

**Application for the use of the site as a proposed care facility for all ages (Use Class C2) and the addition of a side window.**

30 And 32 Derbyshire Lane, Stretford, M32 8BJ

**APPLICANT:** Fairhome Group PLC

**AGENT:**

**RECOMMENDATION: GRANT**

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**This application is reported to the Planning and Development Management Committee as the application has received more than six letters of objection contrary to officer's recommendation.**

**SITE**

The application site relates to two large detached properties sited on the northern side of Derbyshire Lane, known as Dover House (30) and Derby House (32). The properties are currently vacant although last in use as a rest home (Class C2). Each property has its own associated vehicular access and grounds and the buildings are separated by boundary screening.

To the north of the site the properties back on to the playing fields associated with Victoria Park Junior School. St Ann's RC Infant School is located close to the application site to the west with the residential properties of 34 and 36 Derbyshire Lane separating the sites. The site is located on the east side of Derbyshire Lane which is in close proximity to public transport links on Chester Road (A56) and Trafford Park railway station which is within walking distance to the north west of the site.

The surrounding area is largely residential, characterised by a terrace of late 2.5 storey Victorian dwellings opposite the site on the south side of Derbyshire Lane, bungalows immediately to the west of the site and two storey dwellings to the east.

**PROPOSAL**

Permission is sought for the use of 30 and 32 Derbyshire Lane to be used jointly as a Care Home providing Supported Living care for males and females aged 18 or over with learning difficulties or mental health issues. Both properties have an existing Care Home (C2) use. There are currently no age restrictions in place for the permission relating to no.32 Derbyshire Lane and as such the proposed use could be carried out in this building alone without the need for any further planning permission.

Permission was granted for the conversion of 30 Derbyshire Lane from a dwellinghouse to an elderly persons rest home under approval H/39861 in January 1995. Condition 2 of that permission states that:

*“The premises to which this decision relates shall be used as an elderly persons rest home for a maximum of 9 persons and for no other purpose (including any other purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).*

*Reason: To ensure that the use does not generate a demand for parking above what is available within the site and also because other uses within the same Use Class may have a detrimental effect on the neighbourhood and the restriction to the use proposed will enable the Local Planning Authority to consider any further change of use on its merits.”*

No similarly worded condition was attached to approval 78684/FULL/2012 for the conversion of 32 Derbyshire Lane to a rest home associated with number 30. Notwithstanding this, this application seeks planning permission for use of the entire site (both properties) as a care home without any age restrictions.

The Design and Access Statement advises that *“the proposed client group are 18+ male or female with learning difficulties or mental health issues. The service provision is supported living within a recovery and rehabilitation model of care. The service can be specified as Specialist Supported Housing with the level of personal care/supervision for the individuals at least 1 hour and a suitable support package.”*

The only external alteration to the buildings is the addition of a single window in the ground floor side (West facing) elevation of Dover House which would serve the new staff room.

## **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**

L2 – Meeting Housing Needs  
L4 – Sustainable Transport and Accessibility  
L7 – Design  
L8 – Planning Obligations

## **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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Autumn 2019 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the National Planning Policy Framework (NPPF) in 19 February 2019. 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 is regularly updated. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### **32 Derbyshire Lane**

78684/FULL/2012 – Conversion of existing 2 no. apartments (Class C3) into rest home (Class C2) associated with existing accommodation at adjacent Dover House; erection of a three storey side extension, single storey rear extension, and rear dormers, with

raised decking area to the rear and additional works ancillary thereto.  
Approved with conditions 11 December 2013

The following conditions are of particular relevance to this application:

Condition 5:

*The existing hedge which forms the common boundary with the adjacent property of 34 Derbyshire Lane shall be maintained to a minimum height of 2m or, alternatively, a 2m high fence shall be provided along this common boundary in accordance with details to be submitted for the prior written approval of the Local Planning Authority and retained thereafter at all times.*

*Reason: To protect the privacy and amenity of the occupants of 34 Derbyshire Lane, and having regard to Policy L7 of the Trafford Core Strategy.*

Condition 6:

*Before the rest home hereby approved is brought into use, seven off-road car parking spaces shall be provided in accordance with approved drawing A-05-101 Rev: B. Thereafter all areas for the movement, loading, unloading and parking of vehicles provided in accordance with this permission shall be made available for those purposes at all times when the premises are in use; notwithstanding the provisions of any General Development Order, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.*

*Reason: To ensure that satisfactory provision is retained within the site for the accommodation of vehicles attracted to or generated by the proposed development, having regard to Policy L7 of the Trafford Core Strategy.*

Condition 7:

*The development hereby approved shall not be brought into use unless and until a scheme for cycle and motorcycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the rest home is brought into use and shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: To comply with Policy L7 of the Trafford Core Strategy.*

### **30 Derbyshire Lane**

H/49403 – Erection of two storey rear extension and conservatory.  
Approved with conditions 18 January 1995

H/46798 – Continued display of internally illuminated box sign to front elevation  
Refused 31 March 1999

H/39861 – Change of use and conversion of dwellinghouse to elderly persons rest home

Approved with conditions 18 January 1995

The following condition is considered to be relevant to this application:

Condition 2:

*The premises to which this decision relates shall be used as an elderly persons rest home for a maximum of 9 persons and for no other purpose (including any other purpose within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).*

*Reason: To ensure that the use does not generate a demand for parking above what is available within the site and also because other uses within the same Use Class may have a detrimental effect on the neighbourhood and the restriction to the use proposed will enable the Local Planning Authority to consider any further change of use on its merits.*

### **APPLICANT'S SUBMISSION**

A Design and Access Statement has been submitted as part of the application.

### **CONSULTATIONS**

**All Age Commissioning** – Fairwood Homes have submitted the application with the intention of working with Northern Healthcare as a Provider to support people with mental illness/health related issues or learning disabilities. Fairwood are proposing that the site will accommodate up to 9 people in each of the two properties, a maximum of 18 across the site. Fairwood will be the landlord and the clients will have their own tenancies.

Northern Healthcare provide mental health recovery services which include residential units whereby 24 hour support is available and access to experienced qualified clinicians. Their recovery services, they say, provide a safe and comfortable environment for residents to rebuild their skills, ready to become an active member of society again.

The staffing levels Northern Healthcare generally use and propose for the Stretford site are:

- 1 Regional Manager – presence every week
- 1 F/T Manager – Clinician, Mental Health Nurse
- 1 Occupational Therapist
- 1:3 staff during the day
- 1:5 staff during the night
- Waking night support

- 24 hour on-call clinical support

A community engagement meeting was held in St Ann's RC School in Stretford on 3<sup>rd</sup> July. A small number of residents attended the meeting along with ward Councillors, Northern Healthcare and Commissioning. Information was given to the local residents verbally and in written brochure format to take away. It was decided following the meeting to extend the consultation process for the planning application to allow residents to raise concerns or voice their approval in support of the development.

Further drop-in sessions are planned.

## **REPRESENTATIONS**

Letters of objection have been received from 6 neighbouring properties and 2 petitions have been received with a total of 100 and 24 signatures respectively. The main objections raised are summarised as follows:

- Potential for exacerbated parking problems if the occupants are of an age group that are likely to have cars or more regular visitors;
- Staff, nurses and visitors to the care home have previously caused problems by parking across neighbouring driveways;
- Concerns regarding increased traffic;
- Concern regarding potential young offenders, ex-prisoners or people with mental health issues in such close proximity to an infant and nursery school;
- Will the care home be let out to other providers of care?
- Facilities for bin storage and waste collection are unclear;
- Want confirmation that there is no intention for the site to be used as a half-way house, young offender, drug user or ex drug users or anyone detained for rehabilitation;
- Greater clarity is needed as to what is being proposed;
- No parking provision is shown on the plans;
- Concern that the properties would be used for students for the proposed UA92;
- Concern regarding loss of privacy to 28B Derbyshire Lane;
- Safeguarding concerns of pupils at neighbouring schools particularly with the buildings directly overlooking the school playing field;
- Inadequate consultation process;
- No risk assessment has been carried out by Trafford Council;
- Local residents have not been informed or updated on the planning application by the Council;
- Local residents have not been invited to meetings regarding the application held at St Ann's;

A letter of support has been received from a neighbouring resident. The main reasons are summarised below:

- The actions of St Ann's School do not represent the views of the whole school community;
- The location of the buildings, close to two primary schools and a private nursery would make them unsuitable for housing individuals presenting a high risk to the local community. However, having read the planning application and had a telephone discussion with the CEO of Northern Healthcare, the plans are considered to be appropriate and deserve support.

## **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.
2. 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.
3. Paragraph 11 of the NPPF indicates that plans and decisions should apply a presumption in favour of sustainable development. Bullet point d) of paragraph 11 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.
4. The proposed care home would remain in the same Use Class as the existing buildings. It is important to note that there are no restrictions in relation to 32 Derbyshire Lane and the property has an open residential care home use with no restrictions. This permission seeks to amalgamate the running of the buildings as one care facility and remove the part of the condition on 30 Derbyshire Lane which restricts the occupancy to elderly people. Therefore regard should be given to the real 'fall back' position whereby 32 Derbyshire Lane could operate independently as a care facility for all ages without any further requirement for planning permission. As such it is only the additional impact of the proposed use at 30 Derbyshire Lane and operating the two buildings together as one use that should be considered in this application. This application gives an opportunity to control this usage to ensure that there is limited impact on the immediate locality.

5. The main planning issues to be considered in the determination of this application therefore relate to the potential impact on residential amenity and parking and highways.
6. Core Strategy Policy L7 is considered to be up to date for the purpose of the determination of this application. The aim of Policy L4 'Sustainable Transport and Accessibility' to deliver sustainable transport is considered to be consistent with the NPPF. NPPF sets a more stringent test for the residual cumulative impacts on the road network and this part of the policy (Section L4.8) is not consistent with NPPF. The setting of maximum parking standards as set out in section L4.15 and appendix 3 is inconsistent with the NPPF and in that regard to considered out of date and less weight should be afforded to this part of the policy. In all other aspects this policy is consistent with the NPPF and weight should be afforded to this.

### HIGHWAYS AND PARKING

7. Policy L4 of the Trafford Core Strategy 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.
8. Policy L4.14 to L4.16 sets out the requirement to comply with the adopted car and cycle parking standards as set out in Appendix 3 to the Core Strategy and within adopted SPD3. These are considered to be consistent with NPPF.
9. Residential care homes fall within Use Class C2 (Residential Institutions). The Council's adopted parking standards for the proposed development in this location is 1 car parking space per 5 beds and 1 cycle parking space per 40 beds (minimum of 2). SPD3 advises that these standards should cater for all users of the development, not just residents. It is important to note that these parking figures are provided for the use and there is no differentiation given for different age categories of service users.
10. Dover House (30 Derbyshire Lane) would provide a total of 9 beds (a decrease from 12 in the existing use). Derby House (32 Derbyshire Lane) would also provide 9 beds (a decrease from 11 in the existing use). There would therefore be a parking requirement of only 2 spaces per each building. There is a large amount of hardstanding surrounding each of the properties although no formal parking spaces have been marked out. It is noted that permission for the change of use of Derby House to a care home required the provision of 7 car parking spaces. It is acknowledged that there is space for more than 2 car parking spaces within the grounds of each property whilst maintaining space for bin



stores and cycle parking. A condition is therefore recommended for a parking layout to be submitted to and approved by the Local Planning Authority and subsequently provided on site, prior to the development being brought into use.

11. Objections received include concern that service users of a lower age group are likely to have a higher level of car ownership and as such existing parking problems in the area will be exacerbated. There is no evidence of this and it is noted that the Design and Access Statement states that the need for parking is mainly for staff and they are encouraged to use public transport.
12. The site is considered to be in a sustainable location, sited close to public transport routes along the A56 and within walking distance of Trafford Park railway station (approximately 0.6 miles) and Stretford tram stop which is a similar distance. Also taking into consideration the fact that the proposal can satisfy the Council's adopted parking standards and would result in a decrease in the number of beds from the existing use, it is considered that the proposal is acceptable on highway grounds.
13. A number of objections raised refer to existing highways concerns, in particular relating to people parking across driveways. This is behaviour and not a planning issue and is not reason to recommend refusal of the application.

#### RESIDENTIAL AMENITY

14. 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"*.
15. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date for the purposes of decision making.
16. The reason for the condition to planning approval H/39861 for the conversion of 30 Derbyshire Lane to an elderly persons care home, includes the potential impact of other uses on the neighbourhood. Any likely additional impact as a result of younger residents is therefore a consideration in the determination of this application.
17. The overall number of bedrooms in each of the properties would decrease from the existing situation. There would be no intensification of use as a result of the proposed development and there is likely to be no significant additional impact to residential amenity associated with comings and goings.

18. The revised Design and Access Statement advises that change over for staff is at 8pm in the evening and 8am in the morning. Additionally the premises are closed between 10pm and 8am with an informal curfew in place. It is therefore considered that there would be no undue disturbance caused to neighbouring residents as a result of comings and goings late at night or in the early hours of the morning.
19. The only external alteration to the buildings is the addition of a single window in the ground floor side (West facing) elevation of Dover House which would serve the new staff room. This would face Derby House (no.32) and as such would not result in any additional overlooking or loss of privacy to neighbouring residents.
20. It is concluded that there would be no greater impact on residential amenity to an extent which would cause harm or warrant refusal and as such the development is considered to be in accordance with Policy L7 of the Core Strategy.

## OTHER MATTERS

21. Objections received raise concern regarding the proposed service users. There is particular concern regarding the safeguarding of children in neighbouring St Ann's RC Primary School as well as other nearby schools and nurseries with concern that the facility will be serve as a half-way house for young offenders, drug users/ex drug users and people detained for rehabilitation.
22. Information submitted by the applicant sets out the proposed service users as identified in the proposals section of this report. It is also stated that the care provider and all levels of management are subject to regulatory standards and with rigorous checks will ensure safeguarding measures are met to all residents and the surrounding community. Notwithstanding this, it is not within the remit of the Planning Service to seek to control the proposed service users or provide a judgement on risk from one particular demographic over another. This application should be considered on its planning merits and assessed in accordance with Trafford Core Strategy policies and relevant sections of NPPF.
23. Consultation on the application has been carried out in accordance with statutory requirements and the Council's adopted Statement of Community Involvement.

## **DEVELOPER CONTRIBUTIONS**

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

No other planning obligations are required.

## **PLANNING BALANCE AND CONCLUSION**

In principal the proposed development does not result in a change of use. The development seeks to remove the condition which restricts no. 30 to a care home use for elderly persons. Both buildings currently have a care home (use class C2 Use). There is an existing 'fall back' position whereby 32 Derbyshire Lane could operate as a care facility for young adults without seeking any additional planning permissions. The proposal seeks to amalgamate the existing care home facilities at 30 and 32 Derbyshire Lane and in doing so needs to address the existing planning condition attached to 30 Derbyshire Lane which restricts the facility for elderly care only. The planning reason for attaching such a condition relates to highways and parking concerns and potential impact of other C2 uses on the neighbourhood.

It has been demonstrated in this report that the proposal would comply with current policy in relation to parking standards. The facility would result in an overall decrease in the number of service users at each of the buildings and there would be no additional impact on the surrounding highways as a result of on-street parking. It cannot be demonstrated that there would be an increase in comings and goings and car ownership of service users in a younger demographic. The application site is in a sustainable location in close proximity to amenities and public transport links.

It is considered that there would not be any greater level of comings and goings associated with the operation of the proposed development to a degree which would have a detrimental impact on the amenity of neighbouring residential properties and there would be no additional overlooking/loss of privacy than that experienced from the current layout. It is not a matter for the planning department to control the service users based on individual health problems or needs and there is no evidence to suggest that there is any increased risk to children and residents from the proposed younger age group.

All relevant planning issues have been considered in concluding that the proposal comprises an appropriate form of development for the site in accordance with the Local Development Plan and the NPPF. The application is therefore recommended for approval.

It is not considered that there would be any additional impacts should the site be taken over by another care provider and it is not considered necessary for this to be a personal permission.

## **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 FP1653-A-001, FP1563-A-002, FP1563-A-003, FP1563-A-004, FP1563-A-005, FP1564-A-001, FP1564-A-002, FP1564-A-003, FP1564-A-004 and FP1564-A-005.

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

3. Before the use hereby approved is brought into use, a scheme for off-street parking provision shall first be submitted to and approved in writing by the Local Planning Authority. The approved parking spaces shall be provided prior to the commencement of the use and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: In the interests of highway safety and residential amenity, having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the National Planning Policy Framework.

4. The development hereby approved shall not be brought into use unless and until details of the bin stores, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste, have been submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall be completed and made available for use prior to the first occupation of the development and shall be retained thereafter.

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

5. The site shall provide care for a maximum of 9 residents in each building at any one time.

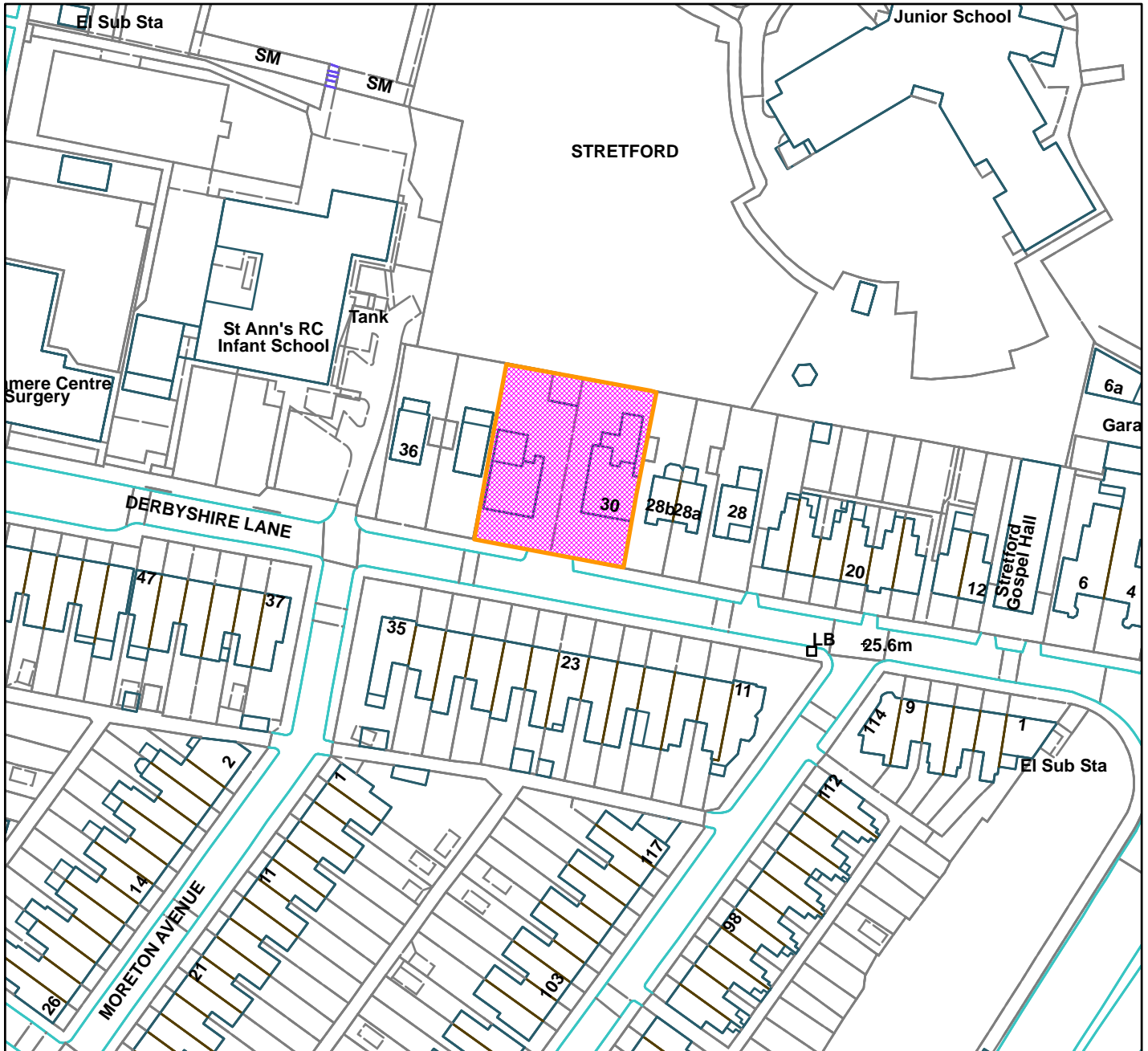
Reason: In the interests of amenity and highway safety having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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30 and 32 Derbyshire Lane, Stretford, M32 8BJ



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
MSA Number	100023172 (2012)

**Erection of a single storey side extension to encapsulate the existing outdoor terrace area.**

6 - 10 Victoria Road, Hale, WA15 9AF

**APPLICANT:** Mr Valbon Sejdiu

**AGENT:** Carroll Design

**RECOMMENDATION: REFUSE**

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

**SITE**

The application relates to a two / three storey Victorian building, which is situated on the eastern side of Victoria Road, on the southern corner of the junction with Lisson Grove. The site is located just within the boundary of Hale Village (with Lisson Grove lying outside of the village centre boundary) and is located within the Hale Station Conservation Area. The building is classified as a 'positive contributor' within the Hale Station Conservation Area Appraisal. The site is also located within the setting of the Grade II Listed Hale Station buildings, which lie on the western side of Victoria Road. The surrounding area is mixed in character with commercial properties on Victoria Road and residential properties on Lisson Grove.

The application building was originally built as a residential property. The ground floor premises are currently occupied as a restaurant. The upper floors are in use as offices. The building was extended to the front at single storey in the early 20<sup>th</sup> Century.

**PROPOSAL**

Planning permission is sought for the erection of a single storey extension to the north side elevation to enclose the existing outdoor seating area.

The proposed extension would have a maximum width of 5m, measure 9.7m in length and 3.8m high. The extension would have a flat roof and be rendered and painted to match the single storey front extension of the existing building. The proposed extension and would lie adjacent to the side boundary with Lisson Grove. Windows are proposed to the front elevation facing Victoria Road and the roof would comprise of retractable glazing. Planter boxes are proposed on top of the existing side boundary wall, which would contain climbing plants.

### Floorspace

The increase in floor space of the proposed development would be less than 100m<sup>2</sup> and therefore would not be CIL liable.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 - Sustainable Transport and Accessibility

L7 – Design

R1– Historic Environment

W2 – Town Centres and Retail

## **OTHER LOCAL POLICY DOCUMENTS**

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

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

## **PROPOSALS MAP NOTATION**

Hale Station Conservation Area

Development in Town & District Shopping Centre

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

None

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Autumn 2019 before it is submitted to the Secretary of State for independent examination. The weight to be

given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the revised National Planning Policy Framework (NPPF) in February 2019. 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 is regularly updated. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

**95133/FUL/18** - Installation of bi-fold doors to replace existing shopfront and awnings – Approved with conditions 16.10.2018.

**95132/ADV/18** - Advertisement consent sought for 2no. matching internally illuminated fascia signs and 1 no. non-illuminated valance signage to run along awnings - Approved with conditions 16.10.2018.

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

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

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

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

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



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

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

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

### **APPLICANT'S SUBMISSION**

The applicant has submitted a Noise Impact Assessment and a Heritage Statement in support of the application. The information provided within these documents is discussed where relevant within the report.

### **CONSULTATIONS**

**Heritage** – Object to the proposed extension, considering it would cause harm to the aesthetic and historic significance of the site and the contribution the site makes to Hale Station Conservation Area. Full comments are discussed in the Observations section below.

**Pollution and Housing: Nuisance** – The Pollution department has historically received noise complaints relating to the site and other commercial premises in the area due to the close proximity of residential premises on Lisson Grove. Controlling the hours of use of the external area has historically helped to control noise and reduce complaints. It is understood that there was an undertaking by the previous owners not to use the external side area beyond 8pm.

It is noted that although the site is within Hale village, there are some residential premises on Lisson Grove and Millfield Court that overlook the site and have direct line of sight to the external seating area. Should the retractable roof remain open until later than 8pm there is a greater potential to cause annoyance. The applicant has submitted an acoustic report which concludes that the proposed development would not result in unacceptable noise impact on the nearest residential dwellings. In view of the measures proposed in the acoustic assessment and the absence of any objections from local residents in the vicinity of the site, there are no objections to the proposal provided that conditions are attached restricting the hours in which the retractable roof can be open, the prevention of music to any external part of the site, the submission of a report relating to sound mitigation measures, the submission of a noise management plan for the use of the new seating area and the submission of a construction management plan.

**LHA** – No objections, recommend a condition requiring the provision of two cycle parking spaces. Advice is also provided highlighting that planning permission does not

give permission for tables and chairs on the public highway. Full comments are discussed in full in the Observations section below.

## **REPRESENTATIONS**

8 letters of support have been received, of which 2 are from residents of Lisson Grove, 2 from a resident of Millfield Court, 1 from a resident of Cecil Road, 2 from residents outside of Hale and 1 from a neighbouring business on Victoria Road. A summary of the comments received are: -

- It is a positive addition to the restaurant, the building and location.
- It would create a better look to the restaurant.
- Consider 9pm to be a reasonable time for the glass roof to be closed and should be part of the planning decision.
- Supporting the application on the basis the structure is sound proof.
- The existing stone wall should stay as it blends in with other base walls along Lisson Grove.
- The panels on the side wall should never become windows or doors looking out onto Lisson Grove in order to protect privacy and noise.

A number of representations received comment on the restaurant being of a high standard and a successful establishment. Whilst these comments are noted, they are not a material consideration in the assessment of this application.

A representation has also been received from Councillor Mrs Young, which states the following: -

- Confirms that she does not generally have any objections to the application.
- Concerned about the possibility of future problems if the application is not managed correctly and would like to see that all precautions are taken to stop noise emanating.
- Suggests that a condition is included that all external openings on the site, windows, doors and roof should close and service to tables outside the restaurant on Ashley Road cease by 8pm
- Suggests a condition prohibiting the disposal / collection of glass and kitchen waste etc between 8 or 9pm and 7:30 or 8am in the morning.

## **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 some policies, including those controlling the supply of housing are out of date, not least because of the Borough's lack of a five year housing land supply. However, other relevant policies 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 c) of the NPPF indicates that plans and decisions should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan without delay.
5. Policies protecting designated heritage assets and policies controlling the supply of housing are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11 as they determine the principle of the development. 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. Paragraph 11(d) of the NPPF is therefore engaged.
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.
7. The application site lies within Hale Village Centre and as such the proposal is also considered against Policy W2 of the Core Strategy. Policy W2 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it is generally consistent with the NPPF in supporting the growth of town centres and the role they play in local communities.

8. Policy W2.7 states that within Hale District Centre that *“there will be a focus on convenience retailing or an appropriate scale, plus opportunities for service uses and small-scale independent retailing of a function and character that meets the needs of the local community.”* The proposal relates to a restaurant, which is set out as a town centre use in the NPPF. The proposed extension would provide an enhanced dining experience for part of the restaurant and therefore complies with the aims of Policy W2.

### Heritage Assets

9. The application site is within the Hale Station Conservation Area and within the setting of the Grade II listed Hale Station buildings, which are on the opposite side of Ashley Road.
10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, “special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area” in the determination of planning applications.
11. 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.”
12. A number of paragraphs with the NPPF under section 16 are relevant to this application, the most relevant are outlined below:
  13. *In determining applications, local planning authorities should take account of:*
    - a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
    - b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
    - c) *the desirability of new development making a positive contribution to local character and distinctiveness.* (Para 192)
  14. *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* (Para 193)
  15. *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against*

*the public benefits of the proposal including, where appropriate, securing its optimum viable use. (Para 196)*

16. *Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. (Para 200)*
17. Policy L7 states that *'In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment;*
18. Policy R1 states that: *All new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets.*
19. The application site is situated within the Hale Station Conservation Area and so should be considered against the guidance set out in the Hale Station Conservation Area Appraisal (SPD5.11) and the Hale Station Conservation Area Management Plan (SPD5.11a). Policies 15, 31 and 36 within the Plan are relevant in the consideration of this application, though Policies 6 and 69 are considered to be the most important and relevant as it states:-

*Policy 6 - Ensure that adaptations to 21st century uses are sensitive to the historic character and appearance of the building; balancing the need for new facilities with the retention of original features, detailing and decorative materials.*

*Policy 69 – New extensions to the side of properties are unlikely to be acceptable.*

### The Significance of the Designated Heritage Assets

20. Significance (for heritage policy) is defined in the NPPF as: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
21. Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative

contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

22. The conservation area is formed around the area of Hale Station, which is a collection of Grade II listed buildings and the application site lies within the setting of these buildings. The buildings comprise:

- Passenger Footbridge
- East Platform, waiting rooms and canopy
- West platform building, canopy and (now defunct) signal box.

23. The listing descriptions for the above buildings are as follows:

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

24. The application site lies within Character Zone A: Central Retail Area of the Hale Station Conservation Area. The boundary of the Character Zone is drawn around the site and includes adjacent premises on Victoria Road. The application site adjoins Character Zone C: Suburban Villas, east which includes Lisson Grove and Millfield Court.

25. The application building is identified in the Conservation Area Appraisal as both a positive contributor and landmark building. SPD5.11 considers the building to be in good condition, and that it was likely to have been a 1900s residential dwelling that was converted to retail use as early as the 1930s. *The original house is of five bays with projecting double-height bays at either end, with large six over six sash*

*windows and a rendered rear exterior. The ground floor shop projects out to the pavement edge and is in keeping with the character of the Conservation Area. A vista looking south along Victoria Road including the site is also recognised. A former late 19<sup>th</sup> century residence (built as a pair of interlocking Cheshire semis), the building was extended with a single storey addition to the principal elevation during the interwar period. The extension links to 159 Ashley Road. Together the group of buildings address Ashley Road and Victoria Road in the heart of the Conservation Area. There is symmetry to the principal elevation of the building both at ground floor and first floor levels this along with the orientation of the building results in a strong relationship with Victoria Road and the junction with Ashley Road. The upper floor and gable facing Lisson Grove provide some evidence of the former residential use.*

### Proposal and Impact on Significance and Visual amenity

26. The application proposes the erection of a single storey side extension to encapsulate the existing outdoor terrace area. This northern area of the site is a remnant of the former garden and includes a low red sandstone wall around the perimeter and a close boarded fence. The outdoor seating area comprises of two jumbrellas, which are unauthorised development being installed by the current occupier and are not considered to be lawful by time. For clarity these jumbrellas do not form the baseline for assessing the proposal and do not constitute the fall-back position for the site. This element of the site contributes to the setting of Lisson Grove, the adjacent residential street. The outdoor seating area relates to the modest gable of 6-10 Victoria Road which retains a number of historic openings. The gable and outdoor seating area provide some indication of the former residence and are visible in the foreground of views from the junction with Victoria Road along Lisson Grove, into Character Zone C. There are some similarities between this area of the application site and those positive contributors along Lisson Grove. Moreover the site denotes the extent of the retail core and a transition towards the adjoining residential area.
  
27. The proposed single storey extension would have a flat roof and the walls are proposed to be rendered, mirroring some of the form of the interwar extension. However, it is considered that extending the building line towards Lisson Grove would unbalance the principal elevation in views of the positive contributor from Victoria Grove. The extension would do little to enhance the unaltered gable of the application property. It would obscure original openings at ground floor level, which provide some interest to the building, and would present a blank white rendered appearance to Lisson Grove. It is also noted that Policy 69 of SPD 5.11a advises that side extensions are unlikely to be acceptable to avoid an adverse impact caused by inappropriate extensions and their cumulative effect on the character and appearance of the Conservation Area.

28. The submitted Heritage Statement suggests that Policy 69 of SPD 5.11a relates only to residential properties. There is nothing included in Section 3.8 'Demolition, extensions and new development' which suggests policies should be applied differently to individual Character Zones, the aims of this section refer to the Conservation Area as a whole. The site is not located within the heart of the retail area nor does it present an infill opportunity. Furthermore, the proposed extension will be viewed within the context of Character Zone C and extending the building line in this location will impact on the character of the positive contributor as well as Lisson Grove.
29. The proposed side elevation suggests that landscaping will be used to conceal this elevation. Whilst soft planting can be used to enhance the appearance of the site and is often encouraged, it cannot be used as a guaranteed screen that would sufficiently cover what is considered to be unacceptable in design terms. The current fence has a visual impact on the appearance of site and is not a traditional boundary treatment in the Conservation Area. It is acknowledged that the fence and jumbrellas have a negative impact on the contribution this site makes to the Conservation Area, however the jumbrellas are not authorised development and therefore what is currently seen on site is not considered as the baseline for assessing the current proposal.. Furthermore, the extension would result in the loss of spaciousness to the side of the existing building that contributes to views of Lisson Grove and the transition from the retail core to the adjoining quiet residential cul de sac. This is reflected in SPD 5.11a which refers to Lisson Grove as a side street; *2.6.2 Turning from the main road into the side streets such as Lisson Grove, Seddon Road and Spring Road leads to areas with a much more leafy and secluded character.*
30. The submitted Heritage Statement also makes reference to commercial shop fronts generally wrapping around the corners to a depth of one frontage along each side street. Whilst there are some examples of this design intention identified as positive contributors, addressing corners in this manner is not a characteristic of the Conservation Area recognised in the SPD. A number of the examples identified in the applicant's submitted Heritage Statement are more recent developments, not identified as positive contributors. In the case of Millfield Court, the CAMP states that whilst it, "does take some details and design cues from its surroundings, but is out of keeping with the historic grain of the surrounding Conservation Area for its scale and private entrance. It is noted that the proposed extension does not address the corner as suggested by the examples and would appear as a separate side extension with a blank elevation to Lisson Grove and would not form an extended 'shop front'. The application property has a significant commercial frontage (5 bays, 1 bay deep) to the street and relates to the junction with Ashley Road and wider retail core. To continue a commercial frontage along Lisson Grove would diminish its appearance and relationship with Victoria Road whilst impacting on the residential character of the adjoining zone.
31. It is therefore considered that the proposed development would cause harm to the aesthetic and historic significance of 6-10 Victoria Road and the contribution the



site makes to Hale Station Conservation Area. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 193). The applicant has not provided a clear and convincing justification for this harm as required by paragraph 194. It should therefore be weighed against the public benefits of the proposal in accordance with 196 of the NPPF. Whilst it is recognised that the application has generated some support from a few local residents and patrons of Hale Village and the proposed extension would help to mitigate previous issues that have arisen from noise generated from the outside seating area through creating a more enclosed space, it is considered that the previous issues regarding noise disturbance from the outside seating can be addressed through careful management of the seating area. It is therefore considered that this is not a justified reason to approve an extension that would have a harmful impact on the appearance of this positive contributor and the character of the Conservation Area. It is therefore further considered that the proposed development would not result in sufficient public benefit that would outweigh the harm that would be caused to the character and appearance of the Conservation Area.

32. Hale Station, which is a collection of Grade II Listed Buildings, is situated to the north-west of the application site. Due to the scale, style and position of the proposed extension, only limited views of the proposed extension would be seen directly within the context of the station. The proposal would also not restrict views of the station. It is therefore considered that the proposed development would not result in harm to the setting of these Listed Buildings.

