider that the provision of a 1.2 metre wide footpath as it is not DDA compliant as requested. A 1.5 metre wide footpath was requested. However there are concerns that the proposed footpath at 1.2 metres in width is at the limit of what is possible within the public highway and given the constraints of the mature protected hedgerow which runs along the southern side of Dairyhouse Lane.
109. Policy L7.5 states development must: be fully accessible and useable by all sections of the community [including the elderly, those who are pregnant, and those with disabilities] and; 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.
110. In relation to this matter, the applicant has submitted a statement that confirms that the pedestrian movements will be primarily one way (away from the car park in the morning and towards the carpark in the afternoon), there will be minimal passing movements, albeit the width will allow for two persons to walk side by side or pass. The footpath purpose, as access to the staff car park, also does not require it to be utilised by any staff who may be mobility impaired (or in a wheelchair) as any such staff would be allocated a parking space in the Cartwright Group HQ car park as part of the car park management and space allocations plan. Should other non- Cartwright staff persons use the footpath for recreation purposes, it is considered unlikely that there would be many occasions when two wheelchairs would pass, which would be one of the requirements for a greater pavement width. It is also relevant that Dairyhouse Lane does not have a current "at standard" footpath provision (with the short section of footpath on the north side of the Lane adjacent to the residential properties being narrower). The provision of the pavement therefore represents an improvement on the current situation, whilst access along the remainder of the Lane remains as existing.
111. The proposed development would not be considered acceptable without the proposed footpath on highway safety grounds, and the 1.2 metre width represents the maximum width that can be achieved by the applicant on land within the public highway. Most of the users of the footpath are likely to be Cartwright employees that use the car park, and Cartwright's have confirmed that disabled employees will have alternative provision. Therefore in this instance it is considered that benefits of providing the car park outweigh the limited impact on disadvantaged groups. The provision of this footpath is therefore considered to be acceptable, albeit below the ideal width, and complies as far as the applicant reasonably can with the requirements of Policy L7.5. Furthermore, the applicant's confirmation that any mobility impaired staff

would be allocated a car parking space within the HQ car park, can be dealt with as part of the Car Park Management Plan.

112. The pedestrian route from the main Cartwright Group site on Atlantic Street to the proposed car park is approximately 320m. This is the equivalent of a 4 minute walk.
113. Cycle parking for up to 50 cycles is currently provided on site along with lockers and changing areas. Showers are not currently provided on site due to the nature of the business.
114. In order to encourage sustainable travel practices a condition is recommended requiring the applicant to submit a Travel Plan prior to first use of the car park. A draft Travel Plan has been submitted as part of the submitted Transport Assessment.
115. It is considered that the proposed Travel Plan in combination with the proposed car park will help to reduce reliance on the car and encourage sustainable travel modes throughout the company which will in turn ensure that the Cartwright Group does not wholly rely on private vehicles and car parking as a mode of commuter transport for company staff.
116. In relation to highway matters, the proposed development is considered to be compliant with both the aims of Core Strategy Policy L4 in that the development should help the free-flow of traffic and the functioning of the local highway network, whilst in relation to paragraph 109 of the NPPF, there would not be an unacceptable impact on highway safety, whilst the residual cumulative impacts on the road network would not be severe.

Ecology

117. The Core Strategy Policy R2 requires developments to, inter alia, protect and enhance landscape character and biodiversity and conservation value of its natural urban and countryside assets. Policy R2 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.
118. The application is accompanied by an Extended Phase 1 Habitat Survey and an addendum of Supplementary Ecological Information.
119. The GMEU advised that they agree with the findings of the habitat survey, however concerns were raised that the survey did not take account of desk-top species records from the area and did not include any mitigation for potential harm to these species as has been discussed, apart from a general

recommendation to maintain trees and shrubs at the site boundaries and to avoid vegetation clearance during the optimum period for bird nesting.

