

WARD: Priory

94830/FUL/19

DEPARTURE: No

Demolition of existing property to allow for the erection off two semi-detached five bedroom properties

87 Hope Road, Sale, M33 3AW

APPLICANT: Mr Paul Lavelle

AGENT: N/A

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee as there have been in excess of 6 letters of objection contrary to Officers' recommendation.

SITE

The application site is comprised of a detached residential dwelling set within the settlement boundary of Sale. The dwelling is largely symmetrical in form with 2 bay GF windows, 1st floor timber sash windows and two chimney stacks either side of a pitched tile roof which runs across the site laterally. The building is finished in dark grey render and sits amongst a row of prevailing red brick faced semi-detached dwellings. The building line is well defined along Hope Road, which is linear, with off-road parking provided to the front and side and private amenity spaces set to the rear. Land levels are consistent within the area and to the adjoining sites. Directly opposite the site lies the Altrincham Metrolink line, with the site located between the nearby stations of Brooklands and Sale.

Following a site visit, it is noted that the dwelling is in a very poor state of repair. The site appeared overgrown, secured by metal fencing, and internally the building was run-down with damage clearly visible.

PROPOSAL

This application seeks planning permission to demolish the existing dwelling and erect two semi-detached dwellings on a similar footprint. The proposed dwellings would be 4-bedroom, with space for up to two cars indicated within the front of the site. The dwellings would be 9.8m in height (marginally lower than the existing building) and 7.0m wide. The dwellings would be constructed in facing brick with pitched roofs and set-down gable ends (forward facing) and vertically styled window features to the principal elevations. Roof lights are sought to the front and rear roof slopes and a flat-roof single storey element would be attached to the rear. Gaps of 3.1m would be retained to the side boundaries and bike storage/bin stores are indicated to the rear. The submitted block plan indicates that trees within the rear garden would be retained.

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Need
L4 – Transport
L5 – Climate Change
L7 – Design
L8 – Planning Obligations

OTHER LOCAL POLICY DOCUMENTS

SPD1 – Planning Obligations
SPD3 – Parking Standards and Design
SPD4 – A Guide for Designing Housing Extensions and Alterations
PG1 – New Residential Development

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 19th 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, 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.

RELEVANT PLANNING HISTORY

None relevant.

APPLICANT'S SUBMISSION

Bat survey

CONSULTATIONS

United Utilities – No objection. Suggest conditions regarding foul and surface water being drained on separate systems

Flood Risk Officer – No objection.

Highways Officer – Driveway should be widened to accommodate accessibility for the 3 spaces.

Greater Manchester Ecology Unit – No objection.

REPRESENTATIONS

10 letters of objection from 10 addresses received summarised as follows:

- Wall to the east boundary of the site should be preserved and maintained.
- Contractor should take all necessary precautions to keep dust (during demolition) to a minimum
- Timber removed from the building should be removed from the site, not burnt on site.
- Tree felling works should be carried out without any damage to existing properties and walls on Melrose Avenue
- Loss of habitats for wildlife
- Trees should be retained within the site.
- The house is of historical significance and should not be demolished.
- Poor design of the new dwellings
- Surface water runoff issues due to the extent of hardstanding proposed.
- Impact on bats
- Loss of privacy
- Developer has already cut down trees

1x letter of support from 1 address received summarised as follows:

- Current property and garden in a deteriorated state. Dangerous eyesore.
- Hugely overgrown shrubbery has been removed to gain access to rear garden.
- Bat survey has been carried out.

A further consultation is currently taking place and any representations received shall be provided to members through the Additional Information Report.

OBSERVATIONS

Principle of Development / Housing

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 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. Nevertheless, without a five year housing land supply, where applications include housing development, the NPPF advises in Paragraph 11 and the associated footnotes that all relevant development plan policies should be deemed to be out of date. This means that unless NPPF policy that protects areas or assets of particular importance provides a clear reason for refusing the development proposed the tilted balance is engaged i.e. any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
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, it should be given significant weight in the decision making process.
4. The application proposal would deliver 2no. residential units (net gain of +1 taking into account the demolition of the existing dwelling). Policy L2 of the Core Strategy is clear that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. This would amount to 0.075% of the new Government-directed annual requirement of 1,319 new homes (if it were assumed that annual requirements had continually been met such that no ongoing deficit had to be recovered). This is a very limited contribution, although officers still consider that significant weight should be afforded in the determination of this planning application to the scheme's contribution to addressing the identified housing shortfall, and meeting the Government's objective of securing a better balance between housing demand and supply.