#### IMPACT ON RESIDENTIAL AMENITY

33. 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.
34. 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.
35. Residential houses and apartments lie to the north of the site on Lisson Grove and within Millfield Court, which overlook the northern side elevation and boundary of the site. Residential houses on Lisson Grove also lie to the rear (east) of the site. The proposal is for a single storey extension with no windows on the north side or eastern rear elevations. A minimum distance of 19m would lie between the proposed extension and these neighbouring residential properties. It is therefore

considered that the proposal would not have an overbearing impact or result in a loss of light or privacy to neighbouring residents.

36. The proposed extension would provide a seating area for the restaurant and includes a glazed retractable roof. Neighbouring residents of Lisson Grove and Millfield Court would have direct line of sight into the extension from their upper floors. The retractable roof is most likely to be open during warmer periods, when neighbouring residents are also likely to have their windows open for ventilation and spend time in their gardens.
37. The Council has historically received noise complaints relating to the site, including the existing outside seating area. This was most recently due to noise from outside diners in the external areas of the restaurant disturbing neighbouring residents. It is understood from the Council's Pollution and Housing Service that this situation has now been improved through the careful management of the seating area by the restaurant. Noise from patrons will increase as they enjoy their visit, characterised by laughter, raised voices and multiple conversations, which can be very intrusive in nature. The Council's Pollution Service have noted that should the roof remain open until later than 8pm there is a greater potential to cause annoyance. The noise associated with the diners in this area will undoubtedly have a detrimental impact upon the residential amenity of adjacent residential receptors since incidental noise from patron activities would likely to be audible. They advise that it would be unreasonable to expect the operator to control their customers' behaviour and loudness to the degree required to maintain current levels of amenity and that noise between the hours of 1900 and 2100 has the potential to disturb children going to sleep.
38. The applicant has submitted an acoustic report, which concludes that the proposed development would not result in unacceptable noise impact to the nearest residential dwellings. In view of the measures proposed in the acoustic assessment and the absence of any objections from local residents in the vicinity of the site, the Council's Pollution Service raise no objections to the proposal provided that should planning permission be granted that conditions are attached restricting the hours in which the retractable roof can be open to between 09:00 – 20:00, the prevention of music to any external part of the site, the submission of a report relating to sound mitigation measures, the submission of a noise management plan for the use of the new seating area and the submission of a construction management plan.
39. It is therefore considered that with appropriate conditions in place that the proposal would not result in undue noise and disturbance to neighbouring residents.

## HIGHWAYS & PARKING

40. Core Strategy Policy L4 states: [The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of

transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.

41. In regards to cycle and car parking standards, Policy L4 is considered to be consistent with the NPPF in making the efficient use of land and providing sustainable development.
42. Core Strategy Policy L7 states: In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.
43. SPD3: Parking Standards and Design for Trafford states that the proposal would generate the need for an additional 9 car parking spaces. The application does not include the creation of any additional car parking provision within the site, however, the site is located within a sustainable location, a short walking distance from Hale train and metrolink station, close to public car parks and bus stops. The LHA also note that the location of the proposed extension is currently used for outside dining for part of the year and as such is the proposal is unlikely to generate additional trips for part of the year.
44. SPD3 also requires the provision of two additional cycle parking spaces to serve the proposed development. It is considered that these could be provided within the site and the LHA considers that they could be secured by condition if planning permission was granted.
45. It is therefore considered that the proposed development is acceptable on highways grounds.

#### DEVELOPER CONTRIBUTIONS

46. The proposed development would generate an additional floor area of less than 100m<sup>2</sup> and therefore is not CIL liable.
47. The proposed development does not require any developer contributions having regard to Policy L8 of the Core Strategy and advice contained within SPD1:Planning Obligations.

#### PLANNING BALANCE AND CONCLUSION

48. 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. Policies protecting designated heritage assets is considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11 as they determine the principle of the development. However the Core Strategy Policies relating to these

matters, specifically Policy R1 relating to the historic environment is out of date. Paragraph 11d) of the NPPF is therefore engaged and should be taken into account as an important material consideration.

49. 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 proposed development has concluded that the proposed extension would result in 'less than substantial harm' to the setting of Hale Station Conservation Area and the application site which is a positive contributor within the Conservation Area. The proposal would not result in harm to the nearby Grade II Listed Buildings at Hale Station.
50. It is considered that the applicant has not provided a clear and convincing justification for this harm and whilst there would be some public benefit from the proposal through a potential reduction in noise and disturbance from the outside seating area, that would become enclosed, it is considered that these issues could be addressed through other means and the level of public benefit identified would not be sufficient to outweigh the harm that would arise to the setting of the Hale Station Conservation Area and the appearance of this identified 'positive contributor', giving, as required 'considerable importance and weight' to designated heritage assets.
51. Applying NPPF paragraph 11 it has been established that there is a clear reason for refusal with reference to 11 d) i) because the application of NPPF policies that protect areas or assets of particular importance (in this case heritage assets) provides a clear reason for refusing development as outlined in the Heritage Assessment section above.
52. It is therefore concluded that the proposal would be unacceptable and should be refused planning permission for the reason set out below.

## **RECOMMENDATION:**

### **REFUSE**

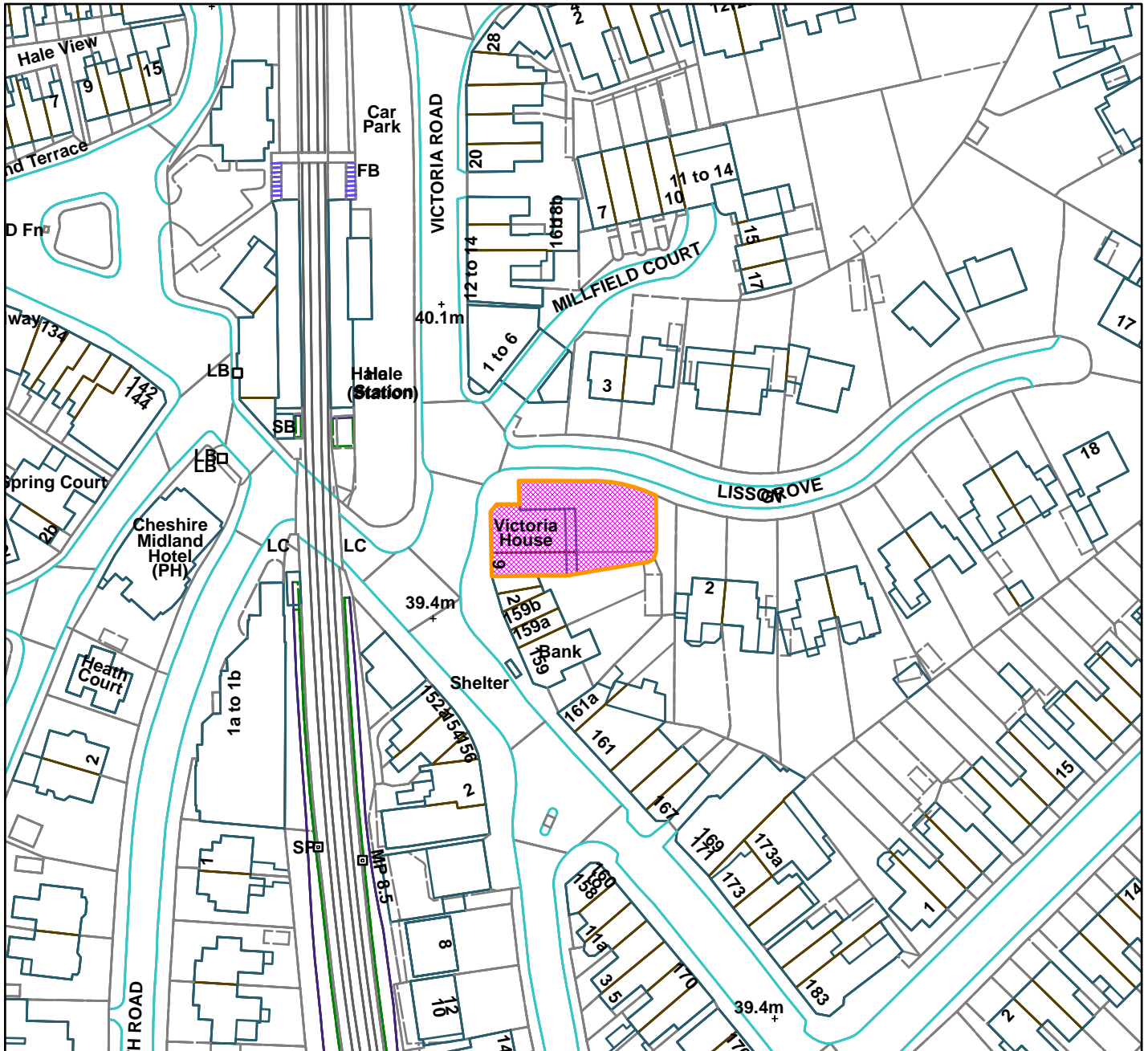
1. The proposed extension, by reason of its siting, scale and design, would appear unduly prominent within the existing street scene and would appear out of character with the surrounding area and as such the proposed development would fail to preserve the character and appearance of the Hale Station Conservation Area. In doing so, the proposal would result in less than substantial harm to the significance of the Conservation Area, which would not be outweighed by any identified public benefit. The proposed development would therefore be contrary to Policies L7 and R1 of the Trafford Core Strategy, the Hale Station Conservation Area Appraisal and Management Plan and guidance in the National Planning Policy Framework.

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VW



6-10 Victoria Road, Hale, WA15 9AF



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
MSA Number	100023172 (2012)

**Demolition of existing building, and construction of new multi-functional community building consisting of a new library, bowling club and various flexible functional spaces.**

Hale Bowling Pavilion, Cecil Road, Hale, WA15 9NT

**APPLICANT:** Hillcrest Homes/Hale Community Trust

**AGENT:** Calderpeel Architects

**RECOMMENDATION: GRANT**

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**The application has been reported to the Planning and Development Management Committee since six or more representations contrary to the Officers' recommendation have been received. In addition, and irrespective of the position regarding representations, the application would have been reported to Committee in any event due to the Council's interest in both the site and in the provision of library services.**

### **SITE**

The site is located within central Hale, albeit towards its southern periphery. It is positioned between the highways of Ashley Road to the north-east and Cecil Road to the south-west. Ashley Road is the main high street which runs through the centre of Hale. It accommodates a variety of commercial and retail premises. Cecil Road, in contrast, is more residential in character.

The site encompasses a single-storey building which currently operates as a (crown green) bowling clubhouse and also contains public conveniences. In addition, the site incorporates land either side of the building which includes some low level planting and trees. The building sits behind a bowling green, which is a square lawned area, and with the bowling green fronting Ashley Road and positioned between shop units. The bowling green itself is not included within the application site. The site does, however, include a surface level public car park which is situated to the rear (west) and side (south) of the clubhouse building. Vehicular access to the car park is taken via Cecil Road and also from Ashley Road. The site, which is irregular in shape, is largely flat.

The site is surrounded by a variety of uses, reflective of its location within central Hale but close to nearby residential areas. To the north of the site and the bowling green is the four-storey building of the Ashley Hotel, which also includes a supermarket (M&S Foodhall) and coffee shop at ground floor level. Separating the site from this building is the narrow vehicular route of Ashley Walk. To the south of the site is a vacant building which last operated as a food, drink and entertainment establishment (the former Hogan's of Hale, and which is currently undergoing refurbishment works in accordance with planning permission ref. 93174/FUL/17), and then with residential properties on Crescent Road beyond. There are then further residential properties to the west of the site on the opposite side of Cecil Road. There is a semi-detached residential property positioned adjacent to the site's car park.

The collection of retail and commercial premises concentrated along Ashley Road is defined as a district centre (Hale District Centre) by means of Policy W2 of the adopted Trafford Core Strategy. With reference to the accompanying Proposals Map, the site is located within the district centre boundary, although close to both its southern and western limit. That part of the site which accommodates the clubhouse building is also within the Hale Station Conservation Area, whilst the clubhouse and bowling green is Protected Open Space. There is a Grade II Listed Building opposite the bowling green on the opposite side of Ashley Road.

## **PROPOSAL**

This application, which is made in full, has been submitted in conjunction with a further full planning application (ref. 97376/FUL/19). This related application concerns the site of the existing Hale Library, which is located a short distance away on Leigh Road. The present library site is proposed to be redeveloped. This application is also presented to the Planning and Development Management Committee and is explained in a separate report.

The application which is the subject of this report proposes the demolition of the existing clubhouse building and the erection of a replacement building. The replacement building is proposed in a comparable position to the existing building, between the bowling green and the car park, although with a larger floorplate. The new building is described as a multi-functional community building and would include new library space, an alternative area for the bowling club, meeting rooms, and kitchen facilities. The application submission refers to it as 'Hale Village Hall'.

The proposed building is largely rectangular in form. Accommodation would be provided over two floors. The application submission explains that the new building is required to provide space for many user groups who use both the existing clubhouse and the library. The submitted floor plans indicate that at ground floor level the building would provide a dedicated room for Hale Bowling Club and a senior citizens welfare group, a number of meetings rooms, event/exhibition space (which could also accommodate private functions), a kitchen and adjacent servery, a manager's office, and toilets. The library would be provided at first floor level. However, the floor plans also illustrate a series of folding doors, and the submission explains that such partitions would enable various configurations in the internal layout to provide as much flexibility as possible and to cater for a wide mix of uses and users. The overall amount of floorspace is in the order of 616 square metres, which would be split equally between ground and first floor.

The external appearance of the building has evolved during the pre-application and application processes. The building that is presented is intended to pay some respect to a traditional bowling pavilion, whilst also incorporating more contemporary influences in recognition of its multi-purpose. Its form includes projecting gables on both its bowling green and car park-facing elevations. The main materials comprise a red multi-stock brick, a rosemary clay tile, timber framing at first floor level and timber cladding to the gable features.

The main pedestrian entrance to the building is proposed on the north-facing side elevation, positioned close to the staircase to provide access to the library. There is a further entrance on the front (bowling green) elevation for visitors accessing the event, exhibition and function space. The inclusion of the public car park within the application site is to account for some resultant changes to its layout, including the re-siting of some disabled bays.

## **Value Added**

An amended proposed car parking layout has been provided to address the initial comments of the local highway authority. In addition, further details regarding proposed hard and soft

landscaping have been provided, as well as coloured elevations of the proposed building from all aspects.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

W2 – Town Centres and Retail

R1 – Historic Environment

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Open Space, Sport and Recreation

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

ENV21 – Conservation Areas

## **PROPOSALS MAP NOTATION**

District Shopping Centre

Conservation Area

Protected Open Space

## **SUPPLEMENTARY PLANNING GUIDANCE**

SPD1 – Planning Obligations

SPD3 – Parking Standards and Design

SPD5.11 – Hale Station Conservation Area Appraisal and Management Plan

SPG1 – New Residential Development

SPG24 – Crime and Security

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework (GMSF) is a joint Development Plan Document being produced by each of the ten Greater Manchester districts. Once adopted it 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, and following a redraft a further period of consultation commenced on 21 January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the



GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The Ministry of Housing, Communities and Local Government published the current National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

### **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The National Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics in one place. It was first launched by the Government on 6 March 2014 although has since been subject to a number of updates, the most recent of which was made on 23 July 2019. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

93172/FUL/17 - Demolition of existing building, and construction of new multi-functional community building consisting of a new library, bowling club and various flexible functional spaces.

Application withdrawn – 05.02.2019

### **APPLICANT'S SUBMISSION**

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

- Design and Access Statement
- Heritage Statement
- Transport Note
- Tree Survey and Arboricultural Method Statement
- Bat Survey
- Crime Impact Statement
- Drainage Strategy
- Noise Assessment
- Landscape Strategy
- Statement of Community Involvement

### **CONSULTATIONS**

**Greater Manchester Archaeological Advisory Service** – No objection

**Greater Manchester Ecology Unit** – No objection, subject to condition/informative (to restrict tree works to a period outside of the main bird breeding season, to highlight that works should cease immediately if bats (or other protected species) are found, and to maximise opportunities for biodiversity enhancement)

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

**Trafford Council Heritage Development Officer** – Concerns raised (in view of the minor harm that would arise to the significance of the bowling green and to the Hale Station Conservation Area)

**Trafford Council Lead Local Flood Authority** – No objection, subject to condition (to ensure the submitted drainage plan is implemented)

**Trafford Council Local Highway Authority** – No objection, subject to condition (to ensure that the car parking is provided, to request details of car parking, and the provision of a Construction Management Plan)

**Trafford Council Pollution and Licensing (Air Quality)** – No objection, subject to condition (the incorporation of low emission vehicle charging points)

**Trafford Council Pollution and Licensing (Contaminated Land)** – No objection, subject to condition (to request a site investigation and risk assessment, and a verification report if any remediation has been necessary)

**Trafford Council Pollution and Licensing (Nuisance)** – No objection, subject to condition (to require the provision of a Construction Management Plan, to ensure the provision of noise mitigation measures identified within the submitted Noise Assessment, to control the noise level of fixed plant, to request a noise management plan for the use of the premises, to control the hours of opening/delivery, to request details of external lighting, and to request details of any ventilation/extraction equipment)

**Trafford Council Tree Officer** – No objection, subject to condition (to request the planting of a replacement tree in the vicinity of T18, and to ensure that tree protection and ground protection measures are provided)

**Trafford Council Waste Management** – No objection

**United Utilities** – No objection, subject to condition/informative (to ensure that foul and surface water are drained on separate systems, and to advise that a public sewer crosses the site and development will not be permitted over it)

## **REPRESENTATIONS**

### STATUTORY CONSULTATION

The public consultation process undertaken by the local planning authority has produced the following responses:

#### **In Support**

195 letters of support have been received. The key issues raised can be summarised as (and when placed into topic areas):

##### General

- The developer's plans have been created with the full support of local residents;
- This development is long overdue;
- The application should be passed as soon as possible;
- This is an excellent idea;
- This is a well thought through project;

- As a result of Hale Community Trust operating the new community centre, the Council would benefit from reduced running costs;
- The revisions made relative to earlier proposals are positive; and
- The existing library is at the end of its life and would otherwise require extensive maintenance or replacing.

#### Community Benefits

- The new community centre and library would be an asset to Hale and provide a new focal point;
- It would bring long term benefits to the Hale community;
- The younger generations should not be denied library access;
- Libraries play a key role in reducing isolation;
- This development would help generate village pride and togetherness;
- The development would be used by people of all ages;
- It is essential that a library service continues in Hale;
- It would provide improved public toilets;
- This development would maintain two cherished amenities for Hale: the library and the bowling green;
- A library for Hale provides an important educational function; children should be encouraged to read books;
- This would create modern flexible rooms which could be hired by local businesses and community groups;
- This development would enable Trafford Library Service to continue to provide a library in Hale at a reduced cost;
- A new community centre could provide much needed facilities for youth groups;
- The new building will enable a local dementia group to meet up and will aid Hale in becoming dementia-friendly;
- This development would preserve the future of bowling as a recreational activity for Hale;
- Investing in leisure facilities for the older population is very important;
- The library and play area would be great for children to learn and play; and
- The new bowling green facility would enable the club to continue to provide facilities for members, and membership numbers could increase.

#### Design/Conservation

- The existing clubhouse building is in a significant state of disrepair and is architecturally unappealing;
- The new building is sympathetic to its surroundings and is in keeping with the conservation area;
- The development would be a distinguished addition to the streetscape;
- The proposal would be a new landmark for Hale;
- The development represents a more efficient use of the space;
- The interior looks well thought out;
- The re-design is much more sensitive;
- The proposal would give depth to the view from Ashley Road;
- The proposed building would improve visual aspect from Cecil Road; and
- The needs of different kinds of users have been carefully addressed within the building design.

#### Miscellaneous

- This could bring more people to Hale and help the struggling shops;
- Being adjacent to the car park is a great help for all uses;
- This development should act as a deterrent to vandalism on the bowling green;

- The rejuvenation of Altrincham has been based on the new market and library, and the same could happen with Hale; and
- It would significantly improve village amenities.

These letters include expressions of support from the Butterflies Dementia Group, the Hale Bowling Club, the Hale Women's Institute, the Hale Older Peoples Welfare Committee, and the Altrincham and Bowdon Civic Society.

However, eight of the above letters of support make the following additional observations (in summary):

- The proposal should be extended to allow for the improvement of the space outside Marks & Spencer and Costa;
- The number of disabled parking spaces in the car park should be retained or, if possible, increased;
- Provision should be made for cycle parking;
- It is disappointing that the building does not include a ground floor reception area/information desk;
- The entrance should be on the front of the building and street-facing;
- The development must have a low-carbon footprint;
- The height of the development should be reduced;
- A new park should be provided at the vacated library site; and
- The proposal should make adequate provision for comfortable seating internally, and for a meeting room for local clubs with access to a light refreshments bar.

A letter of support has also been submitted by Cllr Patricia Young, which states (in summary):

- This is an application that has been developed over a lengthy period;
- It is totally supported by the residents and businesses in Hale;
- It would provide much needed facilities that people in Hale need; and
- The existing library building is not fit for purpose.

A support letter has also been provided by Cllr Denise Haddad, which states (in summary):

- A new library for Hale is something that the residents of Hale consider to be necessary; and
- Residents have been looking forward to this building being started for a few years now.

A letter of support has also been provided by Cllr Alan Mitchell, which states (in summary):

- The Hale library is a vital part of Hale culture; it provides an important educational and community function;
- Children should be encouraged to read books;
- The development would improve the bowling green and increase the popularity of sport;
- The tradition of tea/coffee and chat would be continued within the building which helps older people avoid the trap of loneliness; and
- The approach would result in a cost-saving for the Council since the Hale Community Trust would take up the costs of running the new community centre.

## In Objection

27 letters of objection have been received. The key issues raised can be summarised as (and when grouped into topic areas):

### General

- The planning application is completely opposed by all local residents;
- No resident was consulted prior to this planning application being made;
- The publicity surrounding the proposed development is biased;
- There is a conflict of interest for Council Members and those sitting on the Board of Directors of the Hale Community Trust to be supporting this application;
- The public exhibition is based on fake and distorted evidence;
- There is no reason why the library can't stay at Leigh Road;
- The benefits of this development are far outweighed by the harms;
- The site is not suitable for the uses proposed;
- Hale should be kept as a quaint village;
- This proposal puts developers' profits before genuine community benefits;
- Hale does not need further licenced premises;
- There are existing empty properties and premises in Hale that could be re-used for this purpose;
- This proposal would increase the commercialisation of the village;
- There are too many rooms and multiple uses which would generate too many visitors for the site;
- The changes and increased costs would result in less older people using the building;
- The development would not be compatible with the ongoing use of the bowling green; and
- There are so many existing alternatives for community activities.

### Scale/Design

- The development is over-sized; 9 times larger than the current pavilion;
- The proposal represents an over-intensification of the site;
- The scale of development would be more suited to a much larger site;
- The proposed design is inappropriate; and
- The development would dominate the skyline.

### Heritage

- The modern design does not blend well with the conservation area;
- The plans go against what should be done in a conservation area, including loss of trees and damage to the lawn of the bowling green; and
- The bowling green is at the heart of the village and is a key feature of its historic character.

### Highways/Parking

- The car parking implications have not been considered;
- There is already excessive parking demand in Hale;
- Hale residents would be impacted by the increased traffic flow and pedestrian safety within the car park would be compromised;
- This development is likely to result in pedestrian fatalities in the car park since it would create a number of blind spots; and
- There is already traffic congestion on surrounding streets.

### Residential Amenity

- The proposed opening hours are unacceptable;

- Night-time and early morning deliveries would cause noise pollution;
- There would be noise disturbance from evening events at the function room;
- Light pollution from the building would result;
- The new building would lead to loss of light, loss of outlook and loss of privacy for nearby residential occupiers; and
- Noise levels from the existing building are minimal but this would significantly change.

#### Construction Period

- The demolition and construction work would cause months of disruption which could damage surrounding businesses;
- The removal of car parking spaces during the construction process would cause traffic chaos; and
- The bowling green is likely to be damaged during the construction phase.

#### Environmental Issues

- Mature trees in the site's vicinity may need to be removed;
- The trees which are shown as being retained have no chance of survival;
- The proposed approach to landscaping and new planting is inappropriate; the existing planting to Cecil Road does not need replacing; and
- Important wildlife habitat would be lost.

#### Miscellaneous

- The development, and the function room in particular, would cause anti-social behaviour;
- The assessment of the application has not accounted for the reopening of Hogan's of Hale;
- The site contains a number of illegal trip hazards; and
- The proposal would generate extra litter.

#### Neutral

Two further letters have been received which neither oppose or support the development but which (in summary):

- Ask for the development to incorporate appropriate fire safety precautions and means of escape; and
- Request that a separate room is provided within the library for children's activities.

#### CONSULTATION UNDERTAKEN BY THE APPLICANT

In the case of this application and the related application at Leigh Road, the applicant has also undertaken its own consultation, culminating in a public exhibition at the existing Hale Library. The results of this exercise have been summarised in a Statement of Community Involvement which forms part of the application submission. Key headline information from the submitted statement includes:

- Consultation has taken place with a number of stakeholder groups, such as: the general public, immediate residents, project supporters, the bowling club, the Senior Citizens Welfare Group, local businesses, Trafford Library Service, and trustees, directors and committee members of the Hale Community Trust;
- A Hale Community Trust website has been launched which provides regular updates on the library project;

- Meetings have taken place with residents of Cecil Road, Leigh Road and Addison Road;
- In respect of the ongoing exhibition:
- it has been widely publicised via a leaflet drop to 9,000 local residential and business addresses;
- it is manned by a Hale Community Trust representative and with the latest proposed plans on display; and
- Attendees are invited to respond via feedback forms, and there have been 580 expressions of support compared to 20 in opposition or raising concerns.

## **OBSERVATIONS**

### **The Decision-taking Framework**

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 is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision-taking process.
2. The NPPF, at paragraph 11, introduces 'the presumption in favour of sustainable development.' For decision-taking purposes, paragraph 11c explains that 'the presumption in favour' means approving development proposals that accord with an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, paragraph 11d advises that 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.
3. Where a planning application conflicts with an up-to-date development plan, planning permission should not normally be granted, paragraph 12 of the NPPF explains.
4. The Council's Core Strategy was adopted in January 2012, two months prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly consistent with much of the policy in the new 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. However, some Core Strategy policies have been formally recognised as being out-of-date due to them not reflecting current NPPF guidance (such that full weight cannot be applied when decision-taking). This includes Core Strategy Policy R1 (Historic Environment), and this is a policy that is deemed to be 'most important' (as outlined in the NPPF's 11d) when determining this application when having regard to the site's conservation area location. The effect is that, for the purposes of this application, if there is no clear reason to refuse the application when having regard to protective policies in the NPPF, the 'presumption in favour of sustainable development' is enacted and the 'tilted balance' in paragraph 11d(ii) of the NPPF applies.

5. For the avoidance of doubt, it is commented that other Core Strategy policies deemed of 'most importance' in the determination of this application are regarded as being up-to-date, and with this including Policy W2 (Town Centres and Retail). Irrespective of this, however, the NPPF's 'presumption in favour' is triggered given the position regarding Policy R1. Whether other policies of the Core Strategy that are material (if not 'most important') in determining this application should be regarded as being up-to-date or out-of-date is identified in each of the relevant sections of this report (and, subsequently, the appropriate weight to be applied).

### Background

6. To reiterate, this planning application is submitted in conjunction with the consecutive application for the existing Hale library site. In 2014 the Council conducted a consultation exercise regarding the future provision of its library services across the Borough. In relation to Hale Library, and following a meeting of the Executive in March 2015, the approved course of action was to invite formal tenders regarding the provision of a new library in Hale. A tender process was subsequently undertaken and in May 2015 the Hale Community Trust (HCT), a newly formed collaboration of local businesses and community groups and in partnership with Hillcrest Homes, was announced as the successful bidder. The bid involved the redevelopment of the existing library site and the erection of a new library building, together with other facilities, at the bowling green clubhouse site. This package of development across the two sites was devised in order to secure scheme delivery as a whole.
7. The specifications for the new library were subsequently developed in collaboration with the Council. The proposed library, whilst smaller than the existing facility at Leigh Road and located at first floor level, would continue to provide all current library services. Present opening hours would be maintained, although with the added benefit that customers could access the library outside of normal staffed times through the use of an Open + system. The new library would be smaller than the existing facility and as such would have a reduced book stock. However, it would retain the majority of existing features, including a dedicated children's library, a young adults area, computer facilities, a photocopier, newspapers and magazines to read, a reservations service, and e-books and audio books. The displaying of community information, an important secondary role of the existing library, would transfer to the ground floor of the building. Whilst the new building would be managed and maintained by HCT, the library service would continue to be operated by Trafford Libraries. It has been accepted as a requirement that the existing library would remain in its current location until the completion of the new building; the library service would then relocate to the new site, and only at that point could redevelopment of the existing Leigh Road library site take place (and with this secured via a planning condition).
8. Since the awarding of the scheme to HCT the design-development process has been beset by lengthy delays, and with the reasons for this being numerous and with both development sites affected. A planning application for an alternative design at Cecil Road, which was submitted in late November 2017 (ref. 93172/FUL/17), was eventually withdrawn in February 2019 in response to continuing officer concerns. These concerns stemmed from the proposal's adverse impact upon the character and appearance of the site and its surroundings (including the Hale Station Conservation Area).



## The Principle of the Development

9. The proposal, in conjunction with application ref. 97376/FUL/19, is predicated on the continued provision of a library to serve the Hale community. The value of the existing library and the wider social and community benefits arising from it is self-evident, as reflected in Council decisions to maintain library services. The NPPF, at paragraph 92, advises local planning authorities to plan positively in the provision of social, recreational and cultural facilities for their communities, and to guard against the unnecessary loss of valued services. The new library would be provided in an accessible location only some 150 metres from the existing site.
10. The site is located within the boundary of Hale District Centre, as is the existing library. One of the Strategic Objectives (SO4) of the Core Strategy is to revitalise the Borough's town (and district and local) centres by ensuring such centres remain the focus for commercial, retail and leisure uses to meet the needs of the local population. Allied to this, Policy W2 is the main policy within the Core Strategy which aims to promote successful and competitive town (and district and local) centre environments, in accordance with the advice of the NPPF. The accompanying text recognises that the Borough's town and district centres in particular offer a variety of services and amenities and attract many linked trips by a wide range of age and social groups throughout the day and into the evening.
11. It is clear that the existing Hale library, located off the high street of Ashley Road, is a well-used facility, which positively contributes to the general functioning of the district centre. The continued presence of a replacement library within the district centre is considered beneficial in the interests of supporting the health of the centre and of providing a facility in a central location close to the community that it would serve. Moreover, its expanded role, in providing exhibition/event space, a function room, and operating as a 'new village hall', is also consistent with the district centre location.
12. With reference to the Open Space allocation covering the bowling green and clubhouse building, to reiterate the bowling green itself would not be affected by the proposals in the sense that it would still be available for its primary recreational purpose. Furthermore, the function of the clubhouse (as accommodation for the bowling club and offering public conveniences) would be maintained in the new building. Thus, the proposal is considered compliant with Policy R5 (Open Space, Sport and Recreation) of the Core Strategy, which seeks to maintain the Borough's recreational facilities (and which, for the avoidance of doubt, is regarded as an up-to-date policy). Overall, therefore, there is no objection to the principle of the development proposed since it is considered to be compatible with the site's district centre location.

## Design and Appearance

13. The promotion of high standards of design is a central narrative within the NPPF. At paragraph 124 it is explained that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Allied to this, paragraph 130 urges local planning authorities to refuse 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.
14. The Core Strategy also attaches importance to the design and quality of the Borough's built environment. The text supporting Policy L7 advises that high quality design is a key factor in improving the quality of places and in delivering

environmentally sustainable developments. Design solutions must: be appropriate to their context; and enhance the street scene by appropriately addressing scale, density, height, massing, layout, elevational treatment, materials, hard and soft landscaping, and boundary treatments, the policy is clear. Policy L7 is considered to be compliant with the NPPF, and therefore up-to-date for the purpose of decision-taking.

15. Some considerable time has elapsed since the project was awarded, and this time has been utilised in order to arrive at the most suitable design response which builds upon, and improves, what was illustrated at tender stage. In accepting the site of the existing bowling clubhouse as the new location for the library and community use building, the need for the site to accommodate an uplift in floorspace has also been recognised. The existing clubhouse has a floorspace of only 130 square metres contained within a single-storey flat-roofed building. The new library in isolation has a minimum requirement of some 270 square metres, which is already less than the existing Leigh Road library. Added to this figure are the other uses that the proposed multi-functional building seeks to accommodate. All of these additional requirements, which are consistent with the tender submission and which support the viability of the development as a whole, push the overall floorspace up to some 615 square metres. Clearly, this necessitates a building with an enlarged footprint and a greater height, which self-evidently has potential to create noticeable change to the site and its surroundings. The need to make more effective use of brownfield sites in accessible, central locations is of course a general policy objective of the NPPF (see paragraph 121).
16. In accepting the general parameters established concerning building location, use and floorspace, the need for a high quality design solution in the redevelopment of this site has been repeatedly emphasised. Officers' objectives in this regard have been influenced by the site's prominence, its dual aspect to both Ashley Road and Cecil Road, and – notably – its conservation area location and that it falls within the setting of a listed building.
17. The final design that has been arrived at, as presented within this revised application, is the outcome of a thorough and robust iterative process, which has sought to address previous proposals' shortcomings. The submitted and revised Design and Access Statement makes the case for the proposed development, as amended, being an appropriate design solution which respects both the character of the site and its wider setting. Reference is given to an adjusted siting of the development, to an amended building footprint, to an altered architectural style, and to refinements to the materials palette. The document also includes a new artistic visual of the development when viewed from Ashley Road.
18. Paragraph 127 of the NPPF advises that new developments should be sympathetic to local character and to local history (although whilst not preventing or discouraging appropriate innovation and change, it continues, including increased densities). As will be developed in the subsequent section of this report which specifically deals with the impact of the development on the historic environment, the position of officers remains that the new building proposed would cause *some* harm to the significance of a designated heritage asset (specifically the conservation area). However, it will be demonstrated that important progress has been made - particularly in respect of the proposal's architectural style, the choice of materials, changes to tree cover, impact on key views, its siting, and its dimensions - which have served to successfully mitigate the extent of the impact. Accordingly, officers are satisfied that the scheme embodied in this application achieves a more appropriate balance between the vision for the site in delivering a new library and community building for

Hale and the important design requirement to show proportionate sensitivity to the surrounding townscape and built heritage. With this in mind, it can be commented that this proposal is now looked upon more favourably in the context of the general design principles established by Core Strategy Policy L7 and the NPPF's desire to achieve a well-designed built environment.

19. Before the issue of heritage impact is examined in depth, it can be confirmed that the capacity for the development to respond to other general design requirements, associated with it delivering a practical, usable and user-friendly building appropriate to its various functions, has been maximised as much as possible as part of the design-development process. The provision of an entrance to the library on the building's principal elevation was explored, but it had to be accepted that this would have compromised other aspects of the internal layout.