120. The amended scheme now proposes to fell trees on the boundary of the site which GMEU have advised would result in significant losses to the mature and semi-mature tree line along the Dairyhouse Lane part of the site, particularly when the new sight lines which would be required to facilitate the access are taken into account.
121. That said, GMEU have confirmed that they have no objections to the revised scheme, providing conditions are attached to a planning permission, should it be forthcoming, to secure the submission of a detailed landscaping scheme which includes planting species, densities and quantum and the provision of bird boxes in accordance with the details contained in the Supplementary Ecological Information document. On this basis, it is considered that the proposed development complies with Policy R2 of the Trafford Core Strategy and the NPPF in relation to ecological issues.

Drainage

122. 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. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it.
123. The site is located in a Critical Drainage Area and Flood Zone 1. It is proposed that the development will be drained through the use of soakaways and permeable surfaces subject to the satisfactory completion of ground investigation works and infiltration testing. Should the tests demonstrate that the proposed drainage works are unsuitable then it is proposed that a surface water connection is made to the field drain that extends from east to west along the southern site boundary along Dairyhouse Lane.
124. The LLFA have not raised any objections to the proposed development and have recommended that conditions are attached to a planning permission should it be granted to ensure details of the proposed drainage scheme are acceptable.

DEVELOPER CONTRIBUTIONS

125. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of ‘all other’ development, consequently the development

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

PLANNING BALANCE AND CONCLUSION

126. Core Strategy Policy R4 reflects policy set out in the NPPF by stating that new development will only be permitted within the Green Belt where it is for one of the appropriate purposes specified in national guidance, where the proposal does not prejudice the primary purposes of the Green Belt set out in national guidance by reason of its scale, siting, materials or design or where very special circumstances can be demonstrated in support of the proposal. It has been established that the proposed development constitutes inappropriate development in the Green Belt, and so the application should not be approved except in very special circumstances. Paragraph 144 of the NPPF sets out that those very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
127. It is acknowledged that parking within the Broadheath Industrial Estate area is a longstanding problem. The applicant has sought to demonstrate a number of very special circumstances which justify the development of a car park in the Green Belt to provide car parking facilities for the Cartwright Group and 50 spaces for other businesses in the wider Broadheath Industrial Estate area.
128. In summary, the very special circumstances put forward by the applicant are that the lack of car parking within the Cartwright Group estate and the wider Broadheath Industrial Estate is impacting on the operational capacity and business growth plans of the Cartwright Group and other businesses. The current situation results in parking difficulties for staff who are having to arrive earlier for their shifts than they would otherwise have to do, which in turn causes disruption and disturbance – often in the early hours of the morning - to the amenity of nearby residents, staff being late for work and highway safety issues due to inconsiderate and dangerous parking. Crucially, this has an impact on the ability of the Cartwright Group to retain skilled staff which impacts on the operational capacity and growth of the business. As a local employer, the Cartwright Group employs 860 members of staff which represents circa 8.5 % of the overall jobs in the Trafford manufacturing sector. If the current parking situation cannot be resolved the Cartwright Group has stated that they will have to consider downsizing and / or relocation. It is acknowledged that the Cartwright Group has acquired land outside of the Borough in Lincolnshire to accommodate non-HQ functions and some fabrication and manufacturing lines.
129. The provision of car parking for use by the Cartwright Group with a limited amount provided to serve other businesses in the Broadheath Industrial Estate area would ease the current parking situation suffered by many businesses in the area and provide the Cartwright Group with a dedicated car parking area

which in combination with its existing assets in the area would provide a minimum of 420 car parking spaces. This would allow the Cartwright Group to provide adequate car parking facilities for staff which would in turn allow the business to maintain and grow its current business operations in the local area.

130. It is considered that the potential negative economic impacts which may arise as a result of not providing additional car parking to serve the Cartwright Group and to a lesser extent the wider Broadheath Industrial Estate area, are not a desirable outcome for the local area, Trafford as a whole or the wider Greater Manchester economy. Whilst planning applications for the provision of a car park on this site have been refused in the past, it is considered that there has been a significant material change in circumstances in relation to the importance of the Cartwright Group's contribution to the local economy, specifically in relation to both the number of new jobs that have been created at the Group since 2011, and also the predicted employment growth through to 2020/21. It is considered that much greater weight should be attached to these benefits in the consideration of the application than has been the case in the past. Furthermore it is considered that it has been adequately demonstrated that there are no viable alternative sites within a reasonable walking distance of the site. It is considered that these issues are of great significance and that great weight should be attached to them in determining whether very special circumstances exist.