5. It is noted following site inspection, that the existing building is in a very poor state of upkeep. This building is not listed nor within a designated Conservation Area. Whilst of reasonable architectural merit, it has no formal protection for the purposes of determining this application. Its demolition and replacement is acceptable in principle subject to all other material considerations being satisfactory. This includes the sustainability of the site, design, residential amenity, flood risk, contamination/noise, highways, trees and any ecological impacts.

Design and Appearance

6. The NPPF stipulates at both paragraphs 70 and 122 that decisions should support development that makes efficient use of land, although due regard must be had to the safeguarding of residential gardens especially where this contributes to maintaining an areas prevailing character and setting.
7. The proposed development is not considered to be harmful to the areas prevailing character. The site is within an established residential area, and the development would follow the linear building line of development to the eastern side of Hope Road, including the principal building line and the height of adjacent dwellings.
8. Spaces of 3.1m would be maintained either side of the property to allow for storage of bins, vehicle parking. This facilitates in providing a sense of spaciousness to each property allowing the setting of the dwellings to appear neither cramped nor cause visual terracing.
9. The height of the dwellings does not exceed the height of the existing building. Whilst the gable-ends, including vertically arranged window feature, provide a more vertical emphasis to the design, there are other examples of a similar form/massing within the immediate setting along Hope Road, including to the adjacent property. The style would not appear incongruous in this context.
10. The use of facing brick on the dwellings would ensure a consistent material usage to this section of Hope Lane. This would help to maintain a more uniform appearance to development within this area of the street scene.
11. The fenestration sought for the dwellings has been amended through the course of the application as Officers have sought to achieve a high quality design for the proposed residential development. Whilst elements of the fenestration could be evolved further, it is considered that the development as proposed responds to its locality and provides family housing in a sustainable location. The design avoids pastiche and makes good use of space and height without prejudicing the areas character.
12. The sills above the windows are simple in design allowing some architectural detail above the main windows. The large windows would increase the prominence of the dwelling in the street scene adding to the vibrancy and architectural character to this section of Hope Road. Stonework would sit between the main two front windows, which helps to break up the windows whilst still maintaining the vertical focus. However, the proposal indicates a contemporary approach to the traditional style and form of properties in the area. Given the design approach of the proposal further architectural details are to be requested via condition to ensure the a high quality build and ensure.

13. A mature hedge would be removed to accommodate the second access into the site. The hedge itself does contribute to the setting of the existing property. However, many other dwellings within this area are open-fronted, so to accommodate off-road parking. This is somewhat justified given the parking restrictions within the area. The more landscaped aspect of Hope Road is largely defined to the western side with mature trees and shrubbery established acting as a visual buffer to the Metrolink line.
14. A small area of landscaping is indicated between the two vehicle access points. This provides a natural break between the two driveways. Weight has been given to the need to provide off-road parking and ensure appropriate visibility splays. It is also noted that many other properties in the area are open-fronted and similarly void of any significant landscaping.
15. Conditions would be required regarding the exact details of soft and hard landscaping, an implementation schedule, and details of boundary treatments. This can be conditioned prior to occupation of the dwellings.
16. The application form details Weisenberger Hathaway Brindle facing brickwork to the main elevations and slate tiles of the roof. This provides an indication of finished appearance of the dwellings, however to secure the highest quality finish it is considered necessary to review the materials further through the discharge of condition process. A condition shall require that all external materials be submitted for approval by the LPA prior to their first use within the development.
17. Overall, the design would add to the overall quality of the area, optimising the potential of the site, and would appear visually attractive as a result of good architecture. The proposal is considered to be aligned with the aims of the NPPF, and policy L7 of the Trafford Core Strategy (2012).