### Heritage Considerations

20. Protecting and enhancing the historic environment is an important component of the NPPF. The document introduces the term 'heritage assets' which are defined (in the glossary) as: 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions. It includes designated heritage assets and assets identified by the local planning authority (including local listing).' It is the conservation of heritage assets in a manner appropriate to their 'significance' which is the focus of the NPPF, and with this significance defined (in the glossary) as: 'the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence but also from its setting.'
21. In determining planning applications, paragraph 192 of the NPPF advises local planning authorities to take account of: 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.' Further to this, when considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 193 expresses that great weight should be given to the asset's conservation. The subsequent paragraph (194) continues that: 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'
22. The protection of the Borough's built heritage features as a strategic objective (SO8) within the Core Strategy. This is supplemented by Policy R1 which seeks to ensure that the Borough's heritage assets are safeguarded for the future, where possible enhanced, and that change is appropriately managed and tested for its impact on the historic environment. It should be noted, however, that Policy R1 does not reflect the NPPF's categories of 'substantial' and 'less than substantial' harm and their corresponding tests (which are applied in due course in relation to this proposal). In summary, and as indicated in referencing paragraph 194 above, these NPPF tests provide an opportunity for an applicant to demonstrate that there would be public benefits arising from a proposal which may outweigh heritage harm. Conversely, the 'protect, preserve and enhance' requirement of Policy R1 infers that no harm should be caused or would be justified. It is on this basis, and as referred to in paragraph 4 of this report, that Policy R1 is regarded as being out-of-date, and the tests of the NPPF remain to be applied in treating this guidance as a material consideration.

23. In addition, any planning decisions relating to listed buildings and conservation areas must also address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act requires decision-makers to pay special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In relation to conservation areas, the Act dictates that special attention is paid to the desirability of preserving or enhancing the character or appearance of that area.
24. That part of the site which accommodates the existing bowling clubhouse is within the Hale Station Conservation Area. There is also a Grade II listed building 90 metres to the site's north-east on the opposite side of Ashley Road. An eighteenth century farmhouse and one of the earliest surviving buildings in Hale, the building (known as Ollerbarrow House) is now in use as offices. The application site falls within the setting of Ollerbarrow House, the Heritage Development officer has concluded, on account of the application site forming part of the wider surroundings in which the listed building is experienced. However, when bearing in mind the extent of separation, coupled with the scheme adjustments made over time, the consultation response records that the proposed development would not harm the setting of Ollerbarrow House. With this conclusion reached, the preceding discussion focusses on the conservation area impact, which to some extent still features as a continuing concern.
25. The Hale Station Conservation Area was designated in 1986. The railway station at Hale represents the centre of the conservation area and with the application site positioned towards the conservation area's southern margins. The special qualities and 'significance' of the Hale Station Conservation Area are described in a Supplementary Planning Document identified as SPD5.11 (dated July 2016). This document has been closely and continually reviewed in considering the implications of the proposed development for the conservation area.
26. The SPD explains that Hale was principally rural in character until the latter part of the 19<sup>th</sup> century. However, the area changed quickly after the construction of its railway station in 1862. The attractive Italianate station buildings epitomise the growth of a rural village into a wealthy suburb, it is explained. Accordingly, the defining characteristic of the Hale Station Conservation Area is the late 19<sup>th</sup> and early 20<sup>th</sup> century architecture that predominates. Whilst the architecture of the area is generally eclectic, it continues that most buildings typically fit within the Arts and Crafts movement and variations on this, such as Domestic Revival and other historical styles. Defining features of this main movement include the use of polychromatic brickwork, timber-framing, dominant gables, tile-hanging, wood carving, asymmetrical plans, variations in the colour of brickwork, and barge-boarding. However, within this, the conservation area contains distinct quarters with particular sub-characteristics, reflective of it encompassing both residential and commercial areas, the document sets out. The application site is within the 'Central Retail Area', which focusses on Ashley Road as it runs west to south-east through the conservation area. It is explained that this zone is predominantly characterised by dense retail and restaurant uses, but again with a significant proportion of the architecture taking its cues from Arts and Crafts designs.
27. The importance of the bowling green to the conservation area as a whole is underlined within the SPD. The square lawned area of the bowling green is the only open green space within the conservation area, it is made clear. That it is encircled on all sides is referenced, and with this contributing to the verdant nature of the conservation area and the character zone it forms part of. The overall importance attached to the bowling green is reflected in its identification as a key landmark, and

with the westerly view across the bowling green from Ashley Road defined as one of a limited number of key views.

28. It is understood that the existing bowling clubhouse opened in 1973. It is a single-storey building constructed in brown brick with a flat roof. It is understood to be much later in date than the bowling green itself, which is believed to have been laid out in the 1930s. It is accepted that the existing clubhouse building has limited architectural appeal as a standalone structure and is generally out of keeping with the character of the conservation area as described above. However, that the building has some established traits that would be desirable to retain - as much as possible - in the redevelopment scheme has been a prevailing objective. Its small-scale and low-lying form ensures that it does not dominate the bowling green itself. Its small proportions similarly safeguard the mature trees which surround the bowling green and which contribute to the semi-rural ambience of the environment. There are two trees in particular, one to its south-western side and the other to its north-eastern, which allow the building to be successfully 'enframed', which enhance the experience of the view across the green from Ashley Road. This view is further enriched by the pleasant backdrop provided by the residential properties on Cecil Road to the rear of the car park.
29. That being the case, the acceptance of the need for the site to accommodate a considerable increase in built floorspace has already been documented. Notwithstanding this, a continuing officer concern has been the proposed building's overall proportions and how the required amount of floorspace (some 615 square metres) would be configured. Indeed, it is commented that, despite the positive changes negotiated, the overall quantum of development provided on site has had to remain broadly the same. Similarly, the provision of a two-storey building has been a consistent development requirement.
30. However, some important adjustments to the building's dimensions have nonetheless been secured. Earlier proposals were based on a building with a disproportionate width relative to its depth. A width of some 35 metres was originally intended, which contrasted with a 16 metre width for the existing clubhouse building. When having regard to the design philosophy previously adopted, the overall effect was a building with an overly dominant horizontal emphasis, it was considered. The width of the building has since been reduced, to 26 metres, and with this compensated for, in parts, with a greater degree of building depth to the rear. These revised dimensions are considered to provide a better proportioned building as a whole which would be more in keeping with the scale and form of its surroundings. Furthermore, whilst the view across the bowling green towards the Cecil Road properties would still inevitably be more restricted than is presently the case, this reduction in general mass would reduce the extent of the building's intrusion into the pleasant outlook of these residential properties.
31. In addition to achieving some positive amendments to the building's proportions, an important modification in *siting* has also been secured. The provision of a building on the site of the existing bowling pavilion has been the longstanding intention. However, within the general demise agreed with the Council, there has been scope for slight adjustment. Earlier proposals, based on a building with a 35 metre width, illustrated that the building would not sit squarely behind the lawn of the bowling green. Rather, the development would have protruded in a north-westerly direction and with the south-western corner similarly shunted upwards. An unsympathetic relationship with the neat quadrant of the bowling green would have been the result, and with this – in addition to the overly wide and elongated mass – further delivering an awkward appearance for the development when viewed from Ashley Road. The

placement of the building has since altered, however, and with a much more central and balanced arrangement relative to the green now put forward. Furthermore, the reduction in the building's width has consequently allowed for a step inwards of the development either side of the bowling green. In conjunction, these adjustments would present a much more visually comfortable arrangement which would lessen the extent to which the new building may be perceived as competing with the green when observed from Ashley Road.

32. This proposed positioning has had another significant advantage. Earlier proposals, when based on a wider building form, would have involved the loss of the two mature trees either side of the existing building which contribute to the 'enframement' effect previously described. The affected trees comprise a silver birch (identified in documentation as 'T12') and a horse chestnut (identified as 'T18'), and with both formally recognised as being in decent health and vigour, and with T12 in particular regarded as being capable of making a significant visual contribution to the area for a further 20 years minimum. The plans subject of this application, when based on a revised siting and a reduced building width, allow for the retention of both trees. This is corroborated by the submitted Arboricultural Impact Assessment, which relies upon the use of protective fencing and ground protection measures during the construction period, and the laying of permeable paving over the root protection areas, and with the Council's Tree officer comfortable with this approach, which would be conditioned. Whilst some trees in very close proximity to the existing building would continue to be lost (five in total), these are acknowledged to be of lesser amenity value. Some new compensatory tree planting is also now proposed, including behind the proposed new building, at the edges of the car park, and towards the Cecil Road frontage, and with an overall uplift in the number of trees contained within the site. In addition, and when acknowledging some existing weaknesses in the condition of tree T18 and its more limited life expectancy (in contrast to T12), a further new tree to be planted in proximity to T18, and to eventually replace it, has been requested by the Tree officer.
33. The ability of this proposal to retain T12 and T18, and to provide additional compensatory tree planting, weighs in its favour. The positive impact that the existing trees have on the aesthetics of the bowling green has already been recorded; they greatly contribute to its setting and enhance its ability to offer a pleasant, tranquil green space amongst the wider urban fabric. Whilst this proposal would still involve some changes in tree cover, important trees would be kept which support the character of this part of the conservation area. In addition, and whilst previous proposals involving greater tree loss would have served to open up the site and render the new building more conspicuous, this application would allow for existing and compensatory planting to have some screening qualities. These would be seen from Ashley Road as well as from Cecil Road, and would generally assist with filtering views of the development when observed from different aspects.
34. There have been a number of efforts to establish an appropriate design philosophy for the proposed building. At the outset an 'urban barn' concept was put forward by the applicant's design team which was explained as responding to the site's urban surroundings whilst also taking some influence from Hale's rural past. However, this response was not considered to be reflective of the true historic character of the Hale Station Conservation Area, and a revised approach was requested, which was expected to take some influence from the Arts and Crafts styles of other buildings in the area, it was explained.
35. That a more successful architectural design has now been put forward is also a product of a better-proportioned building as a whole, it is considered. The

incompatibility of previously suggested styles and themes was only exacerbated by the inappropriateness of the building's scale, as formerly proposed, and its dominant and uncoordinated mass when compared with the characteristics of the adjacent open space. To reiterate, the building has remained rectangular in its floorplate but is now more proportional in form and with a consistent height and roofline throughout. It incorporates a feature gable on both the front and rear-facing elevations, and with this corresponding with an increased building depth for that element. In contrast to the 'urban barn' approach, it is now more pavilion-like in its appearance. It includes a pitched roof, which is quite steeply-sided, and sprocketed and overhanging eaves. The materials palette comprises a red facing brick which would be used at ground floor level, and a rosemary clay tile for the roof. Natural timber cladding, applied vertically, would feature at first floor level, and less frequently at ground floor level and also extending into the upper (roof) elements of the two feature gables. A high degree of glazing would be introduced, particularly to the Ashley Road-facing elevation and a lesser extent to the other three elevations. Dark grey aluminium frames to the windows and doors are proposed, and with vertical timber beams to complement the timber cladding affixed at intervals at first floor level. Whilst the material strategy has been accepted in principle, a condition would be used to secure samples and full specifications of all external materials proposed (including, importantly, a brick sample panel, and with an expectation, as already made clear to the applicant, that high quality materials would be selected throughout).

36. The need to provide added articulation to the exterior of the building has been a further repeated observation of officers in securing a suitable design response, again in recognising that the treatment of the building's elevations in this manner could further assist with softening the way the proposed development would be perceived, including in the key view from Ashley Road. The package of plans and drawings that has been submitted indicate that the component parts of the building façade would be arranged and recessed to create a sense of shadow and depth. A condition is recommended, however, in order to secure full details of this approach to surface modelling (covering, for example, the extent of indentation of the windows and doors, and the degree of projection of the applied timber beams).
37. Overall, officers are satisfied that the proposed development has now adequately taken account of surrounding building styles and of other distinctive built features of the Hale Station Conservation Area. This is evidenced, for example, through the use of timber framing and detailing, dominant gables, deep eaves, and clay tiles for the roof, as referred to by SPD5.11 in its outlining of some persistent architectural themes of the conservation area. The extent to which the development has taken design cues from the Arts and Crafts period is considered appropriate when having regard to the need to deliver a development that is also fit for purpose as a modern community building.
38. It is evident, therefore, that very positive advancements have been made to secure an appropriate redevelopment of the site. This has been achieved through a more suitably scaled and sited development, the ability to retain mature trees and the incorporation of additional mitigation planting, taking appropriate influence from the recognised architectural styles within the conservation area, and optimising the potential of conditions to maximise design quality. The result – in contrast to earlier proposals - is a development that would establish a more compatible relationship with the bowling green as a key landmark for Hale and the conservation area. Nonetheless, it is fully acknowledged that the proposal is quite markedly different from what the site presently accommodates, particularly in terms of its footprint and height, and that it would still materially alter the valued view across the bowling green from Ashley Road.

39. That the existing clubhouse building, in view of its small-scale, enables the open space and mature landscaping to be perceived as the dominant feature within the environs of the bowling green is reiterated in the consultation response of the Heritage Development officer. That this quality, in turn, positively contributes to this part of the conservation area by facilitating a green and leafy contrast to the dense urban grain of Ashley Road, and also by allowing views beyond the clubhouse and out of the conservation area to Cecil Road, is similarly referred to. The proposal, whilst acknowledging the positive adjustments made which it is accepted have served to mitigate the extent of impact, is still fundamentally a considerably larger building, it is stated. This leads to a conclusion that the proposed development would still be overly conspicuous by virtue of its scale and form, and would be distracting in views across from Ashley Road.
40. It follows, according to the Heritage Development officer, that this would cause minor harm to the aesthetic and historic importance of the bowling green, and in turn the contribution that the application site presently makes to the significance of the Hale Station Conservation Area would be undermined. On balance this conclusion is recognised and supported by officers as a whole.
41. As previously advised, the NPPF acknowledges that there can be levels of harm to the significance of a designated heritage asset. The Heritage Development officer has confirmed that the reference to 'minor harm' to the character and appearance of the conservation area would translate to 'less than substantial harm' to significance as referred to by paragraph 196 of the NPPF (which is a lesser level of harm than 'substantial harm' or indeed 'total loss of significance'). Again, this position is corroborated by officers. However, it is important to record that case-law has established that it would be incorrect for the decision-taker to equate 'less than substantial' harm with a 'less than substantial' objection.
42. Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 196 of the NPPF continues that this harm should be weighed against the public benefits of the proposal. In this respect the comments of the Heritage Development officer also acknowledge that the NPPF allows decision-takers to consider the trade-offs between heritage harm and public benefits. However, even when relying on the NPPF approach, paragraph 194 is clear that the harm arising requires 'a clear and convincing justification', particularly when taking account of the continuing statutory duties placed on local planning authorities under the Planning (Listed Buildings and Conservation Areas) Act 1990.
43. That this development would bring about a number of wider public benefits has already been highlighted within this report. These principally derive from the use that the proposed building would be put to. The development would deliver a new library for the Hale community. The new library would be provided at no cost to the Council, but with it funded through the transfer of the existing library site and then the sale of the new residential development at Leigh Road by the applicant. The new library would maintain all existing library services in a modern, purpose-built development which would be designed and organised to meet up-to-date customer needs. In addition, it would provide a replacement clubhouse facility for the bowling club, and in doing so would support an established and successful recreational group. It would also offer a venue for a range of other community clubs, local exhibitions, and private functions, and would expand the existing supply of meeting rooms offered by the library which is already well-utilised. Clubs that are already affiliated, or have expressed an interest in using the new space, include a seniors citizens group, a dementia society, exercise classes, baby and toddler groups, youth groups, and a



scrabble club. In order to secure these important public benefits in the longer term, it is suggested that conditions are used with the intention of restricting the use of the new building to the purposes applied for.

44. The cornerstone to the NPPF, as set out in paragraph 8, is the achievement of sustainable development through three overarching and mutually supportive objectives: an economic objective, a social objective, and an environmental objective. The thrust of the social objective is to use the planning system to 'support strong, vibrant and healthy communities'. It is considered that the provision of this type of multi-use community facility, in a central and accessible location, would support this foremost NPPF goal by promoting social interaction, by providing an inclusive educational/knowledge resource, and by encouraging the active use of public areas and spaces by all members of the Hale community. That the development would encourage the continued vitality and viability of Hale District Centre by encouraging footfall in an existing commercial and retail environment is also re-emphasised.
45. The impact of these stated public benefits, which could genuinely be experienced by all Hale residents, is such that officers have concluded that they would quite compellingly outweigh the 'less than substantial' harm to a designated heritage asset. The effect, therefore is that paragraph 196 of the NPPF has been complied with. Conflict with Core Strategy Policy R1, which infers that no heritage harm is justified, is still identified, however. Yet, in the absence of an up-to-date development plan policy, paragraph 196 is a primary material consideration in evaluating and balancing heritage impacts.

#### Landscaping and Green Infrastructure

46. The NPPF is clear that the creation of well-designed places is also dependent on the incorporation of appropriate and effective landscaping (paragraph 137). The importance of quality landscape treatment in all new development proposals is further recognised by Policy L7 of the Core Strategy. Allied to Policy L7, there is another policy requirement within the Core Strategy regarding on-site planting in particular. This is covered by Policy R3 (Green Infrastructure) and is complemented by SPD1: Planning Obligations. Policy R3 explains that new development will be expected to contribute on an appropriate scale to the provision of 'green infrastructure'. The aim is for a multifunctional network of green spaces, delivering benefits for people, the economy, and the environment, to be provided across Trafford, it continues. In giving further guidance, the SPD refers to 'specific green infrastructure' which could include tree planting and other forms of soft landscaping (including green walls or sedum roofs). The scale of provision should be tailored to the details of the proposal since the intention is that it would mitigate specific issues in that area, it is explained. The SPD also sets out that on-site provision, rather than a financial contribution towards off-site provision, would normally be expected.
47. As part of the above discussion regarding the impact of the proposal on the significance of the Hale Station Conservation Area, some commentary has already been provided regarding the proposed approach to landscaping and tree retention. As part of this it was confirmed that five trees would be lost (which, significantly, does not include the two high value trees, T12 and T18, which bookend the existing clubhouse), and a total of nine replacement trees would be provided. The ability of this new and retained planting to help successfully integrate the new development into its wider environment has already been referred to. However, it can be confirmed that this would be supplemented by new and replacement lower-level planting. This would include new shrub planting between the car park and the Cecil Road footway, to complement existing and new trees, and clusters of shrub planting

at the base of trees T12 and T18. It is considered that this new planting would further positively contribute to the development by promoting additional green character to the site and helping to assimilate the development into the street scene. This would be subject to appropriate execution and landscape maintenance, of course, and with conditions used in order to secure full planting specifications and a planting implementation programme, and a long-term landscape management and maintenance strategy.

48. In addition, it is considered that the level and type of planting that has been incorporated – in categorising it as ‘specific green infrastructure’ – is sufficient to mitigate the general effects of the development in the manner envisaged by Core Strategy Policy R3 and SPD1.
49. Details regarding hard landscape works have also been provided. Despite the changes that are proposed to the layout of the Cecil Road car park, the existing surface treatment (tarmac) would remain. However, higher quality surface materials are proposed on approach to, and surrounding, the new library building. This includes small, individual setts to surfaces immediately adjacent to the building, and then a wider apron composed of concrete block pavers which would extend the full width of the space to the west of the bowling green. This would be interspersed with ground-level planting and would also include some cycle stands for public use. No new boundary treatments are proposed. Whilst enhancements to the car park would have been welcomed, it can be confirmed that officers are satisfied with the proposed treatment of the external public spaces and the general approach to surface materials. Nevertheless, a condition is recommended to request the provision of full details, including material samples and specifications.

#### Highways Matters

50. The NPPF explains that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability objectives (paragraph 103). Accordingly, it advises that planning decisions should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should only be prevented or refused on transport grounds, it continues, if there would be an unacceptable impact on highway safety or ‘the residual cumulative impacts on the road network would be severe’, it advises (paragraph 109). Policy L4 (Sustainable Transport and Accessibility) is the relevant policy at development plan level. This is clear that planning permission will not be granted for new development that is likely to have a ‘significant adverse impact’ on the safe and efficient operation of the strategic road network (SRN), and the primary and local highway network. It has been concluded that the ‘severe’ reference within the NPPF is a more stringent test for residual cumulative impacts, and thus Policy L4 is considered to be out-of-date for the purposes of decision-taking.
51. The highways implications of the proposed development have been closely scrutinised by the Local Highway Authority (LHA), and with this drawing upon a submitted Transport Note which includes a survey of the Cecil Road car park. That the site is located in a central location, akin to the existing library, has already been reported. Consequently, it is reasonable to assume that some users of the new building would visit as part of a wider trip to the shops and services throughout Hale; the development would not function as an isolated destination. Further to this, it is also evident that Hale benefits from a surrounding residential catchment and that there is scope for some library users to visit on foot. Similarly, there is a number of local bus services which serve the Hale area and with a bus stop and shelter

adjacent to the bowling green on Ashley Road. That being the case, it is also recognised that the proposed building and the uses that it would accommodate has potential to attract some additional traffic and to create some new parking demand.

52. The car park within the site is the main public car park for Hale. It is Council-owned, is used for both short stay and long stay parking, and is subject to 'pay and display' ticketing. The car park in its entirety (including a small area outwith the site) presently contains 135 spaces, which includes 11 disability spaces and 2 'parent with child' spaces. Ingress is available from three locations: two from Ashley Road via Ashley Walk and Crown Passages, and one from Cecil Road. Egress is only available from Cecil Road (and separate from the ingress point). The proposal does not incorporate any dedicated car parking but instead relies upon the use of this car park, as with the current bowling pavilion. The development does, however, propose some alterations to the layout of the car park. These are necessary to account for the enlarged footprint of the building and to incorporate a service bay. The number of overall spaces is proposed to be retained (at 135), together with the quantity of dedicated disability and 'parent with child' spaces. All existing points of egress/ingress would also remain unchanged.
53. The submitted car park survey, which covered the busiest periods on a weekday, indicates that the existing car park typically operates with some spare capacity. Whilst that part of the car park closest to the pavilion building and the M&S Foodhall is often well-used, the areas towards Crown Passages are not as popular, the survey concludes. It follows that the LHA is satisfied that the parking demands of the proposed new building, upon its operation, could be accommodated within the existing public car park and that this pay and display facility would effectively function to serve the new building in the same manner that it does with existing district centre shops and services. This position of the LHA has also taken into account the implications of other committed developments, once completed, for public parking within central Hale.
54. That this conclusion has been reached is also in recognition of the fact that the LHA considers that the proposed development would not be a significant generator of additional car-borne trips in the context of present levels of vehicular activity in and around Hale. Any extra traffic could be safely and comfortably absorbed by the local highway network, it is concluded, without any requirement for infrastructure improvements or highways mitigation. The proposed arrangements for servicing are also considered satisfactory, together with the proposal's offer with regard to cycle parking (for both staff and visitors), motorcycle parking, and the adjustments to car parking spaces.
55. The application, upon its submission, also included a preliminary access and parking strategy for the demolition/construction phase. Of course, it is recognised that the application site includes an existing public car park and that the provision of an on-site construction compound could, in this case, impact upon the use of the car park. Whilst the provisional strategy has been reviewed by the LHA, no overall conclusions regarding acceptability have been drawn, and instead it is considered appropriate to transfer analysis of this important issue to condition-stage, which is the standard approach for the majority of planning applications as part of a wider Construction Management Plan (CMP).
56. Overall, and with reference to the NPPF benchmark in paragraph 103, the LHA is satisfied that the proposed development would not have 'severe' highways impacts.

Thus, compliance with the NPPF on highway terms, as well as Core Strategy Policy L4 (to the extent that the latter is still relevant for decision-taking), has been found.

### Residential Amenity

57. Policy L7 of the Core Strategy is clear that development proposals must not prejudice the amenity of occupants of adjacent properties by reason for an overbearing impact, overshadowing, overlooking, visual intrusion, or noise/disturbance. That the site already accommodates a community building (on a smaller scale) and public car parking has already been explained. However, equally it is recognised that there are some residential properties in the site's vicinity, and with houses on Cecil Road (on both sides) being in closest proximity.
58. In considering the physical impact of the building itself, it is acknowledged that the development is quite significantly larger than the existing pavilion structure. The proposal is two-storeys in height and incorporates an uplift in floorspace of some 480 square metres (gross internal). As has been mentioned in the discussion regarding visual amenity and impact on heritage assets, the site would undergo noticeable change as a result of the development proposal and the new building would be more prominent in views towards the site from Cecil Road. However, despite the spread in the building's floorplate, it is significant that decent separation distances could still be achieved; in the order of between 38 and 44 metres for the nearest properties on the western side of Cecil Road, and even 26 metres (minimum) for the two properties sited between the two areas of car parking. Whilst the guidance is not strictly transferable since it relates to 'residential to residential' separation distances, a Trafford supplementary planning guidance document that is repeatedly used to inform planning decisions (SPG1: New Residential Development, 2004) establishes that a minimum distance of 21 metres between principal elevations of two-storey houses (and when across public highways, which is considered akin to the car park in this case) is normally acceptable to ensure an appropriate building relationship and to maintain amenity standards. In this case greater distances could be attained in all cases, although this is considered warranted in view of the public (and more intensive) use of the application building. In applying this guidance therefore, but with reasonable adjustments, it is considered that the level of separation between the new building and the nearest houses would prevent any undue impact with regard to overlooking, overshadowing, visual intrusion, or the development appearing overbearing. This conclusion also takes into account that fact that the proposed building, whilst clearly taller than the present pavilion, is nonetheless capped at two storeys, and moreover, the width of the building (which would be perceived from the Cecil Road aspect) has been reduced.
59. The list of considerations established by Policy L7 in the interests of protecting residential amenity also includes the potential for noise and disturbance introduced by a new development. Whilst the site already accommodates a public building, its replacement is substantially larger and would incorporate a much broader mix of uses and services. This includes a function room, and with the application submission acknowledging that this could be used for private parties and with the applicant proposing that opening hours for the building as a whole would be 0700 until 2330 seven days a week. Accordingly, a noise impact assessment has been submitted to support this aspect of the proposal to ascertain the impact of the development on surrounding noise-sensitive residential receptors. The submitted assessment has been reviewed by the Council's Nuisance team and a consultation response has been received. The comments record acceptance with the proposed hours of operation, although with a condition recommended to ensure that these hours are not breached. Some further conditions are advised to provide additional

safeguards against noise and disturbance. This includes the submission of a noise management plan, which would be intended to ensure that the use of the event space and function room in particular would be carefully managed to prevent any unacceptable noise disturbance occurring (to introduce controls, for example, in relation to the playing of any amplified music, and for the management of any external breakout areas). Other noise-related conditions include restrictions on hours of delivery and refuse collection, to ensure that noise mitigation measures identified within the submitted noise impact assessment are implemented, and to limit the noise level of any fixed plant to be installed. Additional conditions are advised to control other areas of potential nuisance, covering – for example - the design and operation of any kitchen extraction system, and to ensure that any external lighting to be erected would not cause undue glare. Finally, it is advised that a Construction Management Plan is conditioned (which is also a LHA request, as has been stated) with the aim in this case of minimising the impacts of construction activities (including controls on the hours of demolition/construction). Overall, the consultation response confirms that there would be no significant adverse noise, or other nuisance, impacts, from the operation of the development, although this is subject to the imposition of several important conditions.

60. Therefore, there are no overriding residential amenity concerns regarding all matters covered by Policy L7, and with conditions considered to be an appropriate mechanism to deal with any operational issues that could arise.

#### Crime and Security

61. The NPPF is clear that good design encompasses more than just the appearance of a development. Paragraph 127 states that planning policies and decisions should ensure that development proposals create places that are safe, and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience. This is supported by Policy L7 of the Core Strategy which requires applicants to demonstrate that a proposed development would help to create a safe environment and reduce the potential for crime. This is further communicated in a specific supplementary planning guidance document, SPG24: Crime and Security (2002).
62. The application is accompanied by a Crime Impact Statement (CIS) which has been prepared in conjunction with the Greater Manchester Police (GMP) and with the GMP then also reviewing the document in its role as consultee. The need for a CIS is in recognition of the proposal incorporating a new building that would be accessible to the general public. Indeed, in respect of the last application there were outstanding GMP concerns since it was felt that the previous proposal had not been designed to achieve an appropriate level of security. For example, there were a number of sheltered areas formed by higher-level canopies, and with these offering a potential focal point for crime and anti-social behaviour, particularly out-of-hours, it was considered. However, the applicant has since worked with GMP to resolve former security setbacks, and a positive consultation response from has been received this time around. Nonetheless, a condition is recommended to ensure that specific security measures and specifications set out in the submitted CIS are implemented and subsequently retained. This includes, for example, the type of external doors, windows and glazing to be installed, and the provision of security alarms.
63. Therefore, officers are satisfied that the proposed has been appropriately designed to lessen opportunities for crime, and as such the proposal is considered compliant with Policy L7 in this respect and also SPG24.

## Other Planning Matters

64. A Bat Survey submitted with the application confirms that the existing clubhouse building offers negligible roosting opportunity for bats, and no evidence of bat presence was recorded. It continues that no trees suitable to support a bat roost would be impacted upon by the proposals. The Greater Manchester Ecology Unit has confirmed acceptance with these findings, although it has advised that if bats were to be found during site works then work must stop immediately (and with this included as an advisory note on any grant of planning permission). A further note is suggested with the purpose of confining the tree works to a period outside of the main bird breeding/nesting season. Finally, a condition is recommended which would serve to secure biodiversity enhancement features within the development. Overall, it is concluded that the proposal is acceptable in ecological terms and is compliant in this respect with (up-to-date) Policy R2 of the Core Strategy.
65. Consultation with the Council's Contaminated Land team has confirmed that there are no overriding contamination concerns, although with a condition recommended to request some site investigation prior to any built development commencing (and the undertaking of any subsequent remediation if necessary). With such a condition in place, the proposal is regarded as compliant with (up-to-date) Policy L5 on these matters.
66. The application submission included an initial drainage layout, and with this illustrating the provision of storm drains to provide some surface water attenuation. The Lead Local Flood Authority, in its consultation response, has confirmed satisfaction with this approach, and with the comments generally recording that there are no flood risk or drainage concerns when having regard to the characteristics of the site and the nature of the proposal. A condition is recommended, however, to ensure that the development is progressed in accordance with the preliminary drainage strategy. As such, the proposal is also regarded as meeting the flood risk requirements of Policy L5.
67. When having regard to existing air quality in the area and the air quality impacts of the proposal over and above the existing use of the site, no material change is anticipated (as confirmed in a consultation response from the Air Quality team). However, a condition is recommended, in line with standard practice, which would serve to request the incorporation of electric vehicle charging infrastructure within the site's car park. Again, this is consistent with the objectives of Policy L5 as well as the NPPF on these matters. Finally, the Greater Manchester Archaeological Advisory Service is satisfied that there are no heritage assets of archaeological interest in the vicinity of the site that could be impacted upon.

## **DEVELOPER CONTRIBUTIONS**

68. The proposed development would not be liable for the Community Infrastructure Levy (CIL) in view of its use.

## **CONCLUSIONS**

69. The application site is located in central Hale, within the boundary of both Hale District Centre and the Hale Station Conservation Area. The site, which is situated immediately to the west of Hale's bowling green, presently accommodates the bowling clubhouse and also public conveniences. In addition, the site extends to include part of the adjacent Cecil Road public car park. The application involves the

provision of a new multi-functional community building on the site. A key purpose of the building would be to provide a new, replacement public library for Hale. In this respect, the application is submitted in conjunction with a further planning application which relates to the site of the existing Hale library. The application package involves the redevelopment of the existing library site, chiefly for residential purposes, once the new library building is operational. The continued provision of a highly valued community facility would thus be secured.

70. That the application site offers a suitable location in principle for the new 'Hale Village Hall' has been accepted. This is as a consequence of its central and accessible district centre location and in close proximity to the existing library facility. The bowling green, as a recreational space, would be unaffected. However, that being the case, the site has some genuine sensitivity when having regard to its conservation area location, its proximity to a listed building, and its association with the bowling green. Earlier proposals have been unsuccessful in delivering a sympathetic design response. The scheme presented in this application has been the subject of protracted design discussions, and it follows the conclusion of a constructive pre-application process. Some important amendments have been made to the building's form, to its positioning, to its architectural approach and materials strategy, and to the effects on surrounding landscaping. The outcome is a building whose prominence would be reduced in key views towards the site and which would be perceived as being less overbearing to the open space of the bowling green. Despite the positive evolution of the scheme, it has still been concluded that 'minor' or 'less than substantial' harm to the significance of the conservation area would arise. This is as a result of the development's impact on the environs of the bowling green which is a landmark contributor to the conservation area.
71. In returning to the fundamental decision-taking framework identified at the beginning of this report, 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* development plan, permission should not normally be granted.
72. The application proposal does not comply with Core Strategy Policy R1 in view of the heritage harm that would be caused. However, this policy has been deemed to be out-of-date since it does not reflect the tests of the NPPF which allow for heritage harm to be offset, subject to a convincing case being made. The precise test of the NPPF, at paragraph 196, is that 'less than substantial' harm should be weighed against the public benefits of a proposal. In this example it is considered that the public benefit case is especially forceful since the development is founded on maintaining and enhancing important existing community resources. In particular, the proposal - and the wider package - would ensure that Hale library is developed, modernised, and retained for the benefit of the community (and with conditions used to secure this). This would support NPPF objectives associated with improving the health, social and cultural well-being of residents. Other public benefits include the ability of the development to support the role and function of Hale District Centre. Accordingly, it is concluded that the 'less than substantial' harm to the heritage asset would be satisfactorily compensated for when having regard to the individual circumstances of this case.

73. On this basis, the application proposal has been found to comply with paragraph 196 of the NPPF, and it is considered that the proposal's fulfilment of this national policy test represents a material consideration to which substantial weight should be afforded to overcome conflict with (out-of-date) Policy R1.
74. To reiterate, paragraph 11d 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.
75. Given the conclusions reached by officers in respect of the test at paragraph 196 of the NPPF, subsection i of paragraph 11d is not relevant since the application of policies in the NPPF which are intended to protect heritage assets have been found to be satisfied. In essence, there is no clear reason to refuse the application when having regard to the protective policies of the NPPF.
76. In turning to subsection ii (which is the 'presumption in favour of sustainable development'), this officer report has provided a comprehensive overview of the development proposed, its implications, and the extent to which the proposal complies with national and local policy expectations. In the vast majority of topic areas, compliance with the Core Strategy and its accompanying guidance has been found, and similarly in respect of the proposal meeting policy objectives of the NPPF. This has been the case with reference to highways considerations, residential amenity, crime and security, green infrastructure, ecological impact, and flood risk. The principal exception, and the key limitation of the application, has been in relation to the impact on the historic environment, and with minor harm to the significance of the Hale Station Conservation Area identified, and in turn a lack of compliance with Policy R1 and its SPD5.11. However, officers have spent some considerable time to ensure that any visual harm would be minimised as much as possible. Conversely, however, and as reported in addressing the requirements of the test at paragraph 196 of the NPPF, a series of genuine public and community benefits which would stem from the development have been outlined. The very basis of the application is to deliver a new, refreshed social, educational and recreational facility that the community needs, and it would be provided in an accessible, district centre location. The proposal also supports policy objectives associated with making as much use as possible of previously-developed land, particularly in sustainable locations.
77. Therefore, in returning to paragraph 11(d)(ii) of the NPPF, it has been concluded that any adverse impacts arising from the scheme (which are confined to minor heritage harm) would not *significantly and demonstrably* outweigh the benefits. It is therefore recommended that planning permission is granted.