131. It is considered that moderate weight can be attached to the beneficial impact the proposed development will have on local residential and general amenity issues and highway safety concerns by reducing inconsiderate parking, including parking directly outside local residential properties. It is not considered that much weight can be attached to the alleged environmental benefits put forward by the applicant, given that the proposal results in the loss of a number of trees, albeit it that the mitigation measures include replacement tree planting and the provision of bird nesting facilities.

132. The LHA have confirmed that they support the principle of the proposed development and are satisfied that the access/egress to the site will operate satisfactorily. The LHA have no objection to the proposed development subject to the imposition of recommended conditions.

133. In applying the test set out at paragraph 143 and paragraph 144 of the NPPF, it is acknowledged that the proposed car park represents inappropriate development in the Green Belt, and that inappropriate development is, by definition, harmful to the Green Belt. It is also acknowledged that other harm will result from the tree loss necessary to accommodate the new access road and the car park and that there will be some limited ecological impacts as a result, even though mitigation in the form of new tree planting and bird nesting facilities are proposed. However, it is considered that significant benefits will flow from the provision of the car park, most importantly to the operation of the

Cartwright Group's business, as it will help them to retain and recruit staff by providing the employees with car parking, which in turn should allow the company to realise its expansion plans. In terms of the wider economic benefits that will result from this, it is acknowledged that employment growth at the site has risen sharply from 513 employees in 2011 to 864 employees currently. Moreover, the company expects this employment figure to grow to circa 1000 employees by 2020/21. When considered together with the other benefits that should result to residential amenity and highway safety, it is considered that these benefits clearly outweigh the harm by reason of inappropriateness and any other harm. The case put forward by the applicant therefore amounts to the very special circumstances required to justify the creation of the car park in the Green Belt, and so the proposed development constitutes acceptable development in the Green Belt, is compliant with Core Strategy Policy R4 and the NPPF and is recommended for approval subject to the imposition of appropriate conditions.

134. All other detailed matters have been assessed, including highway safety, residential amenity, ecology, drainage, landscaping and impact on trees. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The proposals are considered to be compliant with the development plan and where this is silent or out of date, national planning policy. The application is therefore recommended for approval.

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:
M80125_001 Rev C – Site Location Plan
M80125_100 Rev B – Landscape Master Plan
VN81104-D100 Rev B – Site Access and Pedestrian Crossing Point with Visibility Splays

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

3. The car park hereby approved shall only be used by employees of the Cartwright Group or by other businesses based on the Broadheath Industrial Estate granted a lease by the Cartwright Group, provided that 250 of the 300 spaces shall be used for the exclusive use of the Cartwright Group. Should the Cartwright Group cease to operate in Altrincham, the use hereby permitted shall cease, the hard surfacing taken up, other structures removed and the land restored in accordance with a scheme and timetable which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: The site is located within the Green Belt and very special circumstances have been demonstrated by the Cartwright Group to justify the acceptability of the inappropriate development. This condition is designed to restrict the use of the permission to the applicant whose circumstances caused the exception to be made, having regard to Policy R4 of the Trafford Core Strategy and the National Planning Policy Framework.

4. The development hereby approved shall be used for the parking of employee vehicles only and not for any other purpose including the parking of HGVs / LGVs or the storage of trailer bodies.

Reason: To ensure that the parking demands of the Cartwright Group are met, having regard to Policy R4 of the Trafford Core Strategy and the National Planning Policy Framework.

5. The development hereby approved shall not be brought into use unless and until a Car Park Management Plan, which should include details of car parking space allocation (including spaces to staff with disabilities), control of site access, how the car park will be managed to minimise impacts on the local residential amenity by users and enforcement of the Plan, has been submitted to and approved in writing by the Local Planning Authority. On or before first use of the development hereby permitted the Car Park Management Plan shall be implemented and thereafter shall continue to be implemented in perpetuity.

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

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

7. Prior to the first use of the car park hereby approved, the new footpath proposed on the southern side of Dairyhouse Lane shall be provided in accordance with Drawing reference VN81104-D100 Rev B.