Residential Amenity

18. PG1, the Council's Supplementary Planning Guidance for New Residential Development provides separation distances between dwellings which are considered acceptable to prevent losses of privacy. These are as follows:
 - 10.5m habitable room window to rear boundary.
 - 21m habitable room window to habitable room window (at two storey)
 - 15m habitable room window to wall (or non-habitable room window)
19. The development would accord with all of these requirements.
 - 11.7m would exist between the rear of the GF element to each dwelling and the rear boundary of the site.
 - A minimum of 26m would exist between the proposed rear 1st floor windows and those of the properties to Melrose Avenue. This distance is reduce to 23m when measuring at GF between these properties although this would be intersected by boundary treatments and nonetheless still accords with the guidance set out in SPD4.
 - There would be no habitable room windows facing non-habitable room windows.

20. The 2-storey aspect of the development would extend beyond the rear buildings lines to both adjacent properties. However, these larger aspects of the development are set away from the boundary by 3.1m, and of a similar scale and siting to the existing development. The impact of these 2-storey elements upon the neighbouring sites is also lessened significantly by outbuildings situated along the neighbouring boundary within the adjacent plots.
21. The 2-storey projection of the southernmost dwelling would extend approximately 3.2m beyond the rear elevation of no. 89. Taking into account the guidance of SPD4, typically the Council would consider a 2-storey projection to the rear at 1.5m + the distance to the mutual (side) boundary. In this case, that would allow for a 4.6m rear projection at 2-storey. Therefore the application proposal complies with the policy and in addition it is noted that an outbuilding is established within the neighbouring site along the boundary, alongside mature landscaping which helps to also significantly lessen the presence of the proposed dwelling. The 1st floor windows to no. 89 are also set more centrally within the dwelling away from the proposed development. The dwellings are also sited north of no.89 helping to reduce possible losses of light. For these reasons above, it is considered that the development would not be significantly harmful to the living conditions of this property, or its respective garden.
22. To the north of the application site is no. 85 Hope Road and again here, given the projection of the two storey element of the proposed dwellings and relationship to the adjacent property, the proposal complies with the guidance within SPD4. In addition there is also an outbuilding along the boundary, but also the property at no. 85 is set a significant distance away from the shared boundary. For these reasons, it is considered that the development would not be significantly harmful to the living conditions of this property, or its respective garden.
23. Windows are proposed on the side elevations at first floor, facing both no. 85 and 89 Hope Road, however as these will serve stairways and bathrooms they will be conditioned to be obscured glazed to avoid any undue overlooking. In addition, to avoid overlooking to adjacent properties and also to each of the proposed properties a condition is proposed to remove the possible use of the flat roof of the single storey outriggers as amenity space.
24. Given that the proposal would replace an existing dwelling in this location, and sits alongside an established ribbon of residential properties, noise from the Metrolink line is not expected to be a significant issue (or greater than the existing impact). The dwelling itself would provide a significant noise barrier between the rear gardens and the Metrolink line.
25. As assessed on-site, the development would not appear significantly overbearing within the outlook of surrounding residential properties/gardens, nor would they significantly compromise light or privacy.
26. Sufficient external amenity space would be available for the occupiers of each unit, subject to a suitable boundary treatment between the two respective plots. This shall form part of a landscaping condition.
27. The proposal for the reasons set out above would comply with policy L7 of the Trafford Core Strategy (2012).

Sustainability

28. The application site is contained within a suburban environment to the southern side of Sale. The site is within walking distance of Brooklands Metrolink station, Sale Metrolink station and Sale Town Centre. Within the wider area reside schools, shops, medical centres, leisure and religious facilities. The site is also well served by road networks and cycle networks (including to Manchester City Centre and Altrincham via Bridgewater Canal). It is generally considered to be a sustainable location for housing.

Economic impact

29. The proposed development would help to maintain a flexible and responsive supply of land for housing, albeit with a small contribution. Some direct and indirect benefits for the local economy would also be evidence, including additional trade for local shops and business.

30. Jobs in construction and economic benefits to the construction industry supply chain could also be supported within the local area and wider Trafford environment.

31. It is acknowledged that, whilst these economic benefits would exist, they are considered to be relatively minor and carry limited weight.

Impact on trees

32. Policy R2 of the TCS outlines the significant protection afforded to the natural environment within the Borough. Development is required to protect and enhance the landscape character and conservation value of its natural urban assets. The Borough's assets including woodland, hedgerows and hedgerow trees including street trees and ancient trees. A pleasant and visually attractive environment is important to the quality of life enjoyed by residents, and adds to the visual amenities associated with environments within the Borough.