### **RECOMMENDATION:**

**GRANT** subject to the following conditions:-

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



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

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

Location plan (ref. 18010 (PL) 010)

Proposed site layout plan (ref. 18010 (PL) 450 D)

Proposed car park layout (ref. 18010 (PL) 150 E)

Proposed floor plan (ref. 18010 (PL) 101 C)

Proposed ground floor plan (ref. 18010 (PL) 170)

Proposed elevations (ref. 18010 (FE) 200 A)

Proposed colour elevations (ref. 18010 (PL) 502)

Proposed facing materials (ref. 18010 (PL) 510)

Proposed hard/soft landscape plan (ref. 200 P4)

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

3. The development hereby approved, at first floor level, shall be used as a public library and for no other Class D1 purpose or any other purpose in Class D of the Schedule to the Town and Country Planning Act (Use Classes Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To reflect the basis on which the application has been assessed and in order to secure public benefits in the longer term, having regard to paragraphs 8, 92 and 196 of the National Planning Policy Framework.

4. The development hereby approved, at ground floor level, shall be laid out in accordance with the uses identified on approved floor plan ref. 18010 (PL) 101 C, and it shall not be used for any other purpose including any other purpose in Class D of the Schedule to the Town and Country Planning Act (Use Classes Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To reflect the basis on which the application has been assessed and in order to secure public benefits in the longer term, having regard to paragraphs 8, 92 and 196 of the National Planning Policy Framework.

5. Notwithstanding the approved plans as referred to at condition no. 2, no above-ground construction works shall take place unless and until samples and full specifications of materials to be used externally on the building hereby approved have been submitted to and approved in writing by the local planning authority. The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of the proposed brickwork illustrating the type of joint, the type of traditional brick bond and the colour of the mortar to be used, as well as constructed panels of the timber cladding and its external treatment, and with these panels available on site for inspection. 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 and the character and appearance of the conservation area, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Notwithstanding the approved plans as referred to at condition no. 2, no above-ground construction works shall take place unless and until full design details of all windows and

external doors have been submitted to and approved in writing by the local planning authority, and full design details of all remaining façade treatments including, but not limited to, the timber cladding, the timber vertical beams, and the recessed brickwork (as illustrated on plan ref. 18010 (PL) 170). The submitted details shall include sectional drawings at a scale of 1:10 which shall illustrate a variation in depth of the façade treatments and a minimum of 100mm recess to the windows and external doors. 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 and the character and appearance of the conservation area, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

7. Notwithstanding the approved plans as referred to at condition no. 2, no above-ground construction works shall take place until samples and full specifications of all hard landscape works to be used throughout the development hereby approved have been submitted to and approved in writing by the local planning authority. The details shall include: materials for vehicle and pedestrian routes; all other hard surfacing materials; means of enclosure/boundary treatments; all street furniture and planting beds; refuse stores; and an implementation programme. 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 and the character and appearance of the conservation area, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

8. Notwithstanding the approved plans as referred to in condition no. 2 and the submitted Landscape Strategy (revision A) dated March 2019 and prepared by BCA Landscape, no above-ground construction works shall take place unless and until full details of all soft landscaping to be provided throughout the development 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; planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants (noting species, which shall include native species, plant sizes and proposed numbers/densities); existing trees to be retained; and a planting implementation programme. The schedules of plants shall be based on the provision of at least eight new trees, and other planting, in accordance with paragraph 3.12 of the submitted landscape strategy and which shall also illustrate the provision of an additional tree within the vicinity of Tree T18 as defined by the submitted Tree Survey and Arboricultural Method Statement (dated March 2019, revised 3rd June 2019, and prepared by BCA Landscape). The soft landscaping works shall be carried out in accordance with the approved implementation programme.

Reason: To ensure that the site is satisfactorily landscaped and that replacement planting, including with biodiversity value, is provided, in accordance with Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy and the National Planning Policy Framework.

9. Any trees or shrubs planted in accordance with the approved landscaping works which are removed, die, become diseased or seriously damaged then replacement trees or shrubs shall be planted in the next planting season with others of similar size and species.

Reason: To ensure that the site is satisfactorily landscaped and that replacement planting is provided, in accordance with Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy and the National Planning Policy Framework.

10. The development hereby approved shall not be brought into use unless and until a detailed landscape management plan, including long term design objectives, management

responsibilities and maintenance schedules for all hard and soft landscaped areas throughout the development, has been submitted to and approved in writing by the local planning authority. This shall be based on the landscape management principles established by the proposed hard/soft landscape plan (ref. 200 P4) as referred to in condition no. 2. The landscape management plan shall be implemented as approved and shall remain in force throughout the lifetime of the development.

Reason: To ensure that landscaping at the site is satisfactorily managed and maintained including in the longer term, having regard to the requirements of Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy and the National Planning Policy Framework.

11. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site (as identified within the submitted Tree Survey and Arboricultural Method Statement (dated March 2019, revised 3rd June 2019, and prepared by BCA Landscape)) 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. In addition, the ground protection measures as identified within the submitted Tree Survey and Arboricultural Method Statement shall be followed throughout the demolition and construction process.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policy L7, Policy R2 and Policy 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, could damage the trees.

12. The development hereby approved shall be constructed in accordance with the recommendations contained within section 4 (Physical Security) of the submitted Crime Impact Statement dated 5th April 2019 and referenced 2016/0961/CIS/02. Thereafter, the development shall be maintained in accordance with these recommendations.

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

13. The development shall be designed, constructed and operated in accordance with the submitted underground drainage plan (ref. DR01 rev. A).

Reason: Such details need to be incorporated into the design and operation of the development to prevent the risk of flooding, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

15. No above-ground construction works shall take place until a scheme for the provision of electric vehicle charging infrastructure (including charging points and dedicated parking bays) to serve the development has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and the infrastructure shall be retained thereafter.

Reason: In the interests of environmental protection, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Prior to any above-ground construction works taking place, a scheme for the provision of the following features within the development shall be submitted to and approved in writing by the local planning authority: bat bricks/tubes, bat boxes, and bird boxes. The approved details shall be installed prior to the occupation of the development and shall be retained thereafter.

Reason: To enhance the biodiversity value of the site, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

17. No development shall take place unless and until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The submitted assessment shall include:

- i) a survey of the extent, scale and nature of contamination;
- ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and a proposal of the preferred option(s) to form a remediation strategy for the site;
- iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
- v) a verification plan providing 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 before the first occupation of the development hereby approved.

Reason: To ensure the safe development of the site, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in contamination risks including to human health.

18. The development hereby approved shall not be occupied until a verification report demonstrating completion of the works set out in the approved remediation strategy, and the effectiveness of the remediation carried out, 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 a plan, where required, 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 the safe development of the site, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19. The hours of opening of the building hereby approved shall be limited to 0700 hours to 2330 hours Mondays to Sundays including Bank Holidays.

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

20. No servicing, deliveries or refuse collections to the development hereby approved shall be made after 1900 hours or before 0800 hours Mondays to Saturdays, and servicing, deliveries and refuse collections shall not be permitted on Sundays and Bank Holidays.

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

21. The approved development shall not be brought into use unless and until a Noise Management Plan for the use of the building has been submitted to and approved in writing by the local planning authority. The submitted plan shall include the following matters with the purpose of demonstrating that the use of the event/exhibition/function space within the development can be carefully managed to prevent any unacceptable noise disturbance occurring: the management of the playing of any amplified music (including timings, the location of the sound systems, and procedures for windows/doors to the building to be closed except for access/egress); and the management of external breakout areas (including their hours of use). The Noise Management Plan shall be implemented as approved.

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 rating level (LAeq,T) from all fixed plant and machinery associated with the development hereby approved, when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments shall 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 Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

23. The development hereby approved shall be constructed to incorporate the mitigation measures recommended in the submitted Acoustic Survey (prepared by Braiden Acoustics Ltd, dated 10th March 2019, ref. 10612revD) which are intended to control noise breakout from the building. Prior to the use of the building commencing, a verification report shall be submitted to and approved in writing by the local planning authority which shall confirm that these recommendations of the Acoustic Survey have been implemented in full. Thereafter the development shall be maintained in accordance with the approved details for the lifetime of the development.

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

24. The approved development shall not be brought into use unless and until a scheme for the installation of equipment to control the emission of fumes and odour from the kitchen area has been submitted to and approved in writing by the local planning authority. The scheme shall be installed and operated in accordance with the approved details.

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

25. No above-ground construction works shall take place until a scheme detailing all external lighting equipment to be installed within the development has been submitted to and

approved in writing by the local planning authority. The submitted details shall demonstrate that all lighting associated with the development shall comply with the requirements of the ILE Guidance Notes for the Reduction of Obtrusive Light GN01:2011. The lighting shall be implemented and operated as approved.

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

26. No development shall take place, including any works of demolition, unless and until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The submitted Method Statement shall provide for:

- i. the location of the site compound
  - ii. the location of parking of the vehicles of site operatives and visitors
  - iii. vehicular access/egress arrangements during the demolition/construction period
  - iii. loading and unloading of plant and materials including times of access/egress
  - iv. storage of plant and materials used in constructing the development
  - vi. the erection and maintenance of security hoardings
  - vii. wheel washing facilities, including measures for keeping the highway clean
  - viii. measures to control the emission of dust and dirt during demolition and construction processes
  - ix. a scheme for recycling/disposing of waste resulting from demolition and construction processes (and which prohibits fires on site)
  - viii. proposed hours of demolition and construction activity
  - x. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
  - xi. procedures for dealing with any complaints and
  - xii. information regarding how asbestos material is to be identified, treated and disposed of.
- The approved Method Statement shall be adhered to throughout the demolition/construction period.

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 and car park, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway/car parking impacts.

27. The development shall not be brought into use until the revised car parking layout as illustrated on plan ref. 18010 (PL) 150 D) has been provided and with all car parking spaces available for use. The parking spaces shall be retained at all times thereafter.

Reason: To ensure that an adequate level of car parking is provided, having regard to Policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

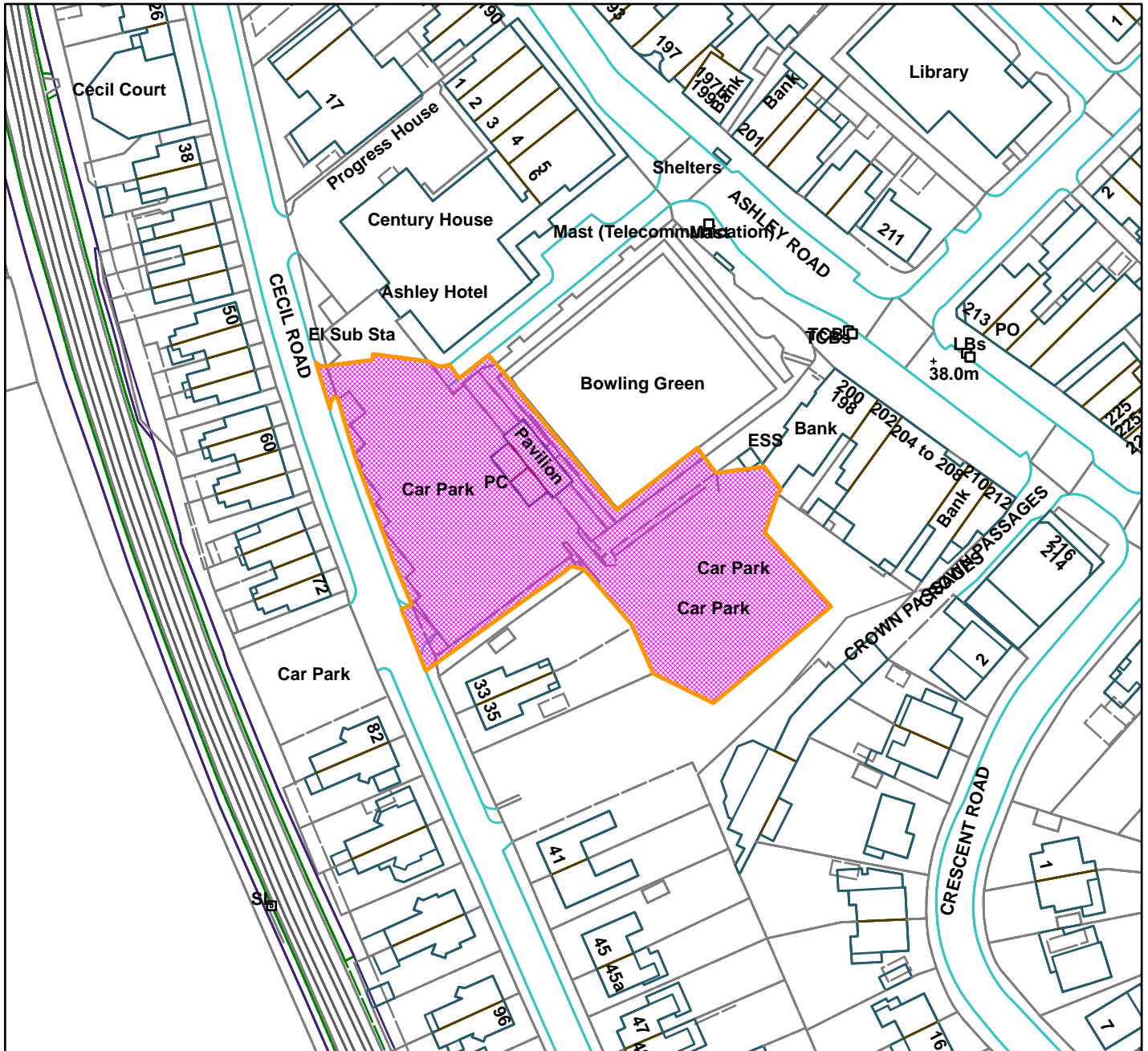
28. No above-ground construction works shall take place unless and until full details of cycle parking to be provided to serve the development has been submitted to and approved in writing. The submitted details, which shall be based on approved plan ref. 18010 (PL) 150 D), shall include both staff and public cycle parking and shall illustrate the type of parking facility (which shall be secured and sheltered for staff use) and the number of cycles accommodated.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable travel, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.





Bowling Green, Ashley Road, Hale, WA15 9NT



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
MSA Number	100023172 (2012)



**WARD:** Hale Central

**97376/FUL/19**

**DEPARTURE: No**

**Demolition of existing building, and construction of new build mixed use development, consisting of retail space (Class A1), 6 No semi-detached houses, and 2 No apartments.**

Hale Library, Leigh Road, Hale, WA15 9BG

**APPLICANT:** Hillcrest Homes/Hale Community Trust

**AGENT:** Calderpeel Architects

**RECOMMENDATION: GRANT**

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The application has been reported to the Planning and Development Management Committee since six or more representations contrary to the Officers' recommendation have been received. In addition, and irrespective of the position regarding representations, the application would have been reported to Committee in any event due to the Council's interest in both the site and in the provision of library services.

### **SITE**

The application site is located within central Hale. It is positioned on Leigh Road at its junction with Addison Road, and it is also close to the junction of Leigh Road with Ashley Road. Ashley Road is the main high street which runs through the centre of Hale. It accommodates a variety of commercial and retail premises. In contrast, both Leigh Road and Addison Road are more residential in character.

The site is the location of Hale Library. The library building covers the majority of the site. It is a single-storey building of 1960s-style. The building's main entrance is from Leigh Road. There are narrow grassed strips between the building and the two adopted highways which are planted with trees. There is also a street tree close to the southern corner of the building. A small car park serving the library is located to the rear of the building accessed from Addison Road. This car park can also be accessed via a narrow vehicular route which leads from Leigh Road. This route, which is shared, also provides vehicular access to the rear of the commercial units on Ashley Road.

The site is surrounded by a variety of uses, reflective of its location within central Hale but close to nearby residential areas. To the south-west of the site are retail/commercial premises fronting Ashley Road. This includes an office building located at the Ashley Road/Leigh Road junction which is Grade II Listed. To the north-west and north-east of the site are residential properties located on Addison Road, which is a small cul-de-sac. To the south-east are further residential properties sited on Leigh Road, although with a small collection of commercial units as Ashley Road is approached. There is a small upwards gradient to Leigh Road as you move away from Ashley Road.

The collection of retail and commercial premises concentrated along Ashley Road is defined as a district centre (Hale District Centre) by means of Policy W2 of the adopted Core Strategy. With reference to the accompanying Proposals Map, the site is located within the district centre boundary, although close to both its southern and eastern limit. The site is located outwith but adjoining the Hale Station Conservation Area.

## **PROPOSAL**

This application, which has been made in full, has been submitted in conjunction with a further full planning application (ref. 97375/FUL/19). This related application concerns the site of the bowling green pavilion and integral public toilets, which is located a short distance away off Cecil Road. The pavilion site, following the demolition of the existing building, is proposed to accommodate a new multi-functional community building which would include a replacement library. This application is also presented to the Planning and Development Management Committee and is explained in a separate report.

The application which is the subject matter of this report proposes the demolition of the existing library building and the redevelopment of the site, chiefly for residential development but with a retail element. Six dwellinghouses are proposed, together with two residential apartments which would be positioned above the ground floor of the retail space.

The six houses are comprised of three pairs of semi-detached properties. These would be positioned in a line fronting Addison Road. The houses, which would contain three bedrooms, extend to 2.5 storeys and include living accommodation in the roof space. The apartments and retail floorspace would be provided in a separate building fronting Leigh Road. 143 square metres (gross) of retail floorspace is proposed, presented in the form of one retail unit, which would be used for Class A1 (shops) purposes. The accommodation for the apartments is provided at first floor level (with the roof space unused) and with it offering two bedrooms each.

Car parking for the houses and apartments would be provided by means of a row of spaces accessed from the existing rear access road from Leigh Road. A bin store for the retail unit is also shown in this location. The architecture of the proposed buildings is consistent and is based upon a traditional design and would include red bricks and natural slate roofs.

### **Value Added**

The red line of the application boundary has been adjusted to include the full width of the internal access road from Leigh Road. Some amendments to the proposed approach to hard and soft landscaping, and to materials, have been secured. Finally, some additional drainage details have been provided, along with a preliminary servicing strategy for the retail unit.

## **DEVELOPMENT PLAN**

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

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

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

L2 – Meeting House Needs

L4 – Sustainable Transport and Accessibility

L5 – Climate Change  
L7 – Design  
L8 – Planning Obligations  
W2 – Town Centres and Retail  
R1 – Historic Environment  
R2 – Natural Environment  
R3 – Green Infrastructure

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

ENV21 – Conservation Areas

## **PROPOSALS MAP NOTATION**

District Shopping Centre

## **SUPPLEMENTARY PLANNING GUIDANCE**

SPG1 – New Residential Development

SPD1 – Planning Obligations

SPD3 – Parking Standards and Design

SPD4: A Guide for Designing House Extensions and Alterations

SPD5.11 – Hale Station Conservation Area Appraisal and Management Plan

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework (GMSF) is a joint Development Plan Document being produced by each of the ten Greater Manchester districts. Once adopted it 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, and following a redraft a further period of consultation commenced on 21 January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The Ministry of Housing, Communities and Local Government published the current National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The National Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics in one place. It was first launched by the Government on 6 March 2014 although has since been subject to a number of updates, the most recent of which was made on 23 July 2019. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

93173/FUL/17 - Demolition of existing building, and construction of new build mixed use development, consisting of retail space, 6 No semi-detached houses, and 2 No apartments.  
Application withdrawn – 05.02.2019

## **APPLICANT'S SUBMISSION**

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

- Design and Access Statement
- Heritage Statement
- Tree Survey and Arboricultural Method Statement
- Bat Survey
- Drainage Strategy
- Noise Assessment
- Landscape Strategy
- Statement of Community Involvement

## **CONSULTATIONS**

**Cadent Gas** – No objection, subject to informative (to advise the applicant of the presence of apparatus)

**Greater Manchester Archaeological Advisory Service** – No objection

**Greater Manchester Ecology Unit** – No objection, subject to condition/informative (to restrict tree works to a period outside of the main bird breeding season, to highlight that works should cease immediately if bats (or other protected species) are found, and to maximise opportunities for biodiversity enhancement)

**Trafford Council Heritage Development Officer** – No objection, subject to condition (to request samples and full specifications of all materials)

**Trafford Council Lead Local Flood Authority** – No objection, subject to condition (to ensure that the development is implemented in accordance with the revised drainage layout)

**Trafford Council Local Highway Authority** – No objection, subject to condition (to ensure that parking, servicing and the amended access to Leigh Road is provided, to request a Service Management Plan and, separately, a Construction Management Plan, the provision of full details regarding cycle parking, and the closure of existing Addison Road access points)

**Trafford Council Pollution and Licensing (Air Quality)** – No objection, subject to condition (in order that electric vehicle charging points are provided within the residential development)

**Trafford Council Pollution and Licensing (Contaminated Land)** – No objection

**Trafford Council Pollution and Licensing (Nuisance)** – No objection, subject to condition (to ensure that design specifications within the Noise Assessment are implemented, to request a Construction Management Plan, to limit the noise levels of installed plant, to restrict the use of the retail unit, to restrict the retail unit's opening hours and delivery hours, and to request external lighting details)

**Trafford Council Tree Officer** – No objection, subject to conditions (to ensure the use of tree protection measures)

**Trafford Council Waste Management** – No objection, subject to condition (to ensure that the refuse collection is undertaken in accordance with the submitted strategy)

**United Utilities** – No objection, subject to condition (to request that foul and surface water are drained separately)

## **REPRESENTATIONS**

### STATUTORY CONSULTATION

The public consultation process undertaken by the local planning authority has produced the following responses:

#### **In Support**

154 letters of support have been received. The key issues raised can be summarised as (and when placed into topic areas):

##### General

- The developer's plans have been created with the full support of local residents;
- This development is long overdue;
- The application should be passed as soon as possible;
- This is a public investment that is well-worth making;
- This is an excellent idea;
- The revised plans are much improved;
- This housing development is a vital component of the whole library and bowling green scheme;
- This development would support the provision of up to date premises for many local groups;
- This proposal would utilise the space vacated by the library sensibly;
- As a result of Hale Community Trust operating the new community centre, the Council would benefit from reduced running costs;
- The retail unit is needed and it would provide an income stream for the proposed community centre/library;
- The revisions made relative to earlier proposals are positive; and
- The existing library is at the end of its life and would otherwise require extensive maintenance or replacing.

##### Community Benefits

- The development would support a new library for Hale;
- The new community centre and library would be an asset to Hale and provide a new focal point;
- The younger generations should not be denied library access;
- Libraries play a key role in reducing isolation;
- This development would bring long term benefit to the community;
- This proposal would help generate village pride and togetherness; and
- It is essential that a library service continues in Hale.

##### Housing

- The proposed new housing would be an asset to the village;
- This would provide much needed residential accommodation for Hale;
- The street would become a very desirable place to live; and

- The new housing would provide much needed smaller housing for families and those looking to downsize.

#### District Centre

- This would pull more people into Hale which would help the struggling shops;
- This development would add to the vibrancy of Hale village; and
- The retail unit could provide space for an office or a health practitioner.

#### Design/Conservation

- The existing library building is out of date;
- The development is in keeping with the surrounding architecture;
- The proposal would greatly enhance the appearance of the site;
- The site would be brought up to current standards in keeping with Hale village;
- The proposal is sympathetic to the conservation area;
- It respects the nearby listed Ollerbarrow House;
- Efforts have been made with the revised design to ensure that the houses would blend in; and
- The roofline height has been reduced and the design altered to produce buildings that would now be appropriate.

#### Miscellaneous

- This design does not allow for any overlooking;
- The provision of two parking spaces for each residence is welcomed;
- The new housing would be located close to existing shops and amenities; and
- The pathways outside of the library are dangerous and need replacing anyway.

These letters include expressions of support from the Butterflies Dementia Group, the Hale Women's Institute, the Hale Bowling Club, and the Altrincham and Bowdon Civic Society.

However, six of the above letters of support make the following additional observations (in summary):

- This development is supported in the sense that it would allow for the library to relocate to alternative accommodation and that it would provide regular income to the Hale Community Trust;
- The residents should not be issued with parking permits to allow them to park on Addison Road (but instead should use the allocated parking spaces);
- The heights of the proposed buildings should match those shown on the revised plans, which would be in keeping with surrounding houses; and
- The development should not be allowed to change once planning permission is given.

A letter of support has also been submitted by Cllr Patricia Young, which states (in summary):

- This is an application that has been developed over a lengthy period;
- It is totally supported by the residents and businesses in Hale;
- It would provide much needed facilities that people in Hale need; and
- The existing library building is not fit for purpose.

A support letter has also been provided by Cllr Denise Haddad, which states (in summary):

- A new library for Hale is something that the residents of Hale consider to be necessary; and
- Residents have been looking forward to this building being started for a few years now.

A letter of support has also been provided by Cllr Alan Mitchell, which states (in summary):

- The Hale library is a vital part of Hale culture; it provides an important educational and community function;
- Children should be encouraged to read books;
- The development would improve the bowling green and increase the popularity of sport;
- The tradition of tea/coffee and chat would be continued within the building which helps older people avoid the trap of loneliness; and
- The approach would result in a cost-saving for the Council since the Hale Community Trust would take up the costs of running the new community centre.

### **In Objection**

6 letters of objection have been received. The key issues raised can be summarised as (and when grouped into topic areas):

#### **General**

- Not all Hale residents are in support of these proposals;
- There is a conflict of interest for Council Members and those sitting on the Board of Directors of the Hale Community Trust to be supporting this application;
- The publicity material that has been circulated is biased in favour of the proposal;
- The existing library is a good neighbour; it is a low-lying building surrounded by trees and has parking and turning space for cars; and
- It would be more appropriate for the library to relocate to an existing empty property in Hale or to remain at the current site.

#### **Design/Overdevelopment**

- The housing and retail space has been squeezed on the site; and
- The proposed new houses are packed very closely together.

#### **Highways/Parking**

- The development and specifically the retail unit would worsen existing car parking and traffic problems;
- Existing cars parked on street are likely to be damaged;
- Any proposal which results in the loss of parking within Hale is a concern; and
- Deliveries to the retail unit by lorries would be extremely difficult.

#### **Residential Amenity**

- This development would block afternoon sunlight for existing Leigh Road and Addison Road properties;
- This proposal would cause overlooking;
- It would generate noise disturbance, particularly by the retail unit (by customers and servicing);
- The demolition and construction period would be disruptive to residents; and
- It is inappropriate to introduce a retail unit to a residential street.

### **CONSULTATION UNDERTAKEN BY THE APPLICANT**

In the case of this application and the related application at Cecil Road, the applicant has also undertaken its own consultation, culminating in a public exhibition at the existing Hale Library. The results of this exercise have been summarised in a Statement of Community Involvement which forms part of the application submission. Key headline information from the submitted statement includes:

- Consultation has taken place with a number of stakeholder groups, such as: the general public, immediate residents, project supporters, the bowling club, the Senior Citizens Welfare Group, local businesses, Trafford Library Service, and trustees, directors and committee members of the Hale Community Trust;
- A Hale Community Trust website has been launched which provides regular updates on the library project;
- Meetings have taken place with residents of Cecil Road, Leigh Road and Addison Road
- In respect of the ongoing exhibition:
  - it has been widely publicised via a leaflet drop to 9,000 local residential and business addresses;
  - it is manned by a HCT representative and with the latest proposed plans on display; and
  - Attendees are invited to respond via feedback forms, and there have been 580 expressions of support compared to 20 in opposition or raising concerns.

## **OBSERVATIONS**

### **The Decision-taking Framework**

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 is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision-taking process.
2. The NPPF, at paragraph 11, introduces 'the presumption in favour of sustainable development.' For decision-taking purposes, paragraph 11c explains that 'the presumption in favour' means approving development proposals that accord with an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, paragraph 11d advises that 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.
3. Where a planning application conflicts with an up-to-date development plan, planning permission should not normally be granted, paragraph 12 of the NPPF explains.



4. For the purposes of this application, it has to be acknowledged that certain policies of 'most importance' (in the manner envisaged by the NPPF's paragraph 11d) are out-of-date. The affected policies are Policy L2 (Meeting Housing Needs) and Policy R1 (Historic Environment), and with both regarded as being central to the assessment of this proposal.
5. The reason for Policy L2 being treated as out-of-date is two-fold. Firstly, this Council cannot presently demonstrate that it has a five year supply of deliverable housing sites when assessed against its housing requirement, and with the footnote to paragraph 11d confirming that, in these situations, policies controlling the supply of housing should be treated as being out-of-date. Secondly, the housing requirement figure that Policy L2 contains, in view of it being over five years old, has become redundant and has been replaced by a new figure which is based on the Government's calculation of 'local housing need'. In turning to Policy R1, following a recent internal review exercise, it has been concluded that this policy does not reflect current NPPF guidance regarding the assessment of development proposals which affect heritage assets.
6. The effect of policies L2 and R1 being categorised in this manner is that, for the purposes of this application, the guidance in paragraph 11d of the NPPF (subsections i and ii) applies.
7. For the avoidance of doubt, it is commented that other Core Strategy policies deemed of 'most importance' in the determination of this application are regarded as being up-to-date, and with this including Policy W2 (Town Centres and Retail). Irrespective of this, however, the NPPF's 'presumption in favour' is triggered given the position regarding Policy L2 and Policy R1. Whether other policies of the Core Strategy that are material (if not 'most important') in determining this application should be regarded as being up-to-date or out-of-date is identified in each of the relevant sections of this report (and, subsequently, the appropriate weight to be applied).

### Background

8. To reiterate, this planning application is submitted in conjunction with the preceding application which concerns the site of the bowling pavilion. The report accompanying that application explains the background to Council proposals associated with the future provision of library services in Hale. In summary, a replacement library building, together with other facilities, is proposed at the bowling pavilion site. The existing library is proposed to remain in its current location until the completion of the new building; the library service would then relocate to the new site, and only at that point could redevelopment of the existing library site take place (which would be secured by a suitably-worded planning condition). The package of development across the two sites has been devised in order to secure scheme delivery as a whole, and with this confirmed as part of the contractual and legal discussions between the applicant (Hale Community Trust, HCT, in partnership with Hillcrest Homes) and the Council.
9. Since the awarding of the project to HCT the design-development process has been beset by lengthy delays, and with the reasons for this being numerous and with both development sites affected. A planning application for an alternative design, which was submitted in late November 2017 (ref. 93173/FUL/17) was eventually withdrawn in February 2019 in response to continuing officer concerns. These concerns stemmed from the proposal's adverse impact upon the character and appearance of

the adjacent listed building and also the setting of the nearby Hale Station Conservation Area.

### The Principle of Development

10. The proposal, in conjunction with application ref. 97375/FUL/19, is predicated on the continued provision of a library to serve the Hale community. The value of the existing library and the wider social and community benefits arising from it is self-evident, as reflected in Council decisions to maintain library services. The cornerstone to the NPPF, as set out in paragraph 8, is the achievement of sustainable development through three overarching and mutually supportive objectives: an economic objective, a social objective, and an environmental objective. The thrust of the social objective is to use the planning system to 'support strong, vibrant and healthy communities'. Accordingly, paragraph 92, advises local planning authorities to plan positively in the provision of social, recreational and cultural facilities for their communities, and to guard against the unnecessary loss of valued services.
11. The application site is located within the boundary of Hale District Centre, as is the pavilion site. One of the Strategic Objectives (SO4) of the Core Strategy is to revitalise the Borough's town (and district and local) centres by ensuring such centres remain the focus for commercial, retail and leisure uses to meet the needs of the local population. Allied to this, Policy W2 (Town Centres and Retail) is the main policy within the Core Strategy which aims to promote successful and competitive town centre environments, in accordance with the advice in the NPPF. The accompanying text recognises that the Borough's town and district centres in particular offer a variety of services and amenities and attract many linked trips by a wide range of age and social groups throughout the day and into the evening. To reiterate, Policy W2 is regarded as being consistent with the NPPF and thus up-to-date for the purposes of decision-taking.
12. It is clear that the existing library on the application site is a well-used facility which positively contributes to the general functioning of the district centre. Whilst the library would be lost from the application site, the wider application package would involve its re-provision a short distance away and on a site which is also within the district centre boundary. The continued presence of a library is considered beneficial in the interests of supporting the health of the centre and of providing a facility in a central location close to the community that it would serve. It is considered that the proposed new location, at the bowling pavilion site, would meet these requirements, and thus there would be no net loss.
13. On this site the existing library would be replaced by, in the main, residential development. However, the application site has a peripheral district centre location and existing residential properties surround it to the north, east and west. In any case, the NPPF recognises that new residential development can also play an important role in ensuring the vitality of centres, and of course this proposal does incorporate a small element of retail floorspace in that part of the site nearest to the Ashley Road shop units. In view of the site's fringe district centre location, and for other reasons associated with supporting housing supply targets and protecting levels of residential amenity, the residential focus of the application proposal is considered beneficial in principle, sufficiently compatible with Policy W2, and supportive of wider objectives laid down in the Trafford Core Strategy.

## Residential Development

14. That residential development is an appropriate use for the application site has been referred to above, and this is advantageous in the context of this Council's present unfavourable housing land supply. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK, and local planning authorities (LPAs) are required to support the Government's objective of significantly boosting the supply of homes. The responsibility of LPAs in supporting the Government's ambitions include identifying and updating annually a supply of specific deliverable sites to provide five years' worth of housing against their housing requirement. However, latest housing land monitoring for Trafford indicates a supply of only some 2.5 years.
15. Furthermore, this supply figure is a product of an uplifted annual housing requirement for the Borough. Policy L2 had established a typical annual requirement of 587 new residential units per year. However, as a development plan document that is over five years old and with no formal review having been undertaken, the Core Strategy's housing requirements have recently been replaced by a new local housing need (LHN) figure. In applying the Government's formula for calculating LHN, a new (minimum) annual requirement of 1,362 new units has been established (to be applied over a ten year period). Clearly this figure is quite substantially greater than that previously required by Policy L2 (more than double).
16. Policy L2 is clear that all residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. The proposal would deliver eight new residential units. Whilst this is an extremely modest figure in the context of the overall housing requirement, nonetheless the proposal would make some contribution to housing supply targets, and would deliver new housing on an unexpected 'windfall' brownfield site that is sustainably located within an existing settlement. In this respect, the NPPF, at paragraph 118, gives substantial weight to the value of using suitable previously developed land within established locations to provide new homes.
17. The ability to incorporate a genuine mix of housing types and sizes, as sought by Policy L2 and in the interests of delivering mixed and balanced communities, is somewhat restricted due to the size of the scheme. However, in fact some variety is offered since the development incorporates both apartments and standard dwellings and with both 2 bed and 3 bed units on offer. For the purpose of clarification it should be commented that the proposal does not include any affordable housing provision since the development does not trigger an affordable requirement in view of its small scale. Overall, therefore, the fact that the development would support housing and brownfield targets in an appropriate location weighs in its favour. In acknowledging that 'the presumption in favour of sustainable development' applies to this application, the significance of this benefit will be returned to in due course as part of the planning balance.