Reason: The development hereby approved is not acceptable in highway terms unless a safe pedestrian route is provided having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

8. Prior to its installation, details of the access barrier to the car park shown on drawing reference M80125_100 Rev B shall be submitted to and approved in writing by the Local Planning Authority. The barrier shall be installed in accordance with the approved details prior to the car park being brought into use.

Reason: In order to ensure the barrier has a satisfactory appearance in the interests of visual amenity having regard to Policies L7 and R4 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

9. The car park shall only be open for use between the hours of: 07:00 to 19:00 Monday to Friday and 07:00 – 13:00 on Saturday.

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

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

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

11. Prior to any works to ground levels first taking place, full details of the formation of any banks, terraces or other earthworks shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

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 R4 of the Trafford Core Strategy and the National Planning Policy Framework.

12. Prior to the car park being brought into use, details of the proposed materials, planting plans, specifications and schedules (including planting size, species and number/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works shall be submitted to and approved in writing by the Local Planning Authority. 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 the bringing into use of the car park, whichever is the sooner.

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 R4 of the Trafford Core Strategy and the National Planning Policy Framework.

13. Any trees or shrubs planted or retained in accordance with condition 12 which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 10 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 R4 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

15. Bird nesting facilities shall be provided prior to the car park being brought into use in accordance with the details set out in the 'Supplementary Ecological Information' document produced by Andy Harmer and received by the Local Planning Authority on the 13th November 2018, and retained thereafter.

Reason: In order to enhance and protect the biodiversity and conservation value of the site having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

16. No external lighting shall be installed on site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall only provide for low level lighting bollards. Thereafter the site shall only be lit in accordance with the approved scheme.

Reason: In the interests of amenity and biodiversity and having regard to Policies L7, R2, and R4 of the Trafford Core Strategy and the National Planning Policy Framework.

17. Tree removal shall only be carried out in accordance with the recommendations set out in sections 6 and 7 and Appendix 8 of the 'Tree survey and Arboricultural Impact Assessment' dated 5th November 2018.

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, R3 and R4 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.

18. 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 tree protection measures shown on the drawing included at Appendix 7d of the 'Tree survey and Arboricultural Impact Assessment' dated 5th November 2018 and 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, R3 and R4 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.

19. All construction within 2m of the stems of the hedge plants required to facilitate the footpath along the southern side of Dairyhouse Lane shall be carried out by hand only and without the use of machinery. Prior to works taking place on the footpath, details shall be submitted to and approved in writing by the Local Planning Authority detailing proposed construction techniques and root damage prevention measures to be implemented. Should any part of the hedgerow

affected become uprooted, destroyed, die or become severely damaged or seriously diseased within 5 years of the construction of the footpath, that part of the hedgerow shall be replaced within the next available planting season by trees of similar size and species, the details of which shall first be approved in writing by the Local Planning Authority.

Reason: In the interests of maintaining the existing hedgerow which provides an important and attractive agricultural field boundary which contributes to the amenity of the area, having regard to Core Strategy Policies L7, R2 and R3 and the National Planning Policy Framework.

20. No works on site shall take place, except for site clearance works, tree felling in accordance with conditions 17 and 18, and works to install service connections until details of the Sustainable Drainage Scheme 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.

It will be necessary to constrain the peak discharge rate of storm water from this development (including hard areas) in accordance with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Councils' Level 2 Hybrid Strategic Flood Risk Assessment. No development shall be commenced unless and until full details of the proposals to meet the requirements of the Guidance have been submitted to and approved by the Local Planning Authority and none of the development shall be brought into use until such details, as approved, are implemented in full. Such works shall be retained and maintained thereafter.

Reason: To prevent and mitigate flooding in accordance with Policies L5 and L7 the Trafford Core Strategy and the National Planning Policy Framework. It is necessary for this information to be submitted and agreed prior to commencement given the need to install surface water drainage infrastructure at the start of the construction works.