## Design and Appearance

18. The promotion of high standards of design is a central narrative within the NPPF. At paragraph 124 it is explained that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Allied to this, paragraph 130 urges LPAs to refuse 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.

19. The Core Strategy also attaches importance to the design and quality of the Borough's built environment. The text supporting Policy L7 advises that high quality design is a key factor in improving the quality of places and in delivering environmentally sustainable developments. Design solutions must: be appropriate to their context; and enhance the street scene by appropriately addressing scale, density, height, massing, layout, elevational treatment, materials, hard and soft landscaping, and boundary treatments, the policy is clear. Policy L7 is considered to be compliant with the NPPF, and therefore up-to-date for the purpose of decision-taking.
20. Some considerable time has elapsed since the project was awarded, and this time has been utilised in order to arrive at the most suitable design response which builds upon, and improves, what was illustrated at tender stage. In accepting the development package as a whole, and the cross-funding mechanisms that would be utilised, the provision of (in the main) residential development on the Leigh Road site, and at a certain quantum, has been accepted. This is order to achieve the appropriate sales values to support the delivery of the library building. In turn, the lease from the new retail unit at Leigh Road would contribute to the ongoing operation of the new community facility, it has been explained.
21. As a result, and in the interests of achieving development viability as a whole, some parameters regarding the extent of built floorspace accommodated at Leigh Road have been accepted. As part of this, and in recognising the existing single-storey library building is not wholly characteristic of the area, officers have concluded that the site could successfully withstand, in principle, increased built form. This approach is in accordance with a central message throughout the NPPF regarding the need to make more effective use of brownfield sites in accessible locations. Furthermore, it is recognised that parts of central Hale accommodate development at relatively high densities and that terraced housing is a common feature.
22. However, the need for restraint to be applied, when allowing for the specific sensitivities of the site, has been made clear (with particular reference to the site's proximity to designated heritage assets). Indeed, previous proposals represented an over-intensification of the site it was considered, and with visual harm arising. Accordingly, the final design that has been arrived at, as presented within this revised application, is the outcome of a thorough and robust iterative process, which has sought to address previous proposals' shortcomings. The submitted and revised Design and Access Statement makes the case for the proposed development, as amended, being an appropriate and sympathetic design solution which respects both the character of the site and its wider setting.
23. Paragraph 127 of the NPPF advises that new developments should be sympathetic to local character and to local history (although whilst not preventing or discouraging appropriate innovation and change, it continues, including increased densities). As will be developed in the subsequent section of this report which specifically deals with the impact of the development on the historic environment, the position of officers is that the scheme embodied in this application has successfully addressed previous concerns. In particular, some important adjustments have been made which, it is considered, would enable the development to sit more comfortably within the site, to better integrate with its surroundings (including the conservation area), and to not compete within the street scene with the adjacent listed building. Thus, overall it is considered that a positive design outcome has been achieved for this site. It follows that this proposal, in contrast to earlier versions, can now be looked upon favourably

in the context of the general design principles established by Core Strategy Policy L7 and the NPPF's desire to achieve a well-designed built environment.

### Heritage Considerations

24. Protecting and enhancing the historic environment is an important component of the NPPF. The document introduces the term 'heritage assets' which are defined (in the glossary) as: 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions. It includes designated heritage assets and assets identified by the local planning authority (including local listing).' It is the conservation of heritage assets in a manner appropriate to their 'significance' which is the focus of the NPPF, and with this significance defined (in the glossary) as: 'the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence but also from its setting.'
25. In determining planning applications, paragraph 192 of the NPPF advises local planning authorities to take account of: 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.' Further to this, when considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 193 expresses that great weight should be given to the asset's conservation.
26. The protection of the Borough's built heritage features as a strategic objective (SO8) within the Core Strategy. This is supplemented by Policy R1 which seeks to ensure that the Borough's heritage assets are safeguarded for the future, where possible enhanced, and that change is appropriately managed and tested for its impact on the historic environment. It should be noted, however, that Policy R1 does not reflect the NPPF's categories of 'substantial' and 'less than substantial' harm and their corresponding tests. In summary, these tests (as set out in paragraphs 195 and 196 of the NPPF) provide an opportunity for an applicant to demonstrate that there would be public benefits arising from a proposal which may outweigh heritage harm. Conversely, the 'protect, preserve and enhance' requirement of Policy R1 infers that no harm should be caused or would be justified. It is on this basis, and as referred to in paragraphs 4 and 5 of this report, that Policy R1 is regarded as being out-of-date, and the tests of the NPPF remain to be applied in treating this guidance as a material consideration.
27. In addition, any planning decisions relating to listed buildings and conservation areas must also address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act requires decision-makers to pay special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. In relation to conservation areas, the Act dictates that special attention is paid to the desirability of preserving or enhancing the character or appearance of that area.
28. To reiterate, in the case of this proposal there are two key designated heritage assets which could be impacted upon by the site's redevelopment. Firstly, there is a Grade II Listed Building 15 metres to the site's south-west which fronts Ashley Road. An eighteenth century farmhouse and one of the earliest surviving buildings in Hale, the listed building (known as Ollerbarrow House) is now in use as offices. Secondly, the site lies adjacent to the Hale Station Conservation Area. This conservation area was

first designated in 1986. The boundary is drawn to include the retail/commercial units on Ashley Road and therefore its boundary skirts the south-western edge of the application site. The railway station at Hale represents the centre of the conservation area and with the route of Ashley Road constituting its most southerly section. The special qualities and 'significance' of the Hale Station Conservation Area are described in a Supplementary Planning Document identified as SPD5.11 (dated July 2016). The document also provides factual information regarding Ollerbarrow House, including its listing description.

29. The importance of respecting the 'setting' of a listed building is established by the statutory obligation referred to at paragraph 28 above, and it is also reflected in the policy objectives of the NPPF and the Core Strategy (including in respect of conservation areas). The NPPF (within its glossary) defines setting as: 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and it 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.' In view of the limited separating distance it is concluded that the application site falls within the setting of both Ollerbarrow House and of the conservation area, and with this conclusion supported by the applicant's submitted Heritage Statement.
30. SPD5.11, in defining the conservation area's significance, explains that Hale was principally rural in character until the latter part of the 19<sup>th</sup> century. However, the area changed quickly after the construction of its railway station in 1862. The attractive Italianate station buildings epitomise the growth of a rural village into a wealthy suburb, it is explained. Accordingly, the defining characteristic of the Hale Station Conservation Area is the late 19<sup>th</sup> and early 20<sup>th</sup> century architecture that predominates. Whilst the architecture of the area is generally eclectic, it continues that most buildings typically fit within the Arts and Crafts movement and variations on this, such as Domestic Revival and other historical styles. Defining features of this main movement include the use of polychromatic brickwork, timber-framing, dominant gables, tile-hanging, wood carving, asymmetrical plans, variations in the colour of brickwork, and barge-boarding, it is explained.
31. Away from the busy main roads, the surrounding residential streets are often tree-lined, the SPD sets out, and with these introducing a green and leafy suburban character to the conservation area. Whilst the architectural variety of the residential buildings is wide, again a significant proportion fit within the Arts and Crafts style. Both detached, semi-detached and terraced housing are included, and with a mix of large residential properties set back from the road within substantial gardens and then pockets of development built at higher densities. Ollerbarrow House is referred to as one of only five listed buildings/structures within the conservation area, and its cottage-style appearance is a reminder of Hale's rural past, it is stated. A detached structure, it is composed of red brick with a slate roof and a small pediment with a central circular brick design. That there are attractive views in westerly directions from Ollerbarrow House across Ashley Road towards Hale's bowling green are referenced. Also mentioned is the fact that Ollerbarrow House is distinct from other buildings within this part of the conservation area due to its age, scale and relationship to the buildings around it.
32. Although not included within the conservation area, it is considered that the environs of the application site (including the residential streets of Leigh Road and Addison Road) possess some of its important qualities. Whilst the housing on both streets is smaller in scale and simpler in design, it still fits within the narrative of the Arts and Crafts style. The existence of street trees and of well-manicured front gardens is also

consistent with the green and leafy character of the conservation area. However, previous iterations of the application scheme were not felt to be successful in respecting and continuing some of these important characteristics. Therefore, and as part of the design-development process, special care has been taken to ensure that the unique qualities of the area would be maintained and reinforced. This is in order to provide an appropriate setting for the conservation area as well as the listed building. The manner in which this has been achieved is described below.

33. The cornerstone to previous officer objections was the amount of development proposed for the site. The existing library building, with its rather modest floorspace of some 745 square metres, would be replaced by six semi-detached family houses with three bedrooms, retail floorspace of some 140 square metres, and two two-bedroomed apartments. Whilst the overall foundations of the proposal - as described above - have remained unchanged, together with the general arrangement of buildings on site, some important concessions have been made. The apartment accommodation is now provided at first floor level only (rather than previously extending into the roof), and the amount of floorspace provided within the roofspace to the houses has also reduced. The consequent reduction in residential floorspace, of some 150 square metres, has had a positive impact on overall building proportions; namely building height has reduced, and by an average of 1.5 metres for both the retail/apartment building and the houses.
34. This height adjustment is significant in respect of both the Addison Road and the Leigh Road street scenes. Earlier proposals involved buildings that would have an elevated ridge line when compared with adjoining properties on Addison Road, and with a previous retail/apartment building being substantially taller than the cottage-proportioned Ollerbarrow House. However, new street scene images submitted with the current application illustrate that the proposed new houses along Addison Road would now be at the same height as established housing. In addition, the revised building height at the Leigh Road frontage would provide a respectful and uniform approach to the incremental upwards staggering along Leigh Road.
35. It is accepted that both Leigh Road and Addison Road typically have a denser urban grain than other streets that radiate from Ashley Road. Semi-detached and terraced housing predominates. However, some sense of spaciousness exists, which it is considered important to preserve. Houses are set back from the kerb edge and - whilst generally modest - there are clear interruptions in built form for side alleyways and pathways. The importance of the application proposal sufficiently respecting and reinforcing this established form and arrangement of development, in the interests of maintaining some feeling of space, has been continually highlighted.
36. It is positive therefore that this proposal is based on a 1.5 metre gap between each building. Whilst not a substantial change from earlier proposals, it is considered that this would provide a more meaningful break in built form and thus would not undermine the sense of spaciousness that does exist. Furthermore, this increased separation would be seen in the context of the height reduction previously referred to and - also - a simultaneous adjustment in building siting which would increase the extent of set back from the Addison Road frontage (and which would maintain the existing building line). In terms of Leigh Road, whilst two-storey bays to the front elevation of the retail/apartment building would still protrude beyond this building line, it is accepted that this line is less defined due to the curvature of the carriageway and with more regular natural interruptions brought about by road junctions. When having regard to the wider improvements secured to the development's scale and appearance, it is not considered that the projection of the bays towards Leigh Road

would render the development too conspicuous, including in south-westerly views towards Ollerbarrow House.

37. Therefore, and whilst the broad arrangement of the four building blocks on the site has remained the same, it is considered that the scale and siting of the proposal is reflective of the established pattern and form of development in this part of Hale. In turn these improvements to overall proportions and to building silhouette would enable the development to establish a better relationship with nearby heritage assets, it is considered. This is, of course, subject to suitable design detailing, as explained below.
38. In this respect there have been a number of attempts to define an appropriate external appearance for the buildings, and with initial proposals considered to be inappropriately detailed (with this earlier architecture considered to be too tall and narrow in its design). Following concerns raised, efforts have been made on the part of the applicant to better research the architectural character of the conservation area and of the residential streets surrounding the site which similarly have visual influence. This exercise has demonstrated that existing housing (including along Leigh Road and Addison Road) is low-lying in form and has a horizontal emphasis (and thus is reflective of the Arts and Craft period to which it dates). Whilst much earlier in date, the proportions of Ollerbarrow House are also much more 'squat'.
39. That a more successful architectural design has now been put forward is considered a product of a better-proportioned development as a whole. The conclusion that the previous proposal would be at odds with the conventional horizontal rhythm displayed within the street scene was only exacerbated by that proposal's elevated ridge line. Nonetheless, the visual betterment that would be derived from a more appropriately-scaled development would be further maximised by the changes to external appearance that have also been secured. The two-storey projecting bays to the front of each building have been reduced in height, and with hipped roofs and splayed corners introduced. A very similar design feature can be observed in existing housing along Leigh Road. The positioning, quantity and dimensions of window openings has also been revised to better imitate surrounding precedents, and with previous full height windows to principal elevations omitted. Unnecessary and superfluous design elements have also been removed, whilst more characteristic design features have been introduced. This includes a brick corbel detail at first floor level and exposed rafter ends at eaves level. The shop front to Leigh Road has also undergone considerable change; a modern glazed frontage has been replaced with a much more traditional arrangement which incorporates a fascia panel, stallriser, pilasters and a traditional window display. Such a design would reflect the historic shop fronts that can be found along Ashley Road.
40. The materials strategy has also evolved. Whilst the proposal has consistently been based on the use of a red brick and a slate tile, a more thorough materials analysis has recently been undertaken in order that the development would fit with its surroundings. Red brick would remain the main material, but with it laid in a different bond for the projecting bays. A contrasting red brick would then be used to define the edges of the bays and at other termination points, and then also utilised in the corbel detail. Painted stone headers and cills are proposed and then a natural slate tile for the roof. Officers are satisfied that this choice of approach - including the use of quoins, variations in brick work colour and pattern, other brick decoration, and contrasting window/door surrounds - would suitably reflect the architectural themes which persist within the conservation area and which are also observed on adjoining streets. However, whilst the materials mix has been accepted in principle, a



condition would be used to secure samples and full specifications of all external materials proposed (and with an expectation, as already made clear to the applicant, that high quality materials would be selected throughout).

41. There is a further feature of the development that has posed a specific design challenge. The conservation area SPD, in setting out the extent to which a building positively shapes the character of a conservation area, explains that back elevations can be equally as important, as can side views from alleys and yards. However, it was not felt that earlier versions of this proposal had paid sufficient regard to the development's south-west facing scene; the component that would be seen in oblique views from Ashley Road and close to Ollerbarrow House. This was in the context of flat roof dormers that were proposed in the rear of roofs to the houses, and moreover this is the area of the site where the development's car parking requirements would be concentrated. The proposal is still based on the provision of living accommodation with the roof of the houses, however the space provided has decreased, as has been explained. The effect is that the number of dormers per house has been reduced from two to one, and the dormer design has been revised to incorporate some appropriate architectural detailing.
42. In respect of the area of parking, a much more considered approach to landscaping, in terms of both hard and soft elements, has been taken and with this serving to successfully mitigate otherwise undesirable effects. A higher quality surface material in the form of concrete block pavers is proposed for the parking spaces, and with darker blocks used to demarcate the bays. The rear boundaries of the gardens to the houses, which adjoin the parking bays, had previously been indicated as high, unrelieved timber fencing. Whilst recognising that this boundary would need to be secure, the revised proposal is based on the provision of vertical bar railings (at 1.8 metres), and then with this supplemented by beech hedging to either side. This boundary planting would be consistent with the verdant character of the conservation area, it is considered; it would provide a pleasant green edge to the development and its closest point to Ollerbarrow House.
43. In this respect, it has already been commented that there are trees within and adjacent to the site. Most notably this includes a street tree within the footway to Leigh Road (identified as T1 within the submitted Arboricultural Impact Assessment, 'AIA'). This is a mature lime tree with a full crown, and which the Council's Tree officer regards as making a very positive contribution to the Leigh Road street scene. Earlier iterations of the proposal assumed the loss of this tree in order to facilitate the construction of the retail/apartment building. However, that the tree could in fact be successfully retained has since been demonstrated. Whilst the development would encroach within the tree's root protection area, the AIA advocates the use of careful construction techniques with the intention of preventing irreparable damage to the tree's roots. The Tree officer has confirmed acceptance with these conclusions, subject to these practices being conditioned, together with a requirement for the erection of tree protection fencing. That the tree may come under some pressure for pruning in the future is acknowledged, but nonetheless that the site's redevelopment could be achieved whilst preserving this tree weighs in this proposal's favour.
44. The improvements derived from the proposed reduction in the ridge line of the development have been documented. However, in turn this revision has introduced a design feature which is not preferred. In order to maximise the accommodation in the roof space, the height decrease has been achieved by slicing the roof slope to form a flat surface at its upper level. This type of contrived approach is generally not looked upon favourably in design terms. However, there are other examples, including within the Hale Station Conservation Area, where modern developments have

incorporated a similar artificial solution (including at the junction with Leigh Road and Cambridge Road). However, it is an 'in principle' objection that applies in this case since in reality the roofs would only be observable from a limited number of viewpoints (chiefly up and down Leigh Road) *and* when looking skyward. For the most part, the development would be read as encompassing a series of pitched roofs, and furthermore the actual flat roof element is only a small proportion of the roof structure as a whole. Nevertheless, that it would have been preferable to avoid this design feature is recorded.

45. It is evident, therefore, that very positive advancements have been made to secure an appropriate redevelopment of the site. This has been achieved through a more suitably scaled and sited development, the ability to retain an important mature tree, an integrated approach to hard and soft landscaping, taking appropriate influence from the recognised architectural styles within and beyond the conservation area, and careful selection of the materials. The result is a development that would protect the setting of the Grade II Listed Ollerbarrow House and of the Hale Station Conservation Area by better reflecting the historic and established character of the surrounding environment, it has been concluded.
46. The Council's Heritage Development officer has been involved in the design development process and has provided formal comments in respect of the proposal subject of this application. These comments also record that positive revisions have been made to the scheme. As such - it is continued - the development would sit relatively comfortably with the existing urban grain of the retail core and of the wider residential area. Whilst some minor concerns are raised in respect of the flat roof component, that this feature would have limited visibility is conceded. Subject to conditions being put in place to ensure that the development would be constructed from a good quality palette of materials, the comments conclude that there are 'no objections.'
47. When reverting to the policy and statutory tests affecting heritage assets, it is therefore considered that the obligations set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 have been addressed. In turning to the Core Strategy, and Policy R1 specifically, the proposal is also regarded as being consistent with this policy's aims since it can reasonably be concluded that the character and appearance of the listed building and the conservation area, including their wider settings, would be safeguarded.
48. However, that Policy R1 is out-of-date has already been referred to, and with this arising because it does not acknowledge that heritage harm could be outweighed by public benefits, and thereby the tests of the NPPF (at paragraphs 195 and 196) ordinarily remain to be applied in treating this guidance as a material consideration. However, in actual fact, it has been concluded that no harm amounting to even 'less than substantial' would occur (including in respect of the roof structure), and thus there is no need to progress to the balance embodied in paragraph 196 of the NPPF. Rather - when employing up-to-date NPPF terminology - it can be concluded that the development proposed would not result in material harm to the significance of either the Grade II Listed Ollerbarrow House or the Hale Station Conservation Area. In any event the requirements of the NPPF have also been fulfilled, it is considered.

#### Landscaping and Green Infrastructure

49. The NPPF is clear that the creation of well-designed places is dependent on the incorporation of appropriate and effective landscaping (paragraph 137). In turn, the

importance of quality landscape treatment in all new development proposals is further recognised by Policy L7 of the Core Strategy. Allied to Policy L7, there is a further policy requirement within the Core Strategy regarding on-site planting in particular. This is covered by Policy R3 (Green Infrastructure), and is complemented by SPD1: Planning Obligations. Policy R3 explains that new development will be expected to contribute on an appropriate scale to the provision of 'green infrastructure'. The aim is for a multifunctional network of green spaces, delivering benefits for people, the economy, and the environment, to be provided across Trafford, it continues. In giving further guidance, the SPD refers to 'specific green infrastructure' which could include tree planting, new hedging and other forms of soft landscaping (including green walls or sedum roofs). The scale of provision should be tailored to the details of the proposal since the intention is that it would mitigate specific issues in that area, it is explained. The SPD also sets out that on-site provision, rather than a financial contribution towards off-site provision, would normally be expected.

50. As part of the above discussion regarding the impact of the proposal on the significance of heritage assets, some commentary has already been provided regarding the proposed approach to landscaping and tree retention. As part of this it was confirmed that the T1 street tree, which is one of a coordinating row of lime trees along Leigh Road, would be retained. However, other trees would be lost, and with these comprising those trees planted when the library was first constructed (seven in total). The trees to be removed are of lesser amenity value, the Council's Tree officer has confirmed. Moreover, replacement planting is proposed which would sufficiently compensate, the Tree officer's consultation response records. With reference to the submitted Landscape Strategy, six new trees are proposed along the Addison Road frontage and within front gardens. These would be supplemented (for each Addison Road house) by a loose informal hedge behind a low stone wall with railings atop. The hedging to the high railings to the gardens' rear boundaries has already been described, and then with further planting at the vehicular entrance and close to the bin store. An area of shrub planting outside of the retail/apartment building is also proposed. Overall, it is considered that this soft landscaping in totality would further positively contribute to the new development by promoting additional green character to the site and in helping to assimilate buildings into the street scene. This would be subject to careful implementation and management, which would be conditioned.
51. In addition, it is considered that the level and type of planting that has been incorporated – in categorising it as 'specific green infrastructure' – is sufficient to mitigate the general effects of the development in the manner envisaged by Core Strategy Policy R3 and SPD1.
52. Details regarding hard landscape works have also been provided as part of the application package, and with some of this already described. The provision of low stone walls to front gardens is considered an important feature and with this reflecting existing front boundary treatments on nearby residential streets. Whilst some timber fencing remains, this has been kept to a minimum, and with either planting used to obscure it, its use confined to those parts of the site that would not be widely visible to public view, or a higher specification offered. However, again, whilst the general approach to hard landscaping is considered appropriate, sample materials and full specifications would be requested via condition.

### Highways Matters

53. The NPPF explains that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability objectives (paragraph 103). Accordingly, it advises that planning decisions should ensure that

developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development should only be prevented or refused on transport grounds, it continues, if there would be an unacceptable impact on highway safety or 'the residual cumulative impacts on the road network would be severe', it advises (paragraph 109). Policy L4 (Sustainable Transport and Accessibility) is the relevant policy at development plan level. This is clear that planning permission will not be granted for new development that is likely to have a 'significant adverse impact' on the safe and efficient operation of the strategic road network (SRN), and the primary and local highway network. It has been concluded that the 'severe' reference within the NPPF is a more stringent test for residual cumulative impacts, and thus Policy L4 is considered to be out-of-date for the purposes of decision-taking.

54. The highways implications of the proposed development have been closely scrutinised by the Local Highway Authority (LHA). That the site is located in an accessible area that benefits from existing transport networks and facilities, as well as local services and amenities, has already been touched upon. Hale train station is positioned 350 metres to the north-west of the site within reasonable walking distance and there are local bus services operating in Hale and with bus stops on Ashley Road a short distance away. That this is the case should enable some journeys to and from the site to be made in more sustainable ways. In any event, the LHA is satisfied that new car-borne traffic generated by the proposed development could be safely and comfortably absorbed by the local highway network without any requirement for infrastructure improvements or highways mitigation. A development of eight residential units and a small retail/commercial unit would not be a significant generator of traffic in the context of present levels of vehicular activity in an around Hale, the LHA considers, and of course the existing use of the site currently generates some vehicular movement.
55. The existing site has two vehicular crossing points: from Leigh Road and Addison Road. The Leigh Road crossing point then leads to a short unadopted access road which runs down the side of the library building and which provides access to the library car park. It also provides access to private parking areas at the rear of the Ashley Road retail units. The proposal involves the closure of the Addison Road access but the retention of the Leigh Road access. The dual function of the access road, in also serving the Ashley Road premises, would be unchanged, and with parking provided parallel to it. The mouth of the access would be widened, and it has been confirmed that two-way traffic could be achieved. The proposed access strategy has been the subject of some debate between the LHA and the applicant's team, and with some concerns initially raised and with amended plans submitted. That the Leigh Road street tree, to be retained, may impede visibility in approaching/exiting the site was initially identified as a problem, although it has since been acknowledged that this is an existing feature which already has some bearing on how drivers enter and leave the site, and with the use of the access (in terms of intensity) not materially altering. That the Leigh Road access would not be used by service or refuse traffic, but rather solely by residential occupiers, has further allayed concerns. With this confirmed, the LHA has confirmed acceptance with the proposed approach to vehicular access.
56. The means by which the proposed retail floorspace would be serviced has been a further area of exploration on the LHA's part. To reiterate, a flexible A1 (shop) use is sought for this unit, although it is understood that no tenant has been secured to date. The limited internal floor area (which could potentially be further subdivided) would prevent its occupation as a small supermarket (a Tesco Express, for example) which would depend upon daily and frequent deliveries, although that it could be

used as a smaller convenience store/top-up shop which may also receive goods on a day-by-day schedule cannot be ruled out. A provisional servicing strategy has been submitted by the applicant which illustrates that the unit would be serviced from the Leigh Road highway. However, this is not considered to represent an adequate solution since on-street parking takes place in this location for most of the day, and as such the space would not always be available. In recognising that the scale of the unit would serve in any event to restrict end users and would not facilitate intensive delivery arrangements based upon large delivery vehicles, the LHA has suggested the imposition of a condition which would request a Service Management Plan (once an occupier/occupiers has/have been secured and their servicing requirements are known). It is intended that this Plan would provide full details regarding the times/days of delivery and the size of vehicles used. From this it could be concluded whether the temporary use of the Leigh Road site access (at its mouth) for servicing would be acceptable or rather whether the reallocation of space on the Leigh Road highway to form a loading bay for use at certain periods of the day would be needed (and with the latter course of action, if justified, also requiring an amendment to the Traffic Regulation Order which exists on Leigh Road, which would be a separate application process for the applicant to secure).

57. The LHA is also satisfied with the amount of car parking incorporated on-site for the residential use (which amounts to two spaces per house and one space per apartment and is in accordance with the parking standards laid out in the Supplementary Planning Document, SPD3: Parking Standards and Design), and similarly that all spaces are capable of being accessed. No on-site parking is proposed for the retail/commercial unit but the LHA considers this acceptable when bearing in mind the site's district centre location and that this unit would not function as an isolated retail destination. Further to this, it is also evident that the site benefits from a surrounding residential catchment and that there is scope for some customers to visit on foot. There is some acknowledgement that the highways surrounding the application site experience some on-street parking pressures. This is as a consequence of the proximity to central Hale and also because many of the older residential properties lack any dedicated off-street parking. It is for this reason that a residents' permit parking scheme has recently been introduced which affects the highways of both Leigh Road and Addison Road (although that section of Addison Road which abuts the application site is not covered). Overall, the LHA is satisfied that the proposed development sufficiently caters for its own parking demands, and furthermore the newly operational parking regime should assist with preventing any unauthorised parking in the area. However, there is no justification, given the level of on-site parking incorporated and the modest scale of the scheme, to seek a financial contribution towards an extension of the existing parking restrictions to Addison Road, it is considered.
58. Finally, the allocation of space within the development to provide cycle parking for both resident and public use is considered acceptable, although further details of the type and number of cycle spaces would need to be agreed via condition, the LHA has advised.
59. Therefore, and with reference to the NPPF benchmark in paragraph 109, the LHA is satisfied that the proposed development would not have severe highways impacts. Some important conditions are recommended, however, as already identified, and with this supplemented by an additional condition which would ensure that two existing crossings on Addison Road, now redundant, would be removed. Thus, compliance with the NPPF and Core Strategy Policy L4 (to the extent that the latter is still relevant for the purposes of decision-taking) has been found.

## Residential Amenity

60. Policy L7 of the Core Strategy is clear that development proposals must not prejudice the amenity of occupants of adjacent properties by reason of an overbearing impact, overshadowing, overlooking, visual intrusion, or noise/disturbance. The need to establish decent standards of residential amenity for prospective occupiers of new residential development is also referred to. That the site presently accommodates a public building has already been explained. However, equally it is recognised that the site is bounded by residential properties, and moreover the proposal would involve a more intensive level of development.
61. The impact of the proposed built form on existing surrounding residential uses is covered first. This comprises, in the main, Leigh Road and Addison Road properties. An important consideration in seeking to deliver and maintain good standards of residential amenity is associated with avoiding adverse overlooking. This is ordinarily achieved by ensuring that an appropriate degree of separation exists, particularly between habitable room windows of facing properties. Supplementary Planning Guidance document SPG1: New Residential Development advises that window to window distances of 21 metres between principal elevations (which would contain habitable room windows) of facing two-storey properties should be encouraged (in circumstances where a public highway is crossed). In the case of the proposed six houses, a distance in the order of 18 metres would be achieved with the facing properties on Addison Road, which is obviously below standard. However, it has already been commented that the proposed development along the Addison Road frontage has been set back to preserve the existing building line, and thus in fact this extent of separation reflects present distances on Addison Road.
62. In turning to the development's other road-side aspect (Leigh Road), a similar 18 metre distance would be achieved for the most part. However, that the retail/apartment building has two-storey bays which project beyond this (less established) building line has also already been reported, and thus at this point the distance would reduce and would fall further below standard levels (to 17 metres). In recalling that an 18 metre distance exists for the most part along this elevation, and when accepting that distances less than this can be observed in other locations in central Hale, it is not considered that this aspect of the proposal would serve to materially undermine privacy levels to an extent that would be uncharacteristic of the area.
63. The gap between the rear elevation of the proposed houses and the rear elevations of the Ashley Road premises has also been considered. There is no evidence that these premises presently contain residential accommodation at the upper levels, although in the longer term this cannot be ruled out. Whilst the rear building line to Ashley Road varies considerably, separation distances typically range between 19 metres to 24 metres. Accordingly, this level of separation, which encompasses the Leigh Road access way, is considered acceptable in all cases.
64. The need to ensure that a development would not have an overbearing impact is a further, important residential amenity consideration. In this respect the proposal would deliver a form and height of development that is consistent with its surroundings, and with no adverse overbearing or overshadowing impacts presently experienced between properties. This conclusion also takes into account the impact of the proposal on the nearest residential property on Addison Road (no.9), to which the development would establish a different, but acceptable, relationship.

65. A further assessment has been undertaken to establish whether the proposal would provide a decent standard of amenity for prospective residents of the houses and apartments. As part of this the amount of private amenity space that has been incorporated has been examined. Access to private outdoor amenity space is needed for a variety of functional and recreational requirements and it provides important amenity value. This is recognised by the supplementary planning guidance document referred to above (SPG1). Whether the amount of proposed private outdoor space is adequate will depend on the size and type of residential unit and the nature of its surroundings, the document advises. Around 80 square metres of garden space will normally be acceptable for a three-bedroom semi-detached house in an area of similar properties, the SPG continues, but smaller houses, such as terraced properties, may be acceptable with somewhat less. For apartments, 18 square metres of space, including balconies and outdoor communal areas, is generally sufficient, the document cites.
66. The houses in this case comprise semi-detached, three-bedroomed properties. Whilst the plans indicate that each house would benefit from a small yard to Addison Road, the SPG is clear that the 80 square metres of private amenity space should not include front or side gardens open to public view. However, the proposals also allow for garden space to the rear, positioned between the rear elevations and the row of car parking spaces. They are broadly square in shape and with each garden diminishing in size as the retail/apartment building is approached. The largest garden would be approximately 45 square metres, whilst the smallest would be down to 30 square metres. Therefore, in all cases the amount of private amenity space would be quite considerably below guidance levels, and for some it would be less than half the recommended 80 square metres. However, the site's proximity to central Hale, where development densities are typically higher when compared to more outlying suburban locations, is noted. With this in mind, officers are satisfied that that - for the houses - sufficient outdoor amenity space at a level proportionate to the type of dwellings proposed and consistent with the character of the wider area is provided.
67. In considering the apartments, previous proposals relied upon the provision of first floor balconies and sunken terraces within the roof space. However, these features were subsequently excluded in the wider interests of visual amenity and also to protect the privacies of surrounding existing occupiers. With nothing provided communally at ground floor level, the proposed apartments now have no private outdoor amenity space. This is in conflict with SPG1 and it is acknowledged that it is not preferable. However, it is a product of negotiating improvements in other areas to protect *existing* standards. This impact of no private amenity space on prospective apartment residents is returned to.
68. There is a further area of the proposal that has posed a design challenge when assessing the ability of the development to provide a respectable level of residential amenity for new occupiers. This concerns the relationship between the retail/apartment building and the nearest proposed new dwelling. The retail/apartment building, which would front Leigh Road, commands a different orientation to the proposed houses, which would face Addison Road. There is a 90 degrees adjustment. However, the width of the retail/apartment building is greater than the depth of the houses, and it would project out a further 5 metres from the rear elevation of the nearest house. The importance in design terms of the proposed development suitably framing both the Leigh Road and Addison Road street frontages is understood, and therefore efforts have been made to progress this general configuration in order that any undesirable residential amenity impacts would be reduced. The reduction in the ridge height of the retail/apartment building has

been significant in this regard, and similarly the switch from a gabled to a hipped roof. In addition, a projecting bay has been re-sited and there would be a gap between the two properties. It is accepted that the arrangement is still not ideal; the rear elevation (unrelieved) of the retail/apartment building (a height of 5.7 metres to eaves level) would be positioned 1.2 metres from the house's side garden and with this built form continuing for the full length of the boundary.

69. However, as with the position regarding the lack of amenity space for the apartments, it has to be acknowledged that this is a scenario that would concern a prospective dwelling. Without undermining the importance of ensuring that new developments provide for the amenity of future residents, it is recognised that a prospective occupier can ordinarily choose to accept or decline the level of amenity afforded. This is a different scenario to where an existing standard of amenity which an occupier has already invested in could be prejudiced. The amendments made to the buildings' relationship have significantly reduced the impacts that would occur to the affected house; any undue sense of enclosure has been minimised, and likewise in relation to the extent of any overshadowing or feeling of overbearingness that may otherwise arise.
70. The NPPF, in encouraging local planning authorities to achieve appropriate densities in sustainable locations, acknowledges (at paragraph 123) that some flexibility may increasingly need to be applied when considering residential amenity (in order not to stifle development). It recognises that SPG1 is fifteen years old, it is anticipated that the emerging new design guide for Trafford will establish replacement amenity guidelines that will be more reflective of up-to-date national policy. Therefore, and whilst maintaining that the position for *some* prospective residents (of the apartments and of one house) is not preferred in the context of current guidance, it is considered that the development (even for these residents) would still provide acceptable living standards *as a whole*.
71. Finally, the list of consideration established by Policy L7 in the interests of protecting residential amenity also includes the potential for noise and disturbance introduced by a proposed development. Whilst the majority of the site is to be developed for residential purposes, another component of the proposal is the formation of new retail space. The applicant has confirmed the intention for this to be used for Class A1 (shops) rather than for other Class A categories which could have greater potential to be less compatible with a surrounding residential environment. The hours of opening put forward are commensurate with a typical retail use, with opening at 0730 and closure at 1900 (and more restrictive on Sundays and Bank Holidays). Of course, the retail use has the potential to impact upon, not only existing neighbouring occupiers, but also prospective occupiers of the development itself, particularly those within the apartments above. Accordingly, a noise impact assessment was requested to support this aspect of the proposal. The submitted assessment has been reviewed by the Council's Nuisance team and a consultation response has been received. Significantly, the comments record acceptance with the proposed hours of operation, although with a condition recommended to ensure that these hours are not breached. Some further conditions are advised to provide additional safeguards against noise. This includes, importantly, a restriction on the hours of delivery and refuse collection to the retail unit, a requirement for certain design recommendations contained in the noise impact assessment to be implemented, and noise limits on any fixed plant to be installed. Additional conditions are recommended to control other potential areas of nuisance, to ensure - for example - that any external lighting to be erected would not cause undue glare. Finally, it is advised that a construction environmental management plan is conditioned with the aim of minimising the impacts of construction activities (including controls on the



hours of demolition/construction). Overall, the consultation response confirms that there would be no significant adverse noise, or other nuisance, impacts, from the operation of the development, although this is subject to the imposition of several important conditions.

72. Therefore, officers are satisfied that amenity standards for Leigh Road and Addison Road residents would be maintained, which is important. Decent and proportionate amenity levels would also be provided for all prospective residents, it is considered. That there are some shortcomings in this respect has been acknowledged – however - and some SPG guidance has not been met, it has been explained. Despite this, overall it is not felt that the degree of conflict in respect of prospective residents amounts to the proposal being contrary to Policy L7 when having regard to the circumstances of the case.

### Other Planning Matters

73. A Bat Survey submitted with the application confirms that the existing library building offers negligible roosting opportunity for bats, and no evidence of bat presence was recorded. It continues that no trees suitable to support a bat roost would be impacted upon by the proposals. The Greater Manchester Ecology Unit has confirmed acceptance with these findings, although it has advised that if bats were to be found during site works then work must stop immediately (and with this included as an advisory note on any grant of planning permission). Further conditions/informatives are recommended with the purpose of confining the tree works to a period outside of the main bird breeding season, and also to encourage the incorporation of design features that would enhance the site's biodiversity value. Overall, it is concluded that the proposal is acceptable in ecological terms and is compliant in this respect with (up-to-date) Policy R2 of the Trafford Core Strategy.
74. In addition, the Council's Contaminated Land team is satisfied that there are no concerns regarding the presence of land contamination in the area of the application site. Furthermore, the Lead Local Flood Authority has concluded that the site is not at risk of flooding and that the development would not increase flooding conditions within the site or beyond. A condition is recommended, however, in order to ensure that the development is implemented in accordance with the submitted (and revised) drainage strategy. Compliance with Policy L5 of the Core Strategy, on matters of ground pollution and flood risk, has therefore been found, and with this policy (on these topic areas) regarded as being consistent with the NPPF and therefore up-to-date.
75. Details have been submitted in order to demonstrate that an appropriate system for refuse storage and collection can be incorporated in to the development, and this has been accepted by the Council's Waste Management team. Finally, the Greater Manchester Archaeological Advisory Service is satisfied that there are no heritage assets of archaeological interest in the vicinity of the site that could be impacted upon.

### **DEVELOPER CONTRIBUTIONS**

76. The residential component of the proposal is liable for a charge under the Community Infrastructure Levy (CIL).

## CONCLUSIONS

77. The application site is located in central Hale and within the boundary of Hale District Centre, albeit it in a more secondary location. It lies adjacent to Hale Station Conservation Area and there is a Grade II Listed Building nearby. The site presently accommodates Hale library. The application involves the redevelopment of the site and the provision of new residential development in the form of six semi-detached houses and two apartments. Within the apartment building new retail floorspace is also proposed. The application is submitted in conjunction with a further planning application which proposes a replacement library within a new multi-functional community building a short distance away on Cecil Road.
78. The site has sensitivity in design terms, and this is in view of its proximity to designated heritage assets. The scheme presented in this application has been the subject of protracted design discussions, and it follows the conclusions of a constructive pre-application process. Important amendments have been made to the development's scale and height, to its positioning, to its external appearance and materials, and to existing and proposed landscaping. The outcome is a development that would now be compatible with established historic form and character and which would not dominate within the street scene. Whilst it has not been possible to address all design shortcomings, such as a flat roof component, it has been concluded that the residual effects would not result in material harm to heritage assets including their setting.
79. In returning to the fundamental decision-taking framework identified at the beginning of this report, 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* development plan, permission should not normally be granted.
80. However, this report has identified that the Core Strategy is not an up-to-date development plan for the purposes of this application since policies of most importance in its determination are out-of-date. In such a scenario paragraph 11d of the NPPF advises that 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.
81. In considering subsection i, NPPF policies intended to protect the significance of heritage assets have been employed as a material consideration and as a substitute to out-of-date Policy R1. However, as reflected in paragraph 80 above, the proposal has been found to safeguard the significance of both the listed building and the conservation area. Thus, the application of the NPPF's heritage guidance does not provide a reason for refusing the development proposed.
82. In respect of subsection ii, which is 'the presumption in favour of sustainable development', this officer report has identified that the proposed development would

directly deliver a number of important benefits. The site has been accepted, in principle, as a suitable location for housing development, which is significant. It follows that the main key benefits derive from the proposal's residential offer, and in particular the contribution that would be made to meeting the Borough's housing supply targets. This is especially important in the context of the current housing supply deficit and the recently uplifted annual housing requirement. The site's brownfield and sustainability credentials are further advantageous in this regard. That new residential units, together with the retail floorspace, would support the functioning of Hale District Centre has also been identified as a benefit.

83. Officers have spent some considerable time in respect of this proposal to minimise the extent of any harms, and in fact no direct policy conflicts have been identified within this report's assessment. However, that there are some remaining issues that it has not been possible to address has been made clear, and with this - in some cases - departing from accepted guidance. This includes in respect of residential to residential separation distances, the existence of engineered flat roofs within the development, and deficient or lacking private outdoor amenity space. Even in these cases, however, officers have concluded that the degree of harm is not sufficient to justify a separate reason for refusal. From this position, therefore, officers are satisfied that any residual harm that would arise, even when accumulated, would be appropriately outweighed.
84. Therefore, in returning to paragraph 11(d)(ii) of the NPPF, it has been concluded that any adverse impacts arising from the scheme would not *significantly and demonstrably* outweigh the benefits. It is therefore recommended that planning permission is granted.

### **RECOMMENDATION:**

**GRANT** subject to the following conditions:-

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

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

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

Location plan (ref. 18014 (PL) 005 A)  
Proposed site layout plan (ref. 18014 (PL) 400 G)  
Proposed retail/apartment floor plans 1 (ref. 18014 (PL) 100 C)  
Proposed retail/apartment floor plans 2 (ref. 18014 (PL) 101 B)  
Proposed retail/apartment elevations 1 (ref. 18014 (PL) 200 C)  
Proposed retail/apartment elevations 2 (ref. 18014 (PL) 201 B)  
Proposed house floor plans 1 (ref. 18014 (PL) 150)  
Proposed house floor plans 2 (ref. 18014 (PL) 151 A)  
Proposed house elevations 1 (ref. 18014 (PL) 250 A)  
Proposed house elevations 2 (ref. 18014 (PL) 251)  
Proposed retail/apartment materials (ref. 18014 (PL) 501)  
Proposed house materials (ref. 18014 (PL) 501 A)  
Proposed street scenes (ref. 18014 (PL) 301 B)  
Proposed landscape plan (ref. 201 P8)

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

3. The existing library at the application site shall not be closed to the public until the new library subject to permission ref. 97375/FUL/19 is provided and is open to the public.

Reason: To ensure the continued provision of community facilities within Hale District Centre in the interests of promoting healthy and social communities and vital and viable town centres, having regard to Strategic Objective SO4 and Policy W2 of the Trafford Core Strategy, and the National Planning Policy Framework.

4. Notwithstanding the approved plans as referred to at condition no. 2, no above-ground construction works shall take place unless and until samples and specifications of all materials to be used externally on the buildings hereby approved have been submitted to and approved in writing by the local planning authority. The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of the proposed brickwork illustrating the type of joint, the type of bonding, the brick edge detail and the colour of mortar to be used, and with these sample panels available on site for inspection. 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 and the character, appearance and setting of adjacent heritage assets, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

5. Notwithstanding the approved plans as referred to at condition no. 2, no above-ground construction works shall take place unless and until full design details of all windows and external doors have been submitted to and approved in writing by the local planning authority. The submitted details shall include sectional drawings at a scale of 1:10 which shall illustrate a recess to the windows and external doors. 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 and the character, appearance and setting of the conservation area, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No above-ground construction works shall take place unless and until full design details of the new shop front have been submitted to and approved in writing by the local planning authority. The submitted details shall include sectional drawings at a scale of 1:10. 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 and the character and appearance of adjacent heritage assets, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

7. No above-ground construction works shall take place unless and until a scheme for the provision of utility meter boxes to serve the development has first been submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved scheme.

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

8. Notwithstanding the approved plans as referred to at condition no. 2, no above-ground construction works shall take place until samples and full specifications of all hard landscape works to be used throughout the development hereby approved have been submitted to and approved in writing by the local planning authority. The details shall include: materials for vehicle and pedestrian routes; all other hard surfacing materials; means of enclosure/boundary treatments; all street furniture and planting beds; refuse and cycle stores; and an implementation programme. 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 and the character, appearance and setting of adjacent heritage assets, having regard to Policy L7 and Policy R1 of the Trafford Core Strategy and the National Planning Policy Framework.

9. Notwithstanding the approved plans as referred to in condition no. 2 and the submitted Landscape Strategy dated March 2019 (Revision B) and prepared by BCA Landscape, no above-ground construction works shall take place unless and until full details of all soft landscaping to be provided throughout the development 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; planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants (noting species, which shall include native species, plant sizes and proposed numbers/densities); existing trees to be retained; a planting implementation programme; and a landscape management and maintenance plan. The schedules of plants shall be based on the provision of at least six new trees, and other planting, in accordance with paragraph 3.6 of the submitted Landscape Strategy. The soft landscaping works shall be carried out and maintained in accordance with the approved implementation programme and management plan.

Reason: To ensure that the site is satisfactorily landscaped and that replacement planting, including with biodiversity value, is provided, in accordance with Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy and the National Planning Policy Framework.

10. Any trees or shrubs planted in accordance with the approved landscaping works which are removed, die, become diseased or seriously damaged then replacement trees or shrubs shall be planted in the next planting season with others of similar size and species.

Reason: To ensure that the site is satisfactorily landscaped and that replacement planting is provided, in accordance with Policy L7, Policy R2 and Policy R3 of the Trafford Core Strategy and the National Planning Policy Framework.

11. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction, Recommendations' and as shown on the submitted Tree Impact Plan 02 (ref. 15.541 200 P01). 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. In addition, the measures identified within the submitted Tree Survey and Arboricultural Method Statement (dated March 2019 and prepared by BCA Landscape) at paragraph 4.2, designed to provide further protection to existing trees during the construction period, shall be undertaken.

Reason: In order to protect the existing trees on and adjacent to the site in the interests of the amenities of the area having regard to Policy L7, Policy R2 and Policy 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, could damage the trees.

12. Prior to any above-ground construction works taking place, a scheme for the provision of the following features within the development shall be submitted to and approved in writing by the local planning authority: bat bricks/tubes, bat boxes, and bird boxes. The approved details shall be installed prior to the occupation of the development and shall be retained thereafter.

Reason: To enhance the biodiversity value of the site, having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

13. The development shall be designed, constructed and operated in accordance with the submitted underground drainage plan (ref. DR01 rev. B).

Reason: Such details need to be incorporated into the design and operation of the development to prevent the risk of flooding, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

15. No above ground construction works shall take place until a scheme for the provision of electric vehicle charging points within the residential development hereby approved has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and the infrastructure shall be retained thereafter.

Reason: In the interests of environmental protection, having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

16. The retail floorspace hereby approved shall be used for Class A1 (shops) purposes and for no other purpose, including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-acting that Order with or without modification.

Reason: In the interests of residential amenity and to reflect the basis on which the application has been assessed, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

17. The hours of opening of the approved retail floorspace shall be limited to 0730 hours to 1900 hours Monday to Saturday, and 0900 hours to 1600 hours on Sundays and Bank Holidays.

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

18. No servicing, deliveries or refuse collections to the approved retail floorspace shall be made after 1900 hours or before 0800 hours Mondays to Saturdays, and servicing, deliveries and refuse collections shall not be permitted on Sundays and Bank Holidays.

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

19. The rating level (LAeq,T) from any fixed plant and machinery associated with the development hereby approved, when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments shall 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 Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

20. The development hereby approved shall be constructed to incorporate the glazing specified in the submitted Acoustic Survey (prepared by Braiden Acoustics Ltd, dated 19<sup>th</sup> May 2019, ref. 10611revC). Prior to the residential use commencing, a verification report shall be submitted to and approved in writing by the local planning authority which shall confirm that these recommendations have been implemented in full. Thereafter the development shall be maintained in accordance with the approved details for the lifetime of the development.

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

21. No above-ground construction works shall take place until a scheme detailing all external lighting equipment to be installed within the development has been submitted to and approved in writing by the local planning authority. The submitted details shall demonstrate that all lighting associated with the development shall comply with the requirements of the ILE Guidance Notes for the Reduction of Obtrusive Light GN01:2011. The lighting shall be implemented and operated as approved.

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

22. No development shall take place, including any works of demolition, unless and until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The submitted Management Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors (which shall be within the site)
- ii. loading and unloading of plant and materials including times of access/egress
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoardings
- v. wheel washing facilities, including measures for keeping the highway clean

- vi. measures to control the emission of dust and dirt during demolition and construction processes
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction processes (and which prohibits fires on site)
- viii. proposed hours of demolition and construction activity
- ix. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- x. procedures for dealing with any complaints and
- xi. information regarding how asbestos material is to be identified, treated and disposed of.

The approved Method Statement shall be adhered to throughout the demolition/construction period.

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 L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

23. Refuse storage and waste collections in respect of the residential use hereby approved shall take place in accordance with the submitted servicing strategy plan (ref. 18014 (PL) 450 A).

Reason: In the interests of highway safety and residential amenity and to ensure that satisfactory arrangements are in place for the disposal of refuse, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

24. The development hereby approved shall not be occupied until the car parking spaces as shown on approved plan ref. 18014 (PL) 400 F have been laid out and are available for use. The parking spaces shall be retained at all times thereafter.

Reason: To ensure that an adequate level of car parking is provided, having regard to Policy L4 of the Trafford Core Strategy and the National Planning Policy Framework.

25. The vehicular access to/from Leigh Road shall be completed in accordance with the approved plan (ref. 18014 (PL) 400 G), it shall be made available for use prior to the use of the development commencing, and it shall be retained at all times thereafter.

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

26. The two existing accesses from Addison Road shall be permanently closed off and the footway/verge crossings reinstated prior to the use of the approved development commencing and in accordance with details that shall have firstly been submitted to and approved in writing by the local planning authority.

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

27. No above-ground construction works shall take place unless and until full details of cycle parking to be provided to serve the development has been submitted to and



approved in writing. The submitted details, which shall be based on approved plan ref. 201 P8, shall include both resident and public cycle parking and shall illustrate the type of parking facility (which shall be secured and sheltered for resident use) and the number of cycles accommodated.

Reason: To ensure that satisfactory cycle parking provision is made in the interests of promoting sustainable travel, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

28. Notwithstanding the submitted servicing strategy plan (ref. 18014 (PL) 450 A), prior to the use of the approved retail floorspace commencing, a Service Management Plan shall be submitted to and approved in writing by the local planning authority. The submitted Service Management Plan shall provide full details of the servicing arrangements to the retail floorspace and shall include a detailed delivery schedule over a week period, the maximum size/s of vehicles to be used, the proposed location of parked vehicles, and vehicular tracking diagrams. The servicing provision, as approved, shall be provided before the retail floorspace is first brought into use and servicing and deliveries shall thereafter take place in accordance with the approved Service Management Plan.

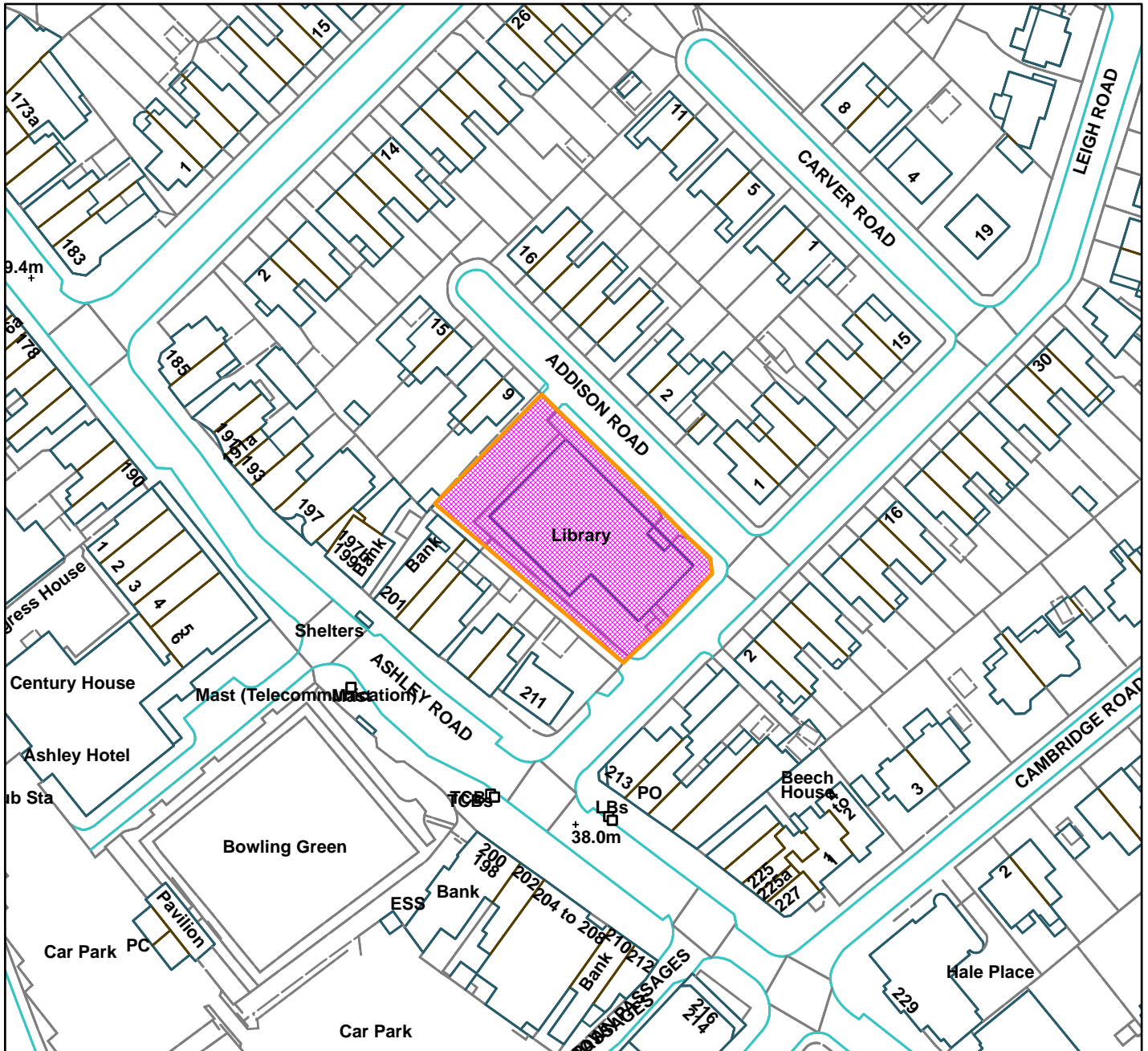
Reason: To ensure that the site is properly and safely serviced in the interests of highway safety, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

**BB**

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Hale Library, Leigh Road, Hale, WA15 9BG



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
MSA Number	100023172 (2012)

**WARD:** Longford

**97477/FUL/19**

**DEPARTURE:** No

**Erection of a single storey extension, reconfiguration of car parking and ancillary works**

Stretford Grammar School, Granby Road, Stretford, M32 8JB

**APPLICANT:** Mr Michael Mullins, Stretford Grammar School

**AGENT:** Mr Neil Adshead, Ellis Williams Architects

**RECOMMENDATION: GRANT**

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**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**

The site relates to a school situated to the south of Edge Lane in Stretford. Vehicular access is via Granby Road to the west of the site with space for 65no vehicles being provided within the school car park. The site falls entirely within the defined Green Belt whilst the southern part of the site is within Flood Zones 2 and 3The remainder of the site lies within Flood Zone 1. The school building itself and the car park are situated within the northern part of the site, whilst the southern part is largely comprised of grass playing fields and hard-surfaced playing facilities.

Land to the west, north and north-east is largely within residential use whilst adjoining land to the south comprises Turn Moss Playing Fields, a substantial grassed sporting facility with access available for the general public.

It is understood that the school currently has 860 pupils on roll within Years 7-11 and the sixth form.

**PROPOSAL**

Planning permission is sought for the erection of a single storey extension to the north of the main school building. This would provide an additional 5no classrooms, 1no science lab, 1no office as well as associated toilets, plant, stores and foyer with a gross floor area of 860sqm. Materials include white and grey facing brickwork walls with aluminium window reveals and vertical timber cladding above. Also proposed is the reconfiguration of the existing car park with an increase in the number of car parking spaces provided to 76.

The submitted Planning Statement notes that the School has recently made an application to the Selective Schools Expansion Fund (SSEF) to secure funding support

for the provision of additional accommodation. It is the extension for which planning permission is now sought which this funding would be put towards. The Statement goes on to say that the primary purpose and reason for the extension and funding is to enable the school to significantly increase the number of pupils from less affluent backgrounds. Overall, the extension would enable an increase in the annual in-take of pupils in Years 7-11 from 128 to 160, and an associated increase in the number of disadvantaged pupils.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
R2 – Natural Environment  
R3 – Green Infrastructure  
R4 – Green Belt, Countryside and Other Protected Open Land  
R5 – Open Space, Sport and Recreation

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD3 – Parking Standards & Design

## **PROPOSALS MAP NOTATION**

Green Belt  
Area of Landscape Protection  
Critical Drainage Area  
Glaciofluvial Deposit Mineral Safeguarding Area

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

ENV17 – 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, and following a redraft a further period of consultation commenced in January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the revised National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

### **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The DCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2014 and was last updated on 26 June 2019. The NPPG will be referred to as appropriate in the report.

### **RELEVANT PLANNING HISTORY**

H/LPA/64236: Single storey extension to form staff workplace – Approved with conditions 19/06/2006.

H/57172: Erection of single storey extensions to enlarge staff room – Approved with conditions 01/09/2003.

H/LPA/53233: Erection of single storey extension to dining room – Approved with conditions 28/03/2002.

H/LPA/50968: Erection of single storey building to be used as laboratories and alteration to car parking – Approved with conditions 29/03/2001.

H/LPA/49645: Erection of single storey demountable classroom unit – Approved with conditions 01/08/2000.

H19481: Erection of two storey extension to grammar school – Deemed consent 12/07/1984.

### **APPLICANT'S SUBMISSION**

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

- Design and Access Statement
- Flood Risk Assessment and Outline Drainage Strategy
- Planning Statement including Green Belt Assessment
- Transport Statement

### **CONSULTATIONS**

**Arboriculturist:** No objection to tree removal subject to replacement planting.

**Cadent (National Grid):** Informative provided.

**Greater Manchester Police (Design for Security):** Recommendations made regarding design of the scheme.

**Lead Local Flood Authority:** No objection subject to conditions.

**Local Highway Authority:** No objections in principle, conditions recommended.

**Pollution & Licensing (Nuisance):** No objection subject to conditions.

**United Utilities:** Conditions recommended.

### **REPRESENTATIONS**

Five letters of objection and a petition against the development containing eleven signatures have been received. These raise the following concerns:

- Development of this scale should not be allowed in the Green Belt
- The proposed building is too big and will come within 30m of local residents' flats
- The main entrance will cause an increase in noise and disturbance, being closer to residential properties
- Additional traffic disturbance and congestion on Wansbeck Close and surrounding roads due to increase in pupil and staff numbers
- The development will cause parking problems with parents and taxis waiting to pick up children
- Increased air pollution from cars leaving their engines running
- Noise impact during building work
- Roof of building will encroach on privacy and impact upon skyline and natural light

- Accepting more children from outside 3-mile catchment area is contrary to green policies
- Transport Statement is deliberately vague and misleading
- Data does not take account of the actual number of trips being undertaken
- Congestion in the immediate area, including Granby Road during pick-up and drop-off times as there is no access to school or turning circle
- Consideration should be given to increasing access points to the school and/or making Granby Road access only
- Extension will be extended in the future with a second floor
- The school did not consult with local residents prior to submitting application
- The school should support travel by bike or public transport
- Discrepancies between submitted documents
- Proposal is inappropriate development in Green Belt
- The proposed building would have no relationship to existing school building in terms of design. The roof would be completely out of character
- No justification of need for the development

Two letters of support have been received and these make the following points:

- In favour of a lower rise elevation as proposed as it will be in keeping with the current building's height and surrounding nature
- Happy to hear of new tree planting and landscaping
- Any traffic and noise associated with the revised layout and increased student numbers will be minimal and confined to the start/end of the school day
- Already some overlooking, any additional overlooking would not cause concern
- The school is in desperate need of modernisation and the proposals would benefit the local community

## **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 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. 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(c) of the NPPF states that development proposals that accord with an up-to-date development plan should be approved 'without delay'. 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. Core Strategy policies controlling Green Belt development (R4) and design (L7) are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11(d). Policy R4 is consistent with the NPPF and is considered up to date. Policy L7 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.
6. Given the above, the application should be determined in the context of NPPF Paragraph 11(c) as set out above.

#### Green Belt:

7. 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. This policy is consistent with the NPPF and is considered up to date along with appendix 4. Full weight should be afforded to this policy.
8. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. It sets out the five



purposes of Green Belt and states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It is considered that the proposed development would not compromise the five purposes of the Green Belt, as set out in the NPPF. The proposal would not result in the unrestricted sprawl of large built-up areas; would not cause the merging of neighbouring towns or the encroachment of the countryside; would not impact on the setting and special character of historic towns; and would not prejudice the urban regeneration objectives.

9. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with a number of exceptions being listed. These exceptions include:

*(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

*(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

10. With regard to (c) above, the extension together with earlier additions to the building is not considered to fall within the scope of development deemed appropriate by this part of the NPPF. In terms of (g) above, the land on which the building is proposed would constitute 'previously developed land', however the development is considered to have a greater impact on the openness of the Green Belt (albeit limited) than the existing development. The development is therefore not considered to fall within any of the exceptions listed in NPPF Paragraph 145 and should be treated as 'inappropriate development'.

11. Paragraph 143 of the NPPF states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. Paragraph 144 goes on to say that "very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'.

12. In assessing whether 'any other harm' exists (in addition to the inappropriateness), case law indicates that it is necessary to consider both Green Belt and non-Green Belt harm. In terms of Green Belt harm, the proposed

extension would be sited so as to reduce its prominence as far as possible, being located to the north of the existing building on land currently occupied by a car park and closer to the adjacent built-up urban area. This is considered to result in a very limited impact on openness, given that the character of this part of the site could not reasonably be described as particularly 'open'.

13. This limited harm to openness must be considered in addition to the inappropriateness identified above and must be afforded 'substantial' weight in the decision making process. There is not considered to be any other Green Belt harm associated with the development given the scheme's compliance with the five purposes set out above. In terms of non-Green Belt harm, other material planning matters are considered in the following sections of the report, however it is concluded that there is no further specific harm arising from the development which cannot be appropriately mitigated.
14. Given the harm identified above, it is necessary to consider whether 'very special circumstances' exist which would clearly outweigh this harm
15. The submitted Planning Statement notes that the applicant considers the proposal to fall within exception (g) of NPPF Paragraph 145, however this goes on to say that *"in the event that the Council disagreed with this assessment and deem the proposed extension to constitute inappropriate development in the Green Belt, we are of the view that very special circumstances exist in this case which means that the harm to the Green Belt by reason of inappropriateness, is outweighed by other considerations"*. Section 5 of the Planning Statement sets out the education case for the proposed extension and it is this which forms the applicant's argument for 'very special circumstances'.
16. This section of the Planning Statement notes that the school has recently made an application to the Selective Schools Expansion Fund (SSEF) to secure funding support for the provision of additional accommodation and specifically, the extension which is the subject of this planning application. This goes on to say that the primary purpose and reason for the extension and funding, is to enable the school to significantly increase the number of pupils from less affluent backgrounds, specifically an increase from 12% to 20% disadvantaged pupils. The overall increase in the capacity of the school would be 32no pupils per year, a total of approximately 160no pupils.
17. It is noted that the purpose of the SSEF funding is to support the expansion of schools where:
  - (a) *There is a need for additional places, both in terms of shortfall of secondary places in the local area and demand from parents for more selective places; and*
  - (b) *They have ambitious but deliverable plans for increasing access for disadvantaged pupils (i.e. pupils eligible for the pupil premium); and*

*(c) They have plans to work with other local schools to increase access for disadvantage pupils and to raise attainment.*

18. As such the funding would not be forthcoming and, based on the applicant's case, the extension not progressed unless the above criteria were met. Fulfilling the above criteria would therefore provide significant benefits for the school itself, the local community and the wider area in terms of increasing access.
19. In paragraphs 5.5 to 5.7 of the Planning Statement, the point is made that the school currently has a catchment area of 3 miles and the proposed extension and increased capacity would enable a greater number of pupils from disadvantaged backgrounds, who have met the required standard for entry to be accepted, despite being outside of this catchment area. It is acknowledged that there could be some impacts from this in terms of sustainable travel to the school, however this is considered to be a relatively limited impact given the proportion of pupils likely to be travelling from outside of the 3 mile catchment area.
20. The Planning Statement also refers a number of other reasons behind the proposed development which the applicant considers would contribute towards 'very special circumstances'.
21. This notes that there is an increased demand for school places generally due to population growth and an increase in the number of homes in the area. The case is made that the School (as well as other schools in the area) will need to increase its capacity to ensure that all children can attend a school in their local area. The Statement also refers to financial pressures due to reductions in Government funding and states that any increase in the number of pupils will help to compensate for disproportionate increases in annual costs compared to funding.
22. Another matter referred to is the need to modernise and upgrade the existing school accommodation due to its age. It is noted that larger classrooms are needed to meet the demands of a modern education system and it is 13 years since the school had any new accommodation. The Statement also highlights the need for a main entrance near to the front of the site and overlooking the main access point of the site, in the interests of pupil security and safeguarding. The need for the school to compete with other schools in the Borough is referenced, however Officers do not consider that this is a planning matter which could reasonably contribute towards 'very special circumstances'.
23. It is considered that the case made by the applicant regarding the need for the proposed extension has appropriately demonstrated the existence of 'very special circumstances' in this instance. The proposed extension would enable an increase in pupil numbers both from less affluent backgrounds and more

generally, which would be of significant benefit to the local community. The provision of modern educational facilities associated with the extension would also represent a significant benefit to a school which is clearly in need of upgraded accommodation that is fit for purpose, whilst moderate benefit would also be derived from having an entrance facing the main site access. NPPF paragraph 94 states that Local Planning Authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

24. Substantial weight has been afforded to the inappropriateness of the development together with its very limited harm to openness. However, the 'very special circumstances' identified above are considered to clearly outweigh this harm and in accordance with Paragraphs 143 and 144 of the NPPF and Policy R4 of the Trafford Core Strategy, the proposed development is deemed to be acceptable in this respect.

## DESIGN, APPEARANCE AND CHARACTER OF THE AREA

25. 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"*.
26. 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.
27. The overall scale of the proposed extension is considered to be acceptable. Its single storey scale and overall height is appropriate in this location and proportionate in relation to the existing building. It is acknowledged that the roof of the extension will result in this being taller than the single storey elements of the existing building, however this will serve to better integrate the extension with the other two storey elements whilst also providing additional interest to the design of the school as a whole. The footprint of the extension is not deemed to

be excessive and its location would serve as a focal point and main entrance when approaching the school.

28. The detailed design of the extension is also considered to be acceptable. The proposed materials are contemporary but would complement the existing buildings on site, although a condition should be attached to any consent issued requiring the submission of samples of all materials to be used, to ensure a high quality finish is achieved. The use of timber cladding in combination with white and grey facing brickwork and large glazed sections will achieve a relatively simple, modern design with limited impact on the character of the wider area. The approach taken is therefore considered to be acceptable in design terms.
29. 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 accordance with Policy L7 of the Core Strategy. 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

30. 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”*.
31. The proposed extension is considered to be a sufficient distance away from residential properties on Wansbeck Close to the north, Walwyn Close to the west and Ingleby Court to the east to ensure there is no unacceptable overlooking, overshadowing or overbearing impact on these neighbours. The closest residential properties to the extension would be those on Wansbeck Close, approximately 31m away at the closest point. Whilst windows are proposed in the north elevation of the extension, this distance is considered to be sufficient to protect the amenity of residents of these neighbours. There are no other properties which could reasonably be affected by the proposed development in this respect.
32. The site has an existing educational use and as such, nearby residents could reasonably expect some level of noise and general disturbance during school hours. Whilst it is acknowledged that the school building would be closer to neighbouring properties to the north as a result of this extension, all activity during school hours would remain confined to the site itself and the development proposed is not considered to impact detrimentally upon surrounding properties in this respect.

33. Furthermore, the Council's Pollution and Licensing section has been consulted and advises that *"for residents living close to a school site it is reasonable and natural to expect to be impacted by noise disturbance in this regard. This proposal does not bring about anything unusual or uncharacteristic in nature (we are not considering the introduction of a new and different noise source other than the plant room) and for this reason there are no grounds for refusal in respect of increased noise impact"*.
34. Representations raise concerns regarding the impact of the development on air quality, including as a result of additional cars and taxis waiting to pick up pupils. It is noted that the proposed development is not of a type or scale whereby an Air Quality Assessment is required. In addition, the potential additional vehicular trips to the site is not deemed to be so significant as to warrant a refusal of planning permission on these grounds. Notwithstanding this, conditions requiring the provision of electric vehicle charging points and the submission of a Travel Plan should be attached to any consent issued to encourage sustainable travel to the site.
35. Conditions have been recommended to limit noise levels for all fixed plant and machinery and to require the submission of a Construction Environmental Management Plan, in the interests of minimising disturbance to local residents during the construction and operational phases of development. These should be attached to any consent issued.
36. Given the above, the proposed development is considered to be acceptable in terms of its impact on residential amenity and would be in accordance with Policy L7 of the Core Strategy..

## HIGHWAY MATTERS

37. 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"*.
38. 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.
39. The existing car park serving the school contains 65no car parking spaces. Based on the Council's adopted SPD3: Parking Standards and Design, the

proposed development generates an additional car parking requirement of 12no spaces (two spaces per classroom). The proposed plans indicate that an additional 11no car parking spaces are to be provided. This falls below the maximum standards by one space and given this small shortfall, it is not considered reasonable to refuse the application on these grounds. Whilst there is a total increase of 160no pupils and 6no staff associated with this development, the Council's parking standards are based on the number of classrooms and it is on this basis which the required provision must be calculated. Following the submission of amended plans, the proposed layout of the car park is now considered to be acceptable with appropriately sized car parking spaces with suitable aisle widths being provided.