21. The car park hereby permitted shall not be brought into use until details for the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- a) Verification report providing photographic evidence of construction as per design drawings;
 - b) As built construction drawings if different from design construction drawings;
 - c) Construction photographs;

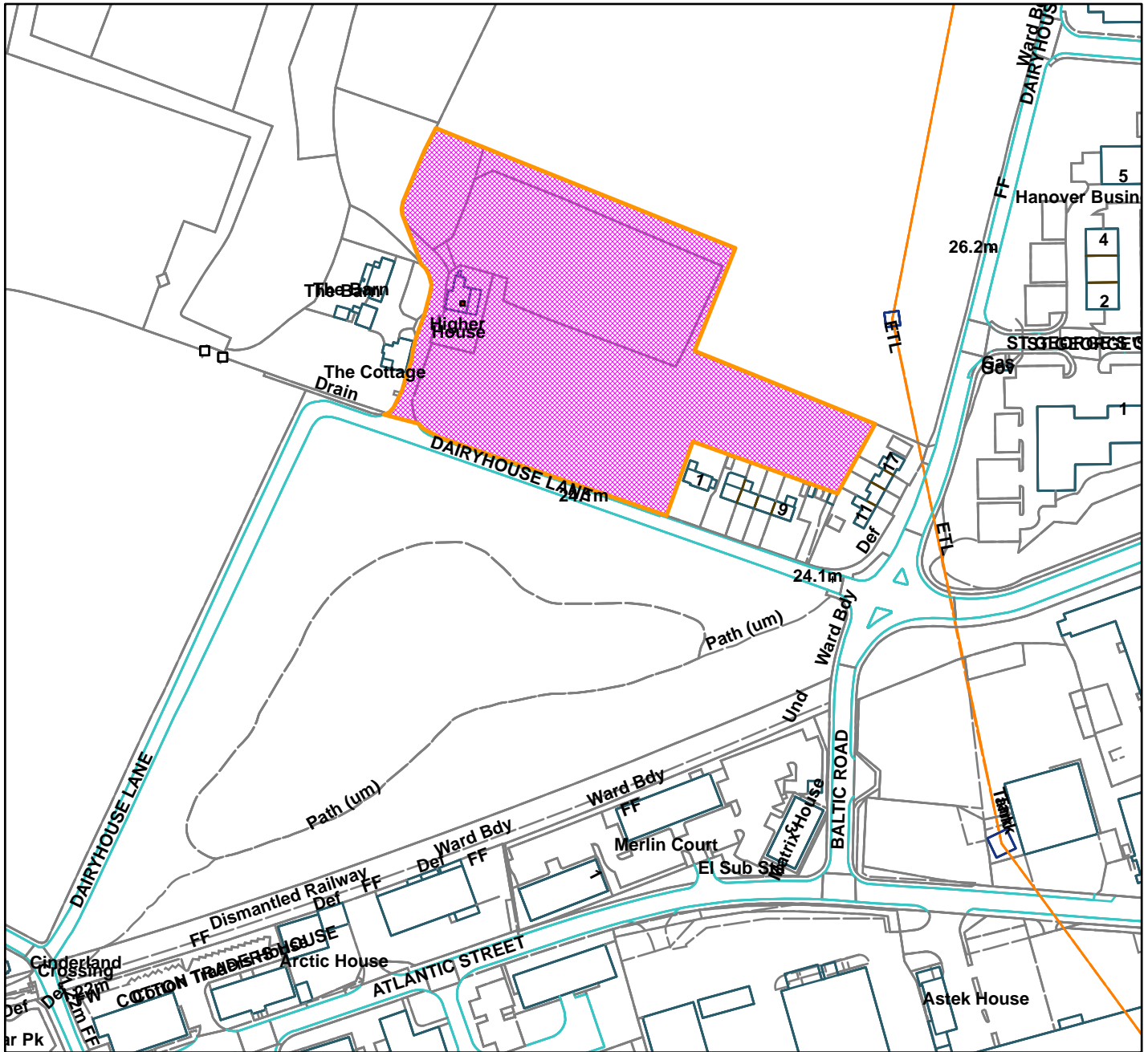
- d) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime

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

DH



Land At Higher House Farm, Dairyhouse Lane, Altrincham (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/12/2018
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