40. The submitted Transport Statement includes TRICS data to ascertain the likely trip generation of the proposed development. This considers 17no sites with similar characteristics to the current application, in terms of land use and location. The data provided indicates that there is likely to be an additional 23no two-way trips in the morning peak hour and 14no two-way trips in the hour following school finishing. This relates to one additional vehicle every two minutes in the morning peak hour, which is stated as not having a severe impact on the local highway network. It is noted that these figures are based upon 120no additional pupils rather than the 160no which the development would generate (an increase of one-third). Increasing the TRICS figures by a third gives a total of approximately 31no two-way trips in the peak AM period and 19no trips in the PM period. The applicant has been asked to provide updated figures to confirm these assumptions, which are expected to be submitted prior to the committee meeting. On the basis that these increased trip generation figures are correct, this increase is not considered to result in a severe impact on the local highway network, particularly given that traffic during the peak periods would be expected in the vicinity of any school.
41. With regard to matters of access, no changes are proposed to the vehicular entrance to the site. The erection of the extension however, requires changes to the car park layout and associated internal circulation routes and as noted above, the size of the parking spaces and aisle widths are appropriate. The applicant advises that waste and recycling arrangements are to remain as existing. A swept path analysis has been submitted to demonstrate that a refuse collection vehicle is able to manoeuvre within the altered layout of the car park. The Local Highway Authority (LHA) comments that this would require some car parking spaces to be free of parked vehicles to enable refuse vehicles to be able to turn around and exit the site in forward gear. On this basis and as recommended by the LHA, a condition should be attached to any consent issued requiring the submission of a car park/servicing management strategy to ensure this can be appropriately managed.
42. No changes are proposed to the existing cycle parking arrangements, with the Transport Statement noting that the current provision of 50no spaces is already

in excess of that required, and that this will also be sufficient to cater for any additional demand generated by the proposed extension. The LHA advises that based on SPD3, 54no spaces should be provided to cater for the additional staff and pupils. As such, a condition should be attached to any consent issued requiring the provision of an additional 4no cycle parking spaces. A condition is also recommended requiring the submission of a Travel Plan, in the interests of encouraging sustainable means of transport to the school.

43. Given the above, the highway impacts associated with the proposed development are not considered to be 'severe' and as such, the application is deemed to be in accordance with the NPPF and Policy L4 of the Trafford Core Strategy and acceptable in this respect.

## TREES AND LANDSCAPING

44. 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.
45. The Council's Arboriculturist advises that based upon the submitted Tree Protection Plan, five trees are to be removed to facilitate the development. Most of these are noted as being of low value and no objections are raised to the removal of these, provided their loss is mitigated for in a landscaping plan. The remainder of the tree stock will be successfully retained as long as the advice within the plan is followed. A condition should be attached to any consent issued requiring the submission of a detailed landscaping scheme and to require compliance with the Tree Protection Plan. On this basis, the proposed development is considered to be acceptable in this respect.

## FLOODING AND DRAINAGE

46. 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.
47. Whilst the southern part of the application site falls within Flood Zones 2 and 3, as defined by the Environment Agency, the remainder of the school site, including land on which the extension is proposed falls within Flood Zone 1, having a low probability of fluvial flooding. The site also falls within a Critical Drainage Area. National Planning Practice Guidance identifies educational



establishments as being 'more vulnerable' development for the purposes of flood risk. Within Flood Zone 1, NPPG defines 'more vulnerable' development as being appropriate in principle.

48. The applicant has submitted a Flood Risk Assessment and Outline Drainage Strategy to accompany the application. This concludes that the site is at low risk of flooding from all other sources and that the development does not increase the risk of surface water flooding to adjacent neighbourhoods. This also states that Sustainable Drainage Systems in the form of Source Control and Site Control methods will be incorporated whilst foul water will be discharged via the existing school network.
49. The Lead Local Flood Authority has been consulted and advises that the submitted information is acceptable and no objections are raised. This is subject to a condition requiring the implementation of the measures outlined in the Flood Risk Assessment and Drainage Strategy. United Utilities has also provided comments on the application and recommends that conditions are attached to any consent issued relating to surface and foul water drainage and the management of these systems.
50. Subject to the imposition of appropriate conditions in line with the recommendations of the LLFA and United Utilities, the proposed development is considered to be acceptable in this respect.

## OTHER MATTERS

51. 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.
52. 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.
53. One representation raises concerns that a second floor could be built in the future above the extension now proposed. This does not form part of the current application and is therefore not something which can be considered at this stage. Any future development of this nature would require a further planning application which would be considered at that time.
54. Further concerns refer to a lack of resident engagement and involvement with the development of the scheme. It is noted that pre-application consultation by the developer is not a statutory requirement whilst full public consultation on the

planning application has been carried out in line with the provisions for publicity set out in the Development Management Procedure Order (DMPO). All representations received as a result of this consultation have been taken into consideration in the determination of the application.

## CONCLUSION AND PLANNING BALANCE

55. As set out in paragraph 11(c) of the NPPF, development proposals that accord with an up-to-date development plan should be approved 'without delay'. The most important policies for determining the application (R4 and L7) are considered to be up-to-date. The proposed development is considered to be in accordance with the development plan, relevant paragraphs of the NPPF and supplementary planning documents.

56. 'Very special circumstances' have been appropriately demonstrated which are considered to clearly outweigh the substantial harm to the Green Belt which has been identified by reason of the inappropriateness of the development in Green Belt terms and the very limited harm to openness. There is not considered to be 'any other harm' associated with the development which cannot be appropriately mitigated, where necessary.

57. All other detailed matters have been assessed, including matters of design 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 acceptable 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.

58. In accordance with NPPF paragraph 11(c), 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).

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

<b>Plan Number</b>	<b>Drawing Title</b>
2502_LG(9-)02 (Rev P0)	External Works Proposal
2502_LG(9-)03 (Rev P0)	Tree Protection Plan
2502_AG(9-)A01 (Rev P0)	Proposed Site Plan
2502_AG(04)A01 (Rev P0)	Proposed Ground Floor Plan
2502_AG(04)A02 (Rev P0)	Proposed Ground Floor Plan
2502_AG(04)A02 (Rev P0)	Proposed Roof Plan
2502_AG(05)A01 (Rev P0)	Proposed Elevations
2502_AG(05)A02 (Rev P0)	Proposed Site Elevations
2502_AG(06)A01 (Rev P0)	Proposed Site Sections

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

3. 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

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.

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

08.00 – 18.00	Monday to Friday
09.00 – 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.

5. The development hereby approved shall be carried out fully in accordance with the approved Flood Risk Assessment (FRA)/Drainage Strategy (2nd June 2019 / 11627 Rev. 02 / Marston & Grundy LLP) and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 1 in 100 + 40% CC critical storm so that it will not exceed 12.9 l/s and not increase the risk of flooding off-site.
- Provision of 85m<sup>3</sup> attenuation flood storage on the site.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and by ensuring that storage of flood water is provided, having regard to Policies L4, L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. 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.

7. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site, as shown on drawing ref. 2502\_LG(9-)03 (Rev P0), have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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

8. No 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. Notwithstanding any description of materials in the application, no above-ground construction works shall take place until samples and full specifications of materials to be used externally on all buildings hereby approved have been submitted to and approved in writing by the local planning authority. The specifications 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.

10. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials (including areas of the site designated for car parking), 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 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.

11. The development hereby approved shall not be brought into use unless and 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 submitted plans. 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.

12. The development hereby approved shall not be brought into use unless and until a scheme for the installation of electric vehicle charging points within the car park 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 use 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 brought into use unless and until a Car Park Management and Servicing Strategy has been submitted to and approved in writing by the Local Planning Authority. The submitted strategy shall include details of how refuse and recycling servicing will be managed to avoid conflict with parked vehicles. 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 refuse and recycling vehicles associated the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

14. The development hereby approved shall be brought into use unless and until a scheme for secure cycle storage for at least 4no additional bicycles has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

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

15. The development hereby approved shall not be brought into use unless and until a Full Travel Plan, which should include measurable targets for reducing car travel to and from the site, has been submitted to and approved in writing by the

Local Planning Authority. On or before the 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 (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.

16. The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments should be compliant with BS 4142:2014 "Rating industrial noise affecting mixed residential and industrial areas".

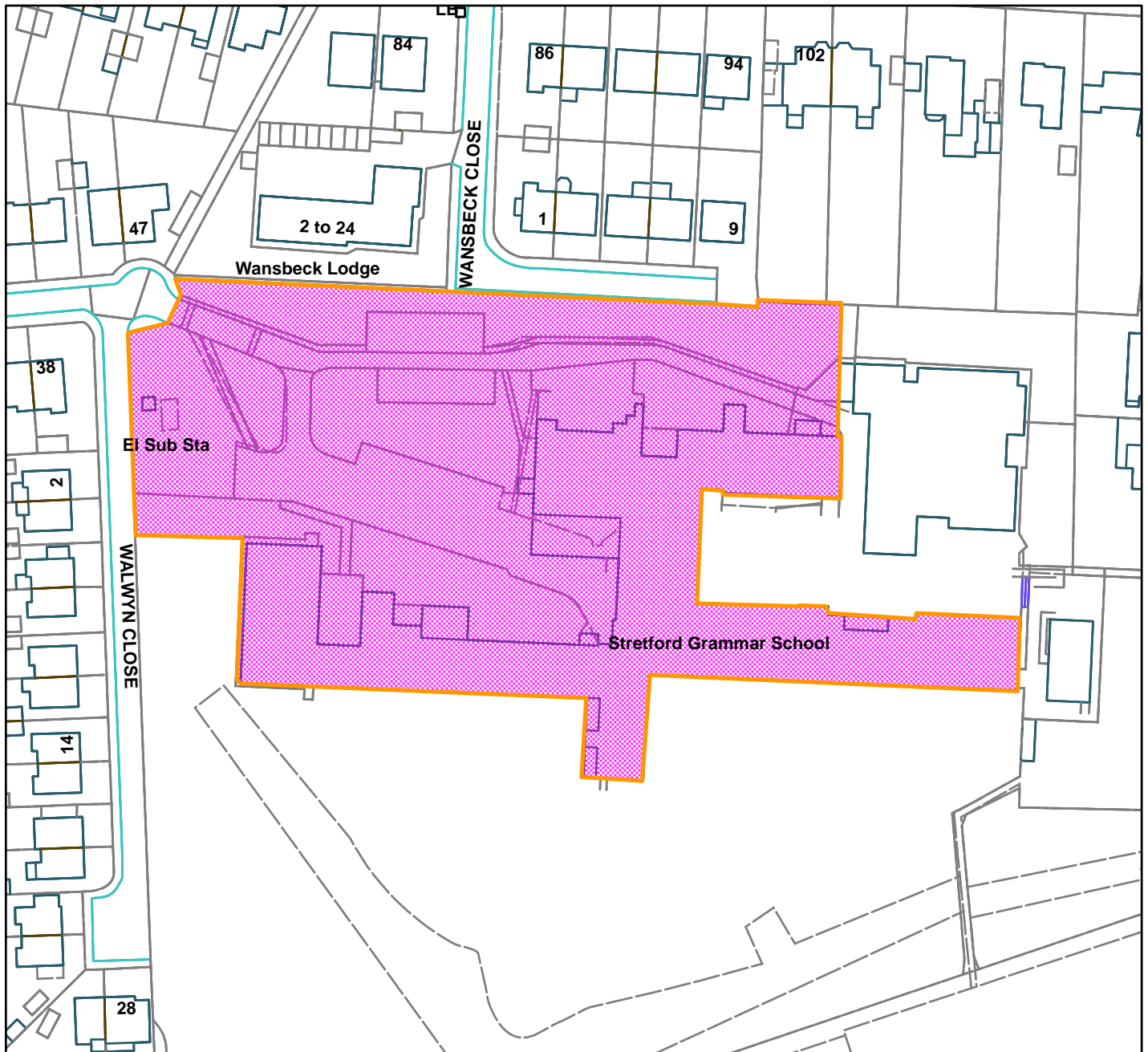
Reason: To minimise disturbance and nuisance to occupiers of nearby properties, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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JD



Stretford Grammar School, Granby Road, Stretford, M32 8JB



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
MSA Number	100023172 (2012)



**WARD:** Davyhulme West

**97492/HHA/19**

**DEPARTURE:** No

**Erection of a single storey side and part single, part two storey rear extension.  
Demolition of existing garage and erection of new garage.**

5 Cranford Road, Flixton M41 8PS

**APPLICANT:** Mr & Mrs A Duckworth

**AGENT:** Mr P Acton, Consultancy 58

**RECOMMENDATION: GRANT**

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**This application is being reported to Committee as the applicant is a Council employee.**

### **SITE**

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

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

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

### **PROPOSAL**

The application proposes a single storey side and part single, part two storey rear extension, with demolition of the existing detached garage located in the south west corner of the site, facing north with access onto Chesham Avenue, to be replaced with a new garage.

The application is a revised proposal following the withdrawal of the previous application, reference 95301/HHA/18.

### **DEVELOPMENT PLAN**

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

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

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Parking

L7 – Design

For the purpose of the determination of this planning application, these policies are considered 'up to date' in NPPF Paragraph 11 terms

## **OTHER LOCAL POLICY DOCUMENTS**

SPD4 – A Guide for Designing House Extensions and Alterations

## **PROPOSALS MAP NOTION**

None

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

None

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the revised National Planning Policy Framework (NPPF) on 19<sup>th</sup> February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING POLICY 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.

## **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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Autumn 2019 before it is submitted to the Secretary of State for independent

examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

### **APPLICANT'S SUBMISSION**

None

### **RELEVANT PLANNING HISTORY**

95301/HHA/18 - Erection of a two storey rear extension and a single storey side extension. Demolition of existing concrete single garage and replacement with brick, block and render garage/workshop with pitched roof and creation of a new access onto Cranford Road – Application withdrawn 07/11/2018

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

### **APPLICANT'S SUBMISSION**

- Supporting statement

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

Two letters of objection were received from the same neighbour in response to the proposals. The concerns are highlighted as follows:

Objections with reference to Trafford Council's own SPD4 Planning Guidelines.

- The proposals incorporate a flat roof which is contrary to paragraph 2.2.2 fig 3 of SPD4. Over a third (35%) of the proposal is a flat roof design.
- The proposed flat roof would be highly visible from Cranford Road and Chesham Avenue and would be unsympathetic to the Street Scene and have a detrimental visual impact on residential amenity. Contrary to paragraph 1.1.2.
- The proposals look to extend onto the side of the existing rear extension and up to the boundary of No3 reducing the obligatory setback from 1.5m to 0.0m. Contrary to paragraph 3.4.3.
- The 2-storey extension wall will constitute an overbearing mass of brickwork over-looking our terrace and give an uncomfortable sense of enclosure. Contrary to paragraph 2.14.1 of SPD4.

- The agent has incorrectly defined the boundary line for No.5 Cranford Rd. The boundary line is the side wall of No.5 and not its one chimney breast. This can be clearly seen on the location plan and is evidenced by previous accepted planning applications for No 3 and No 5 Cranford Road.
- The dimensions submitted in the proposal are incorrect.
- The proposal is contrary to section 1.1.2 of the guidelines requiring a "high standard of design".
- Dispute the statement in the supporting design and access statement that no incursion onto the neighbouring property's land during construction is required.

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

The agent was approached regarding the accuracy of dimensions and is of the understanding these are correct.

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

## **OBSERVATIONS**

### **PRINCIPLE**

1. Householder extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas. Further to this, issues relating to parking provision are also to be considered. There are no additional constraints in this instance.

### **DESIGN AND VISUAL AMENITY**

2. Paragraph 124 of NPPF states '*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*'
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. The proposed extension is to project from the side of the property at single storey at a maximum of 3.3m in width, setback 1.9m from the eastern front elevation of the property which forms part of the principal elevation. The proposed rear single storey extension wraps around the property and existing two storey rear extension, projecting at single storey no further than the existing extension. A part flat, part hip, part lean to roof is proposed on the single storey element.
5. The proposed two storey element of the application relates to a 1.5m projection along the shared boundary with 3 Cranford Road, which would have a flat roof.
6. There are several overlapping considerations as highlighted in SPD4. *“Side extensions can have a prominent visual impact on the appearance of your dwelling and they can remove gaps from the street scene that help define the local character. Side extensions should be appropriately scaled, designed and sited so as to ensure that they do not:*
  - *Appear unacceptably prominent,*
  - *Erode the sense of spaciousness within an area*
  - *Detract from a dwelling’s character.*
  - *Adversely affect the amenities of neighbouring properties.*
7. In addition, Section 3.3 focuses on corner properties and states:

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

8. This is supported by Section 3.3.2 whereby:

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

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

9. Section 3.3.3 continues:  
*“As well as satisfying the above criteria, generally, a minimum separation distance of 2m must be maintained between the edge of any single storey extension and the site boundary. These minimum separation distances may need to be exceeded however for two storey extensions or to safeguard the prevailing spacious character, and in any case will take into account the building line and extent of side garden remaining”.*
10. The proposed development would be visible from the public domain and street scene of Chesham Avenue and Cranford Road. The proposed side extension would retain a gap of 2.06m from the northern side boundary. With regard to corner properties, guidance within SPD4 states that development should not take up more than 50% of the garden and retain a minimum distance of 2m. Whilst the extension will take up more than 50% of the side garden area, this is minimally over the 50% given the house has a staggered northern elevation. The proposed single storey side extension looks to complement the side extension on the opposite corner. It is also marginally over 2m from the side boundary with Chesham Avenue and therefore complies with policy in this respect.
11. In terms of design, the single storey side extension would have a part hipped, part flat, part lean to roof. However, the flat roof element would not be readily apparent from any vantage point at ground level and it is therefore considered that the roof form is acceptable in design terms.
12. The proposed extension is to be erected using similar brickwork and roof tiles to the existing dwelling. The immediate area of Chesham Avenue and Cranford Road is characterised by properties of a similar design and era, with any alterations being predominantly brickwork to be similar to the original dwellings. In addition, boundary treatment as existing will look to mitigate the visual impact of the proposed side extension.
13. Overall, it is considered that the proposed single storey side extension would be in keeping with the street scene and would retain a sense of spaciousness at the junction of Cranford Road and Chesham Avenue. As such the proposal is considered to be in compliance with Policy L7 of the TBC Core Strategy and the additional guidance within SPD4.
14. With regard to materials, SPD 4 para. 2.5.1. states that:  
*“The external finish of an extension, including the roof finish, should complement the original building by using appropriate materials. The choice of materials should be in keeping with the locality but most importantly should match the original building as much as possible in terms of type, colour, size, and texture. The brick bond and mortar joints should also reflect the original property.”*
15. The proposed two storey element is to infill a gap at first floor over an existing extension and will incorporate a flat roof. Paragraph 2.2.2, of SPD4 states that extensions should reflect the character, scale and form of the original dwelling. Whilst it is recognised that the roof form of this element of the proposed

development does not reflect the roof design of the original dwelling, the two storey extension is of modest proportions, projecting 1.5m from the rear elevation and would be largely screened from Chesham Avenue by the existing two storey pitched roof extension, which projects approximately 1.5m further to the rear. The extension would therefore have very limited impact in the street scene and would appear subservient to the dwelling. Given this, the proposed two storey rear element is considered to be proportionate and would not adversely affect the overall street scene, appearing appropriate in its context.

16. The existing garage is sited to the south-western corner of the site and is accessed off Chesham Avenue. The replacement garage is to be sited in the same location albeit with a slightly larger scale and size than the existing garage. Sited back from the pavement edge, and tucked in between the rear of the site and no.1 Chesham Avenue, the garage would also have relatively little impact within the street scene. Further to this, there is an existing low height brick wall and conifer hedging that helps screen the site. The garage would be of relatively modest proportions with an eaves height of approximately 2.2m and a ridge height of approximately 3.1m. There are a number of other detached garages visible within this area and as the proposals would be for a replacement garage structure, it is considered that the proposal would not appear out of character with the area and would be in accordance with Policy L7 of the Core Strategy
17. Subject to conditions, the proposed development is considered to be acceptable in terms of design and visual amenity. The proposals are therefore considered to be in line with policy L7 of the Trafford Borough Council Core Strategy and the relevant sections of the NPPF.

## **RESIDENTIAL AMENITY**

18. 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
19. Guidance contained within SPD4 states:

*Extensions which would result in the windows of a habitable room (e.g. living room or bedroom) being sited less than 10.5m from the site boundary overlooking a neighbouring private garden area are not likely to be considered acceptable.*

*Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi-detached and terraced properties and 4m for detached properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g. if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).*

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

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

#### Impact on 3 Cranford Road

20. The neighbour to the south (no.3) is a detached property of a similar era and design to the application property. A first floor side and two storey rear extension is in existence sited close to the boundary, which projects further at two storey adjacent to the boundary than the application property. Further to this, no.3 benefits from a rear conservatory that links into the two storey rear element, and an outbuilding sited at the rear.
21. The part single, part two storey element of the proposal would be positioned adjacent to the common boundary and would project 1.5m at two storey and 3m at single storey from the rear elevation. As such, the proposal would comply with the Council's SPD4 guidelines for rear extensions and it is considered that this would not result in any undue overbearing or overshadowing impact on no. 3. The flat roof design of the proposed two storey element of the extension and the projection of the existing rear extension at no. 3 will further reduce any impact on that property.
22. The extension would not include any window openings facing no. 3 and would therefore not result in any undue overlooking or loss of privacy to that property.
23. The proposed garage would be modest in height and set approximately 500mm away from the boundary with no windows facing and it is therefore considered that it would not result in any unacceptable overshadowing, overbearing or privacy impacts upon no. 3.

#### Impact on 1 Chesham Avenue:

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

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



## 2.15 Overlooking/loss of privacy

- 10.5m (+3m above first floor) from habitable room to site boundary

26. The proposed two storey rear extension proposes one non-habitable room window within the rear elevation which will serve a wet room, an extension to the existing bathroom. The distance to the western boundary with no. 1 Chesham Avenue is 16.5m, thus complying with criterion 2.1.5. It is therefore considered that there would be no undue overlooking impact on this property. Given the distance to the boundary with no.1, an overbearing impact or loss of light is not anticipated.
27. The single storey element is to be sited on the northern elevation. No.1 sits beyond the site to the west with an oblique view of the extension proposed. Given the siting, design and intervening boundary treatment, this element will not be of detriment to the amenity of no.1.
28. The replacement garage, albeit of a slightly larger scale and size will be built in the same location as the existing. It is considered that the garage is of modest proportions and there are no windows within the side elevation of no.1 Chesham Avenue. It is therefore considered that there will be no undue overbearing, overshadowing or overlooking impact on no.1.

### Impact on 7 Cranford Road

29. No. 7 Cranford Road has a single storey extension on the Chesham Avenue frontage with windows facing the application site, which would be approximately 13m from the proposed single storey element of the extension. It is considered that the proposed extension will not have any undue overbearing impact on this property. However, for the avoidance of doubt, and to protect the amenity of No. 7, it is recommended that a condition should be attached requiring that the flat roof area of the single storey extension should not be used as a balcony or sitting out area.
30. It is therefore considered that the proposed extensions would have no unacceptable impact on the amenity of neighbouring properties and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

## **PARKING AND HIGHWAY SAFETY**

31. The property has 4 bedrooms, with proposals relating to the household extension not increasing the number of bedrooms on the property. A dropped kerb is present on Chesham Avenue adjacent to the siting of the garage. The replacement garage is to be sited in the same location as the existing utilising the existing access off Chesham Avenue. A minimum distance of 5.2m is to be provided between the garage and the pavement. As such, it is considered that the proposal would not have any detrimental impact on parking provision.

## **OTHER MATTERS**

The agent submitted a statement in support of the application, stating the build would be carried out within the boundary of no 5 Cranford Road. This information must be taken in good faith and the position of boundaries is a civil issue and not a material planning consideration.

## **CONCLUSION**

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

## **RECOMMENDATION**

**GRANT** subject to the following conditions:-

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: P101-1 B (Amended- bedroom 4 window retained) received by the local planning authority on 24<sup>th</sup> July 2019, P101-2 B, P101-3 B, P101-4 B and the site location plan.

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

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

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

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

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

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RGR



**Application for variation of conditions 2, 10, 12, 15, 16 on planning permission 94950/FUL/18 (Erection of new SEN school with associated infrastructure including access, parking and landscaping.). To include a 12 No. place nursery within the Orchards SEN Primary School.**

School Development Site, Audley Avenue, Stretford

**APPLICANT:** Mr J Hicks, Conlon Construction

**AGENT:** Miss Abigail Kos, Smith & Love Planning Consultants

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO VARIATION OF S111 AGREEMENT**

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

### **SITE**

This application relates to a roughly rectangular grassed area of land to the north of Audley Avenue in Stretford. The southern boundary of the site is immediately adjacent to the rear gardens of properties on Audley Avenue and the western boundary is adjacent to those of properties on Dalton Avenue. Land to the north is used as playing fields whilst Barton Clough Primary School is situated just beyond to the north. A pavilion and associated car park is located to the west of the site whilst a petrol filling station is a short distance to the south-west. Junction 9 of the M60 motorway is approximately 160m to the west of the site. The majority of land in the wider area to the south and west of the site is in residential use. There is not currently any vehicular access to the site itself, with the road immediately to the west forming the access route to Barton Clough Primary School. There is currently pedestrian permeability through the site from the west to Dalton Avenue and Old Hall Road to the east, as well as into the playing fields to the north.

Planning permission was granted in April 2019 for the erection of a new SEN school with associated infrastructure including access, parking and landscaping (ref. 94950/FUL/18).

### **PROPOSAL**

Permission is sought for the variation of condition numbers 2, 10, 12, 15 and 16 attached to the original consent to enable the inclusion of a twelve place nursery within an enlarged footprint. This 'extension' (construction of the school has not yet begun) to the originally approved school building is proposed to be situated on the southern side

of the previously approved building and would 'fill in' the space which existed on the original south elevation. A small addition is also now proposed to what would be the nursery to the northern part of the building. External materials would be the same as those proposed for the rest of the building and no increase in height is proposed. Also proposed is additional hard surfacing to the south of the building, amendments to the parking layout and the addition of a footpath adjacent to the northern boundary.

Condition is being varied to reflect the updated plans which accompany this application. Condition 10 relates to the proposed materials and this is to be amended to reflect the latest material schedule. Condition 12 refers to a scheme for highway improvement works, which the applicant has now submitted with a view for this to be amended to require the implementation of these works. Conditions 15 and 16 are proposed to be amended to relate to an updated external lighting and CCTV camera scheme respectively.

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Open Space, Sport and Recreation

## **SUPPLEMENTARY PLANNING DOCUMENTS**

Revised SPD1 – Planning Obligations

SPD3 – Parking Standards & Design

## **PROPOSALS MAP NOTATION**

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

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

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

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and following a redraft a further period of consultation commenced in January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The DCLG published the revised National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The DCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2014 and was last updated on 26 June 2019. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

94950/FUL/18: Erection of new SEN school with associated infrastructure including access, parking and landscaping – Approved with conditions 30/04/2019.

## **APPLICANT'S SUBMISSION**

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

- Design and Access Statement
- Details of Highway Works
- Transport Assessment – Supplementary Report
- Travel Plan Framework

## **CONSULTATIONS**

**Greater Manchester Ecology Unit:** No comments.

**Lead Local Flood Authority:** Details for original conditions 4 and 5 are acceptable.

**Local Highway Authority:** No objections on highways grounds.

**Pollution & Licensing (Air Quality):** No further action is required.

**Pollution & Licensing (Nuisance):** No significant additional adverse effects on local residents.

## **REPRESENTATIONS**

7 letters of objection have been received from local residents and these raise the following concerns:

- Development will intrude upon personal private space and building access will be directly behind neighbouring rear garden.
- Noise from students, staff, deliveries and extraction systems.
- Smells and food waste from kitchens will attract rodents.
- Removal of trees has increased noise levels and air pollution from M60.
- Asthma and breathing issues have increased since trees have been removed.
- Additional air pollution from extra traffic.
- Tree removal has displaced large numbers of birds and other wildlife.
- Same objections as previous application are relevant.
- Congestion from motorway traffic and traffic entering and leaving Barton Road/Audley Avenue will increase.
- Parking problems and concerns for road safety due to increase in traffic.
- Car park will be right next to neighbouring gardens – fumes will come into gardens.
- 2.4m high fence will be next to neighbouring gardens.
- Drilling will make neighbouring houses shake.
- Other sites would be more appropriate for a school.
- Boundary has increased on some plans adjacent to 54 Dalton Avenue, resulting in 2m fence in front of window.
- Extra school buses and exhaust emissions from additional students.
- Previously approved fence would be a fire hazard – should be moved by 2m.



- Development would crowd the site and irreversibly change the nature and character of the area.
- Overlooking and loss of privacy due to close proximity of the building to established houses.
- Loss of green space and density is counter to Trafford's strategic planning policies.
- Possible increase in crime from theft or vandalism.
- Extra noise and dust during building work.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. National Planning Practice Guidance states that, in determining an application for the variation of planning conditions, local planning authorities should focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.
2. There are not deemed to be any significant changes to national or Development Plan policies or other material considerations since the original planning permission was granted and the proposal represents a minor change to the design of the original development. As such, the conclusions reached in the Additional Information Report to Committee in respect of the original application regarding the principle of development remain relevant and applicable in relation to the current application and there is no necessity to revisit this matter.

### DESIGN, APPEARANCE AND CHARACTER OF THE AREA

3. 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"*.
4. 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.

5. The development now proposed comprises a relatively minor change from that approved under the original application (ref. 94950/FUL/18). In terms of built form, compared to the original scheme the proposed school footprint would be extended to the south to 'fill in' the space which previously existed within the south elevation on the originally approved scheme. This part of the south elevation is now no longer stepped but is no closer to the southern boundary of the site at its nearest point. The part of the building projecting from the north elevation has also increased in size by a small amount to accommodate the proposed nursery. Overall, the footprint of the building has increased by 196m<sup>2</sup> compared to the original scheme. These changes are not considered to significantly affect the overall design approach which has been taken and are not deemed to have any detrimental impact on the character or appearance of the area.
6. A number of other relatively minor changes are proposed within the site boundary, including the inclusion of additional hard surfacing to the south of the building, amendments to the parking layout and the addition of a footpath adjacent to the northern boundary. In addition, a vehicle barrier and 1.2m high fence are now shown adjacent to the western boundary and a 2.4m high fence is shown adjacent to the playground, but this does not affect the site boundary. Some residents have raised concerns that the submitted sewer diversion plan appears to show an extension of the site adjacent to 54 Dalton Avenue. Officers have confirmed that no alterations, including fencing are proposed within this area and this does not fall within the defined site boundary.
7. Given the above relatively minor changes to the approved scheme, 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

8. 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"*.
9. As noted above, the proposed school building will not be any closer to surrounding residential properties than the scheme originally approved. The development comprises relatively small increase in footprint from the approved

building which is considered to result in any harm to the amenity nearby residents through overlooking, overshadowing or in any other respect. Similarly, other proposed changes within the site, such as fencing and hard surfacing are not deemed to result in any undue impact on residential amenity.

10. With regard to air quality impacts, the Council's Pollution and Licensing section note that *"the number of available parking bays will remain unchanged and that only a small quantity of additional vehicles will be present on the highway network in the vicinity of the school (circa 8 vehicles trips maximum during the AM and PM peak hours). As operational impacts from the SEN Primary School development on local air quality have been previously found to be not significant, it is considered that the addition of a small number of vehicle trips would not materially alter the validity of this assessment and no further action is required"*. Officers are therefore satisfied that the current application is acceptable in this respect. A number of representations state that the removal of trees from the site has had a detrimental impact on air quality. As set out elsewhere in this report, these trees were not protected and have been removed in accordance with the original application. This is not therefore a matter which could reasonably constitute a reason for refusal for the current application. Notwithstanding this, the submitted landscaping scheme includes replacement planting close to the western boundary of the site which will serve to mitigate the loss of the previous trees.
11. It is acknowledged that a number of residents have raised concerns regarding a number of amenity-related impacts, such as noise, smell and general disturbance. Officers note however that these issues were considered in relation to the original scheme and found to be acceptable by both Officers and Members. The amendments now proposed are not deemed to worsen these potential impacts to an unacceptable degree and as such, Officers consider it would not be reasonable to refuse the application for these reasons. Furthermore, the Council's Pollution and Licensing section advises that *"from the perspective of 'nuisance' based impacts, the proposal should not introduce any significant additional adverse effects on local residents"*.
12. Overall, the proposed development is considered to be acceptable in terms of its impact on residential amenity and is in accordance with Policy L7 of the Core Strategy.

## HIGHWAY MATTERS

13. 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"*.

14. 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.
15. Based on the Council’s adopted parking standards set out in SPD3: Parking Standards and Design, the amendments to the scheme would attract an additional requirement of 4no car parking spaces. The submitted Transport Assessment notes that the nursery pupils will be required to use the minibuses which were originally proposed to serve the school and on this basis, no additional parking space is required. The Local Highway Authority (LHA) advises that the proposals are unlikely to result in overflow on-street parking nearby given the waiting restrictions in place and therefore raise no objections in this respect.
16. Similarly the access and servicing arrangements proposed are considered to be acceptable by the LHA subject to the servicing and parking management condition attached to the original consent remaining in place. Whilst the number of cycle parking spaces required by SPD3 is greater than that required for the original scheme by 2no spaces, the number of spaces to be provided under the original application exceeded these standards by 2no spaces. The current scheme is therefore now in accordance with SPD3 in this respect.
17. The applicant has provided a detailed scheme of highway improvement works which was required by condition 12 of the original consent. The LHA has been consulted on this scheme, however a response has not yet been provided. Condition 12 therefore remains with this requirement, however an update on this will be provided in advance of the committee meeting.

## TREES, LANDSCAPING AND ECOLOGY

18. 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.
19. Concerns have been raised by a number of local residents regarding trees which have been removed from the site following the original approval. It is noted that none of these trees are protected and that the tree removal which has taken place is in accordance with the previously approved plans.

20. The current proposed landscaping plans are broadly the same as those previously approved and Officers are satisfied with the scheme in this respect. A condition should be attached to any consent issued requiring the implementation of this landscaping scheme.
21. 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"*. 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.
22. Several representations raise concerns regarding the potential loss of birds and other wildlife following the removal of trees on site. As noted above, this removal was carried out in accordance with the original consent, whereby the development was found to be acceptable in terms of its impact on ecology and biodiversity. The current application does not raise any issues not considered under the earlier application and as such, remains acceptable in this respect. The Greater Manchester Ecology Unit has been consulted and confirms it has no objection.

## FLOODING AND DRAINAGE

23. 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.
24. The original approval included conditions requiring the submission of full drainage details prior to the commencement of development. The applicant has provided these details to accompany this application in order to amend these conditions to require the implementation of these drainage works. The Lead Local Flood Authority has been consulted and following the receipt of further supporting information from the applicant, advises that these conditions can be amended as requested by the applicant. The application is therefore considered to be acceptable in this respect.

## CONCLUSION AND PLANNING BALANCE

25. As noted above, there are not deemed to be any significant changes to national or Development Plan policies or other material considerations since the original

planning permission was granted and the proposal represents a minor change to the design of the original development. As such, the conclusions reached in the Additional Information Report to Committee in respect of the original application remain relevant and applicable in relation to the current application.

26. Many of the representations received raised concerns over potential impacts which have been fully considered in relation to the original application. Officers are satisfied that the current proposal would not result in any undue impact over and above the approved scheme.

27. The Additional Information Report to Committee in respect of the original application (from 7<sup>th</sup> November 2018) stated that given the financial contribution towards enhancing the semi natural greenspace role of Lostock Park associated with the original application, the loss in quantity of open space associated with this development would be outweighed by, as a minimum, an equivalence in quality of open space provision. This remains the case and as such, it is again concluded that the proposed development is in accordance with Policies R3 and R5 of the adopted Core Strategy and the Development Plan in all other respects. Consequently, in the context of NPPF Paragraph 11 (c), the application should be approved 'without delay'.

28. It is noted that the financial contribution required by the original application has now been paid to the Council under a section 111 (Local Government Act, 1972) agreement. The amendments proposed under this application do not affect the level of contribution required, as this relates to the overall site area rather than the floorspace of the school building, which remains the same.

**RECOMMENDATION**

That Members resolve that they are **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 to enable the completion of a deed of variation in respect of the existing section 111 agreement and subject to the following conditions:

1. The development must be begun not later than the 30<sup>th</sup> April 2022.

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:

<b>Plan Number</b>	<b>Drawing Title</b>
1010 (Rev A)	Proposed GA Plan
1011	Proposed Elevations

1012	Sections 01-03
18-078-503 (Rev A)	External Materials
0496-PL1-Z1-GF-DR-L-0120 (Rev P06)	Site Masterplan
0496-PL1-Z1-GF-DR-L-0121 (Rev P04)	Access and Circulation
0496-PL1-Z1-GF-DR-L-0220 (Rev CP07)	Detailed Hard Landscape/Fencing/General Arrangement Plan Sheet 1 of 2
0496-PL1-Z1-GF-DR-L-0221 (Rev CP09)	Detailed Hard Landscape/Fencing/General Arrangement Plan Sheet 2 of 2
0496-PL1-Z1-GF-DR-L-0300 (Rev P05)	Tree Retention/Removal Plan
0496-PL1-Z1-GF-DR-L-0310 (Rev CP07)	Planting Plan Sheet 1 of 2
0496-PL1-Z1-GF-DR-L-0311 (Rev CP06)	Planting Plan Sheet 2 of 2
0496-PL1-Z1-GF-DR-L-0500 (Rev P04)	Boundary Treatments and Fencing Plan
ORC-PPL-00-00-DR-MEP-0002 (Rev T2)	Proposed External Works Layout
ORC-PPL-00-00-DR-MEP-0003 (Rev C0)	Proposed External Services Layout
ORC-PPL-00-00-DR-E-0006 (Rev C0)	Proposed External Lighting Layout
ORC-PPL-00-00-DR-E-0007 (Rev C0)	Proposed Lightning Protection Layout
ORS-SHD-00-ZZ-DR-C-0101 (Rev P12)	Proposed Drainage – General Arrangement
ORS-SHD-00-ZZ-DR-C-0110 (Rev P6)	Sewer Diversion – General Arrangement
ORCHAR-FC-HGN-00-DR-CH-003 (Rev P02)	Highway Works

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

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

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

- The development hereby approved shall not be brought into use unless and until the drainage works shown on drawing numbers ORS-SHD-00-ZZ-DR-C-0101 (Rev P12), ORS-SHD-00-ZZ-DR-C-0110 (Rev P6) and ORS-SHD-00-ZZ-DR-C-0120 (Rev P1) have been implemented in full. The drainage system shall

thereafter be retained, managed and maintained to a standard capable of limiting the peak discharge rate as set out in the SFRA.

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

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

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

6. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with the Arboricultural Method Statement (TEP October 2018). The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period as detailed within the Arboricultural Method Statement.

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

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

07.30-18.00 Monday - Friday  
08.00-13.00 Saturdays

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

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

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. The development hereby approved shall be carried out in accordance with the submitted external material details, shown on drawing number 18-078-503 (Rev A), dated April 2019.

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.

10. (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.

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

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

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

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

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

The approved strategy shall be implemented at all times thereafter.

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

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

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

14. The site shall only be lit in accordance with the submitted lighting scheme (ref. ORC-PPL-00-00-DR-E-0006 (Rev C0)). No external lighting shall be installed within the site unless and until a scheme for lighting columns has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

15. The development shall be carried out in accordance with the CCTV camera details shown on submitted drawing number ORC-PPL-00-00-DR-MEP-0003 (Rev C0)). No CCTV cameras shall be installed within the site unless and until a scheme for CCTV camera columns has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

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

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

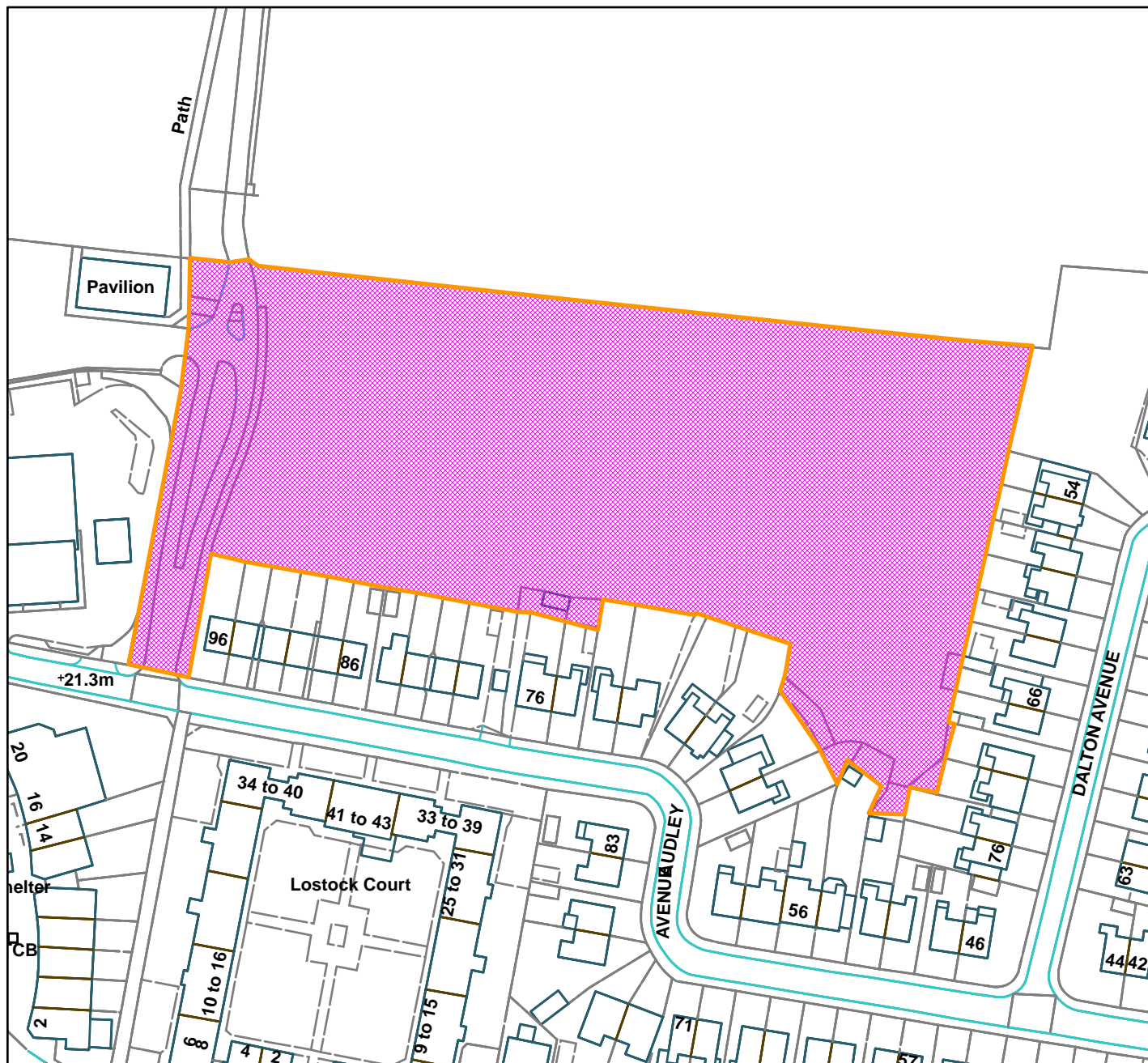
Reason: In the interests of crime prevention and the enhancement of community safety, having regard to Core Strategy Policy L7 and the National Planning Policy Framework.

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School Development Site, Audley Avenue, Stretford



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
MSA Number	100023172 (2012)

**WARD:** Urmston

**97876/HHA/19**

**DEPARTURE:** No

**Erection of a part single/part two storey side extension.**

15 Carrsvale Avenue, Urmston, Manchester, M41 5SX

**APPLICANT:** Mrs Sarah Walker

**AGENT:** Design and Planning Services (Warrington) Ltd

**RECOMMENDATION: REFUSE**

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**This application has been called in to be determined at the Planning and Development Management Committee by Councillor Joanne Harding on the grounds that the proposal would constitute an appropriate development and that it will not have an adverse impact upon the area.**

**SITE**

The application site concerns a two storey semi-detached property located on the north-west side of Carrsvale Avenue, it is a corner property situated on the junction with Balfour Road. It has an existing single-storey rear extension and a timber canopy to its side.

It is situated in a predominantly residential area and adjoining no.17 Carrsvale Avenue to the north side, The majority of surrounding properties are also either semi-detached or terraced in form. The Princess Centre (health clinic) is situated to the rear of the application site.

The existing boundary treatment along the south boundary between 15 Carrsvale Avenue and Balfour Road consists of a low brick wall with timber fencing above, some natural boundary treatment exists in the form of trees.

**PROPOSAL**

The proposal is to erect a part single, part two-storey side extension on the south side of the host dwelling to form a utility, w.c. and playroom at ground-floor level and a bedroom and en-suite at first-floor level. Windows are proposed to the front, side and rear elevations on both floors with a ground floor rear door also proposed providing access to the decking area. The proposal would be constructed with matching materials to the host dwelling.

The extension would project approximately 2.8m to the side with a length of 7.45m at ground floor level and 6.2m at first floor level. The flat roof ground floor element would have a roof height of 3.3m. The two storey element proposes a gable ended roof design

matching the orientation of the host main roof with a matching eaves height of 5.2m and the ridge set slightly lower than that of the main roof at 7.8m

Under the previous application of 97310/HHA/19, amended plans were requested by the case officer in order to reduce the proposed side projection and retain a 2m gap between the proposed south side elevation and respective boundary shared with Balfour Road, in order to comply with SPD4 paragraph 3.3.3.

Amended plans were not received and the application was subsequently withdrawn. The current application proposals show the proposed extension narrowed in width in comparison with the previous application proposal and set back between 0.8m and 1m from the side boundary.

The increase in floor space of the proposed development would be approximately 31.63m<sup>2</sup>

## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable transport and accessibility  
L7 - Design

For the purpose of the determination of this planning application, these policies are considered 'up to date' in NPPF Paragraph 11 terms.

## **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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Autumn 2019 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the revised National Planning Policy Framework (NPPF) on 19 February 2019. 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 is regularly updated. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

97310/HHA/19: Erection of a two storey side extension. Application withdrawn 28<sup>th</sup> May 2019.

94681/HHA/18: Erection of single storey side extension. Approved with conditions 20<sup>th</sup> July 2018.

H06692: Erection of extension to lounge to form sun porch. Approved 17<sup>th</sup> March 1978

H03817: Extension to dining room with bedroom over and enlargement of lounge. Approved with condition 13<sup>th</sup> July 1976

H02873: Living room extension and extension to form dining room with bedroom over. Refused 9<sup>th</sup> January 1976.

## **APPLICANT'S SUBMISSION**

CIL Questions

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

No representations have been received in response to this proposal.

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. Householder extensions are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas.

## **DESIGN AND APPEARANCE**

2. Paragraph 124 of the NPPF states that *"The creation of high quality buildings 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 of the NPPF states that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."*
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. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance relating to these areas as detailed below.



5. Section 2.2 provides guidance on reflecting the existing character of the property and states under 2.2.1 that: *“It is important that extensions should reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing. Ill-designed or excessively large extensions can spoil the appearance of your property. Careful consideration should be given to the individual details of the original property in designing any extension to help maintain and reinforce the style of the main dwelling and help an extension to blend in with the street scene.”*
6. Section 2.3 provides guidance on scale and advises under 2.3.1 that: *“Any extension should respect the scale and proportion of the original dwelling and should not dominate through excessive size and/or prominent siting. Extensions should be in proportion in their own right and in relation to the size of the original dwelling. Overlarge extensions can dominate the appearance of a property, unbalance its design and compete with the original dwelling to the detriment of the appearance of the house. Extensions that dominate the house or appear over-dominant in the surrounding area will not be acceptable.”*
7. In the case of space around the building Section 2.8 discusses the importance of retaining spaces between buildings and states that: *“The gaps in between buildings and the space surrounding them make an important contribution to an area’s character. An extension that appears too large in the street scene reduces this sense of spaciousness and can harm the character of the area.”*
8. In the case of side extensions, paragraph 3.1.1 advises that: *“Side extensions should be appropriately scaled, designed and sited so as to ensure that they do not: Appear unacceptably prominent, Erode the sense of spaciousness within an area, Detract from a dwelling’s character, Adversely affect the amenities of neighbouring properties.”*
9. In the case of corner properties, paragraph 3.3.1 states that *“Extensions on corner properties, between the side of the house and the road, can appear unduly prominent and obtrusive, particularly if they come forward of the general line of the fronts of neighbouring properties. Extensions in these locations should not be visually over-dominating or disrupt the sense of openness between the properties and the street scene”.*
10. Paragraph 3.3.2 states that *“Each case must be considered individually, however a proposal is more likely to be acceptable if:*
  - *There is plenty of space between the property and the back of the pavement on the road and the extension only takes up a small proportion of this space, which in most cases will not be more than 50% of the garden*
  - *The proposal is in keeping with the building line and does not appear over-dominant in the street scene*
  - *There is sufficient space left between the extended property and the back of the pavement to maintain the character of the surrounding area*

- *If the extension is set back from the front corner of the house*
- *If the extension is single storey rather than two storey*
- *The design of the proposal helps to minimize the visual impact on the street scene.”*

11. Paragraph 3.3.3 advises that: *“A minimum separation distance of 2m must be maintained between the edge of any single storey extension and the site boundary. These minimum separation distances may need to be exceeded however for two storey extensions or to safeguard the prevailing spacious character, and in any case will take into account the building line and extent of side garden remaining.”*
12. The existing dwellinghouse is sited on the junction of Carrsvale Avenue and Balfour Road and therefore the south side of the site is considered prominent within the streetscene. The Council would normally expect to see a two storey side extension be parallel with the respective side boundary and with a separation distance of a minimum of 2m to the boundary; it would also require subservient proportions to that of the original dwelling.
13. The proposed width, depth, and roof heights of the two storey side extension are not considered to be out of proportion with the existing dwelling and the design is considered to be in keeping with the character of the existing property. However, the proposed *extension* would be only 0.8m from the side boundary at its closest point with this gap widening to approximately 1m to the rear of the extension. This would be contrary to SPD4 specific guidance which states that at least 2m should be retained to the boundary in the case of single storey extensions to corner properties and that this may need to be exceeded for two storey extensions in order to protect spaciousness (SPD4 3.3.3).
14. The guidance states that there should be plenty of space between the property and the back of the pavement on the road and the extension should only take up a small proportion of this space, which in most cases will not be more than 50% of the garden. In this case, the extension will take up significantly more than 50% of the space between the original dwelling and the road.
15. Whilst it is recognised that there is no building line on this side of the road and that the extension has been reduced in width since the previous application to pull it further from the boundary, it is considered that the proximity of the proposed development to the back of the pavement and common boundary (south) would create an over-dominant and obtrusive addition to the dwelling and a cramped form of development on a prominent corner plot site. As such, the proposal would be out of character with the spaciousness of the surrounding area.
16. It is noted that an earlier application, 94681/HHA/18, was amended from the original proposal of a two storey side extension to a single storey extension in order to mitigate its visual impact and prominence. The report on that application stated: *“On balance, given the above and the single-storey scale of the proposal, it is considered*

*that the extension does not appear unduly prominent and visually obtrusive against the original dwelling or within the streetscene and overall would act to safeguard the prevailing spacious character of the area”.*

17. Several cases of previously approved side extensions across Trafford were provided by the applicant alongside the current application in support of the proposal for 15 Carrsvale Avenue. None of the cases are immediately local examples along Carrsvale Avenue. Upon review of each case it is considered that none of the cases referred to are directly comparable with the application at 15 Carrsvale Avenue and so do not support the proposal, as detailed below:
18. 5 Lambourn Road H/51652 “Erection of a two storey side extension and a conservatory to rear, to form additional living accommodation.” Although this extension is similar in design, scale, and proximity to the boundary fronting the highway, the application was approved in 2001. Therefore there have been significant material changes in planning policy and guidelines since that time including the National Planning Policy Framework (NPPF) (published in 2012 and revised in 2018 and 2019), Trafford Core Strategy (adopted in 2012) and in particular the Council’s Supplementary Planning Document, SPD4 (adopted in 2012). Furthermore the extension at 5 Lambourn Road is not sited on a direct junction or corner plot but instead on a curved road, therefore the context of the site differs.
19. 17 Malvern Avenue 93441/HHA/18 “Erection of two storey side and single storey rear extensions”; 20 Malvern Avenue 93767/HHA/18 “Erection of a two storey side and a single storey rear extension”; 1 Minster Drive 84428/HHA/14 “Erection of first floor side extension”; 14 Minster Drive and 39 Minster Drive. There does not appear to have been any application for a two storey side extension on the latter two properties. None of these properties are on corner plots so Section 3.3 of the SPD4 guidelines would therefore not apply to these cases.
20. As such, it is considered that the circumstances in each of the above cases are significantly different from those of the current proposal and would not provide any justification for relaxing the normal guidelines in this case. It is considered that, given its siting, scale and massing, in relation to site context and proximity to the side boundary, the proposed two storey extension of 15 Carrsvale Avenue would result in an obtrusive, over-dominant and cramped form of development that would be out of keeping with the spacious character of the surrounding area. The proposal would therefore have a detrimental impact on the visual appearance and character of the street scene and the surrounding area and would be contrary to Policy L7 of the Core Strategy and guidance in the Council’s adopted SPD4 guidelines.

## RESIDENTIAL AMENITY

24. Policy L7 of the Core Strategy states that in relation to matters of amenity development must be compatible with the surrounding area; and 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 and/or disturbance, odour or in any other way.
25. Guidance contained within SPD4 states it is important that extensions or alterations:
- Do not adversely overlook neighbouring windows and/or private gardens areas.
  - Do not cause a significant loss of light to windows in neighbouring properties and/or their patio and garden areas.
  - Are not sited so as to have an overbearing impact on neighbouring amenity.
26. SPD 4 recommends that a distance of 21metres should be maintained between a proposed extension and neighbouring facing habitable room windows as to not create harmful overlooking or loss of light.
27. Windows are proposed at all floor levels on the host side, front and rear elevations. The majority of the proposed windows would not be principal or habitable room serving as they would be accommodating of a playroom, utility and bathroom. One front facing bedroom window is proposed on the extensions principal elevation
28. A distance of approximately 26m is retained towards neighbours at the front at nos.16-22 (even) Carrsvale Avenue. Therefore no significant adverse amenity impacts are considered to occur in this respect at the front towards the east.
29. The Princess Centre health clinic shares the common rear boundary to the west, and as above it is observed that a distance in excess of 21m would be retained between the proposal and neighbouring property..
30. SPD4 Paragraph 2.17.3 advises that: *“For two storey side extensions with a blank gable wall that would face a neighbouring main habitable room window, a 15m minimum separation distance would be required.*
31. No.13 Carrsvale Avenue and no.1 Balfour Road are situated to the immediate side (south) beyond the Highway of Balfour Road. The side elevation of the proposal as viewed from the south would be a gable wall with three small windows. The advised distance of 15m would be retained between the relating side elevation of the proposal and principal neighbouring elevations to the south as to create no significant loss of light or sense of overbearing. The south facing first floor windows on the side elevation would be secondary bedroom windows with the main outlook

being to the front. It is therefore considered that, if the proposal were acceptable in other respect, these would need to be conditioned to be obscure glazed in order to protect the amenity of 13 Carrsvale Avenue to the south, which has windows on its facing elevation.

32. It is therefore considered that the proposal would not result in any unacceptable overbearing, overshadowing or overlooking impacts on any neighbouring properties at the front side or rear. As such, it is considered that, in this respect, the proposed development would be in accordance with policy L7 of the Trafford Core Strategy and the Council's SPD4 guidelines.

### **PARKING PROVISION**

33. The proposal would increase the number of bedrooms at the property from three to four and would provide three off-street parking spaces and a garage, thus complying with the SPD3 parking standards. It is therefore considered that the proposal would be acceptable in this respect.

### **DEVELOPER CONTRIBUTIONS**

33. The proposal is for less than 100 square metres and would not therefore be liable for the Community infrastructure levy (CIL).

### **PLANNING BALANCE AND CONCLUSION**

34. The proposed two storey side extension, by virtue of its siting, scale, height and massing, and proximity to the side boundary on a prominent corner plot would create a cramped form of development that would be obtrusive and over-dominant within the street-scene and would be out of character with the spaciousness of the surrounding area. The proposal would therefore have a detrimental impact on the visual appearance and character of the street scene and the surrounding area.

35. As such, the proposal would be contrary to Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations (specifically paragraph 3.3.3) as well as guidance in the NPPF regarding good design.

### **RECOMMENDATION:**

**REFUSE** for the following reason:-

The proposed two storey side extension, by reason of its siting, scale, height and massing, and proximity to the side boundary on a prominent corner plot would create a cramped form of development that would be obtrusive and over-dominant within the street-scene and would be out of character with the spaciousness of the surrounding area. The proposal would therefore have a detrimental impact on the visual appearance and character of the street scene and the surrounding area. As such, the proposal

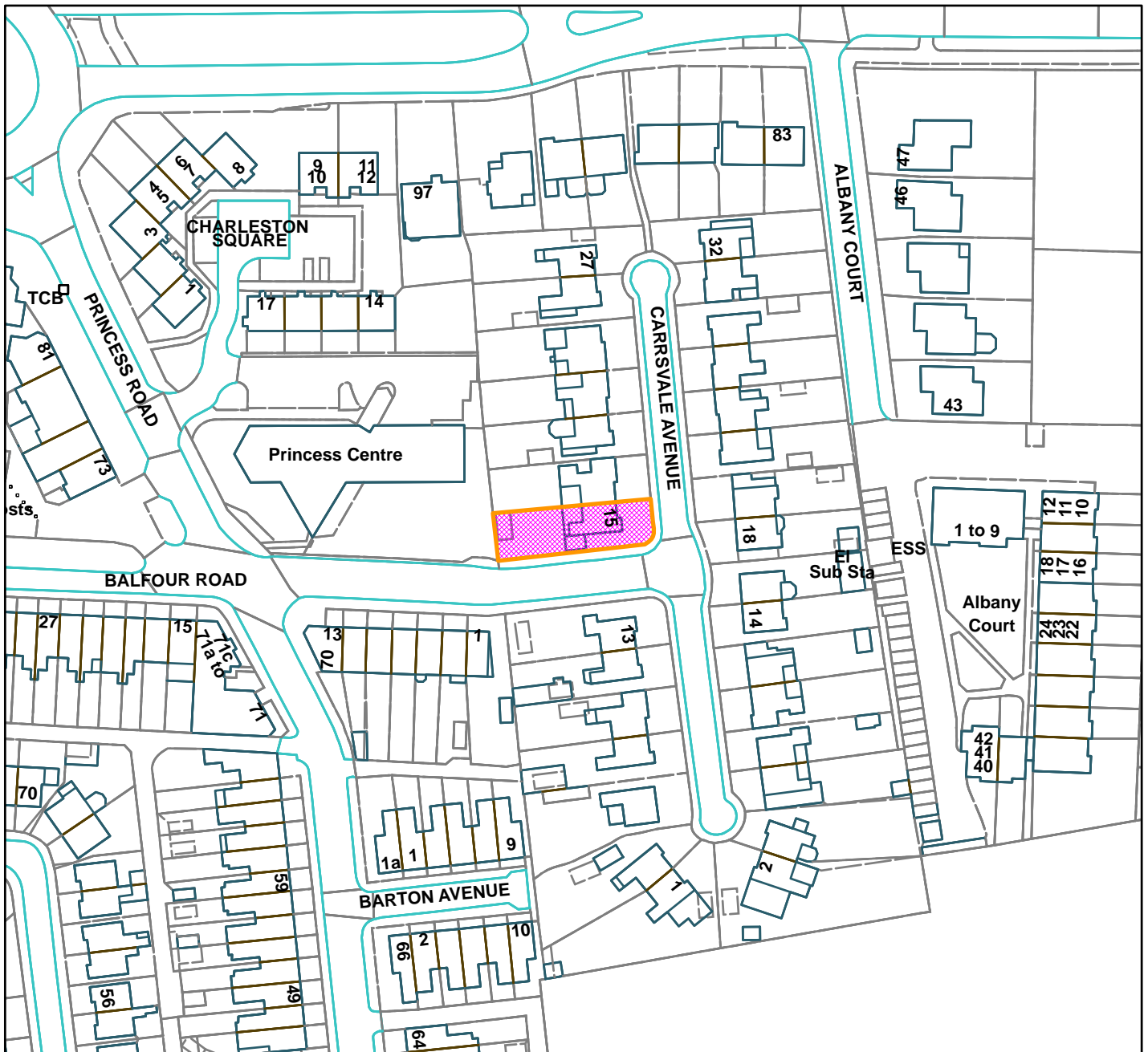
would be contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and guidance in the NPPF regarding good design.

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15 Carrsvale Avenue, Urmston, M41 5SX



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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
MSA Number	100023172 (2012)

**WARD:** Davyhulme West

**98056/HHA/19**

**DEPARTURE: No**

**Erection of single storey rear extension following demolition of existing conservatory.**

14 Sidmouth Avenue, Flixton, M41 8ST

**APPLICANT:** Mr & Mrs Brown

**AGENT:** Brighter Architecture and Building Ltd

**RECOMMENDATION: GRANT**

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

**SITE**

The application site comprises of a two storey detached dwelling with an existing rear conservatory, with a rear garden. To the front of the dwelling there is provision for off street-car-parking.

The area is predominantly residential in character.

**PROPOSAL**

Planning permission is sought for erection of a single storey rear extension that would project 4.5m from the main rear elevation and with a width of 7.2m. The proposal consists of a flat roof with two flat roof lights and full length windows on the rear elevation. The brickwork is to match existing, the roof to consist of dark grey single ply flat roof membrane and the windows and doors are to be black aluminium framed.

The existing rear conservatory is proposed to be demolished and removed.

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

**Value Added**

An email was received on 18 July 2019 clarifying the external finish of the proposed materials.



## **DEVELOPMENT PLAN**

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

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

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

L4 – Sustainable Transport and accessibility

Both of these policies are 'up to date' in NPPF terms.

## **SUPPLEMENTARY PLANNING DOCUMENTS**

SPD3 – Parking Standards and Design

SPD4 – A Guide for Designing House Extensions & Alterations

## **PROPOSALS MAP NOTATION**

Unallocated.

## **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, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Autumn 2019 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The MHCLG published the revised National Planning Policy Framework (NPPF) on 19 February 2019. 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 is regularly updated. The NPPG will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

None.

## **REPRESENTATIONS**

None received to date.

## **OBSERVATIONS**

1. The main issues to consider are:
  - Design, and
  - Residential Amenity.

## **DESIGN**

2. Paragraph 124 of the NPPF states that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities”*.
3. In relation to matters of design, Policy L7 of the Core Strategy states development must:
  - Be appropriate in its context;
  - Make best use of opportunities to improve the character and quality of an area;
  - Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.
4. The proposal constitutes a housing extension, SPD4 is a material consideration. In relation to rear extensions, SPD4 states that their detailed design, including proportions and dimensions, should be reflective of the main building and should reflect important elevational features.

5. The design of the proposed roof form and glazing is contemporary compared to the original property and the proposed materials in particular the brickwork would complement the existing property. As it is proposed to be sited to the rear it would not have an impact on the streetscene. Given the scale, siting and materials, the design and impact are considered acceptable.
6. It is therefore considered that the proposed extensions are acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

## RESIDENTIAL AMENITY

7. *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".*
8. SPD4 states that the Council will seek to protect the amenities of neighbouring occupiers and ensure that any domestic alteration does not have an adverse overlooking, loss of light or overbearing impact on neighbouring properties.
9. Paragraph 3.4.2. of SPD4 states '*The most common situation where harm may be caused to the neighbouring property is in the instance of terraced and semi-detached properties however these guidelines also apply to detached properties. Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi- detached and terraced properties. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).*'
10. The proposed rear extension would project 4.5m. Given the detached nature and setting of the property, the proposed extension is set 4.5m from the shared boundary with 12 Sidmouth Avenue and 9m from the shared boundary with 16 Sidmouth Avenue, thus complying with the SPD4 guidelines.
11. As such, it is considered that the proposed extension would not have any unacceptable overbearing or overshadowing impact on the neighbouring properties.
12. The extension and windows are sited in a similar position to the existing conservatory. There is existing boundary treatment (fence and hedges) at 1.8/2m approx. to the rear garden. The proposed extension would not result in undue overlooking to any neighbouring property to the side or rear.

13. As the extension would have a flat roof, it is considered that a condition should be attached restricting the use of this as a balcony in order to protect the amenity of neighbouring properties.

14. It is considered that the proposed extension would not have a detrimental impact on the amenity of neighbouring properties and would comply with Policy L7 of the Core Strategy in this respect.

## **PARKING**

15. The proposed extension would not affect the existing parking provision or add any new bedrooms and therefore would be acceptable in terms of parking impacts.

## **DEVELOPER CONTRIBUTIONS**

16. The proposed development will increase the internal floor space by less than 100m<sup>2</sup> and therefore will be below the threshold for charging.

## **PLANNING BALANCE AND CONCLUSION**

17. The proposed development is considered to be acceptable in terms of its design and impact on the character of the area, also with regard to its impact on residential amenity and parking provision. As such, the application complies with the policies of the NPPF, Trafford's Core Strategy and the guidelines of SPD4 and SPD3; the proposal is therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

**GRANT** subject to the following conditions:-

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended 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:
  - Dwg.00 – Location and Block Plan
  - Dwg.02 – Proposed Plans
  - Dw.04 – Proposed Elevations; and
  - Email – 'Re: 98056/HHA/19 - 14 Sidmouth Avenue', dated 18 July 2019

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

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

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the requirements of the National Planning Policy Framework. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order).

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

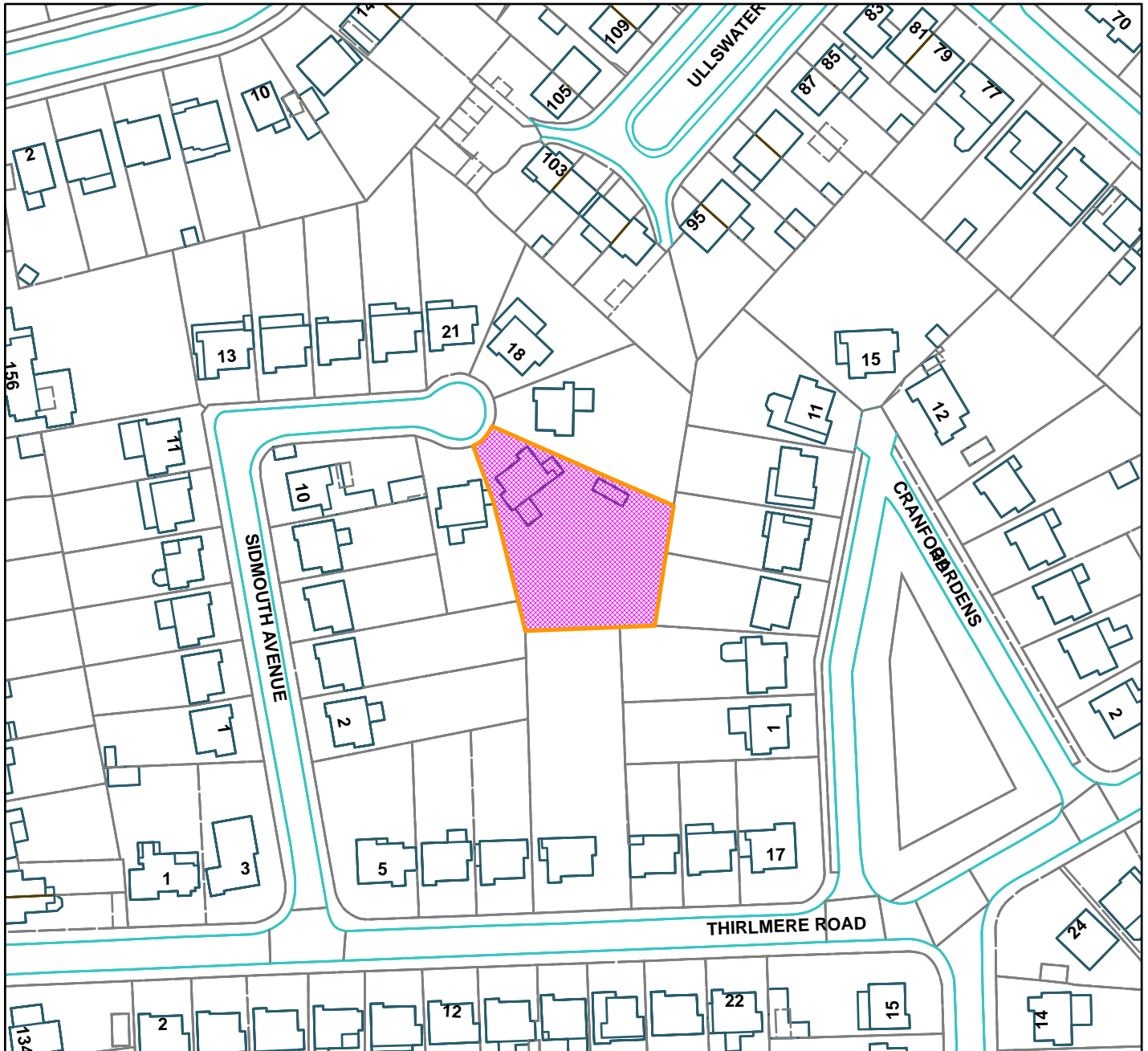
Reason: To protect the privacy and amenity of the occupants of the adjacent dwellinghouse, having regard to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations and the National Planning Policy Framework.

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Department	Planning Service
Comments	Committee Date: 08/08/2019
Date	29/07/2019
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