33. None of the trees within the site are afforded formal protection (either via a Tree Preservation Order, or Conservation Area). It is understood that some shrubbery and small trees within the rear of the site have been removed although it is the intention of the applicant to maintain as many trees as possible. As set out above, a detailed landscape scheme shall be reserved via condition which will include planting specifications and implementation schedules. It is noted that the rear of the site is not visible within Hope Road, or other public vantage points. The provisions of landscaping and tree planting/retention would be in the interests of good design and securing a suitable amenity area for this private residential house.

34. The proposal accords with R2 of the Trafford Core Strategy (2012).

Ecology

35. A bat survey has been submitted in support of the application. Bats are a European protected species. The submitted survey identified that there is no evidence of bats. The Council's Ecologist has highlighted that bats are highly mobile creatures, and the

survey has suggested that there is a bat roost nearby. However, the conclusions made are that the proposal should not impact on bats.

36. An informative shall be added to the decision notice reminding the application that under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to disturb, harm or kill bats, and that if a bat is found all work should cease immediately and Natural England be informed.

Parking / Access

37. Policy L7 requires development to provide sufficient off-street car parking manoeuvring and operational space, and incorporate vehicular access and egress which is satisfactorily laid out having regard to the need for highway safety. The proposal is for 2x 4-bedroom dwellings. The maximum parking standards applied to development of this scale, in this location, would be parking spaces per dwelling.
38. Over the course of this application, changes have been sought and received in relation to the proposed layout. 3x off-road spaces are indicated within each plot (with 2 accessible at any one point). There would not be sufficient space for manoeuvrability to exit the site in forward gear. However, reversing out onto Hope Road is not considered to be significantly dangerous such that it would prejudice the safe operation of the highway or the occupiers of the development. Other properties within the area undertaken similar manoeuvres.
39. The proposed layout is practical, and the development would not have an unacceptable impact on highway safety.
40. The proposal would comply with Policy L7, L4 of the Trafford Core Strategy (2012) and the NPPF (2019).

Servicing

41. Bin storage is indicated within the rear of the site behind the designated parking spaces to each respective dwelling. Bin collection would take place from the street in the same way as other dwellings on Hope Road.

Air Quality

42. Applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations” (para. 110(e), NPPF). The provision such infrastructure within the proposed site would be safe, accessible and convenient.
43. A condition will require Electric Vehicle Charging points to be provided to each new dwelling. This shall seek to future-proof the dwellings, whilst making a small contribution to improving air quality within the Borough. This condition is reasonable and necessary in accordance with paragraphs 110(e) and 181 of the NPPF through contributing towards compliance with national objectives for pollutants and taking opportunities available to improve air quality.

44. The infrastructure shall be provided to the following specification:

- o A single Mode 2 compliant Electric Vehicle Charging Point for the property with off road parking. The charging point shall be independently wired to a 30A spur to enable minimum 7kW charging or the best available given the electrical infrastructure.

Flood Risk

45. The site is contained within Flood Zone 1 which indicates a low probability of flooding (less than 1 in 1,000 annual probability). The development, whilst reducing the extent of soft landscaping within the site, is not considered to exacerbate flood risk in the area. Significant areas of permeable surfacing would be retained within the site for drainage during storm events. The Council's Flood Risk Officer has been consulted, raising no objection to the development.

Other matters

46. A number of concerns have been raised about the impact during the demolition phase and construction phases of the new development. It is agreed that dust could contribute towards poor air quality within the immediate area if unmanaged. Parking of constructors vehicles on the highway could also lead to highway safety issues. Due to the density of this residential area, and scale of the development, it is considered reasonable and necessary to request a Construction Method Statement to be submitted to, and approved by the Local Planning Authority, prior to the commencement of works.

47. Consideration has been given as to whether national 'permitted development' rights should be removed. The Town and Country Planning (General Permitted Development) Order (2015) sets out these rights in full, but namely consideration has been given to the removal of Classes A (extensions), B (roof additions), and C (roof lights) and Part 2 (Class A). The NPPF outlines that conditions should be imposed only where necessary, and should be enforceable, precise and reasonable. "Blanket removal of freedoms to carry out small scale domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity" (Para. 017 – NPPG)

48. It is not considered necessary to remove permitted development rights for Class A (Part 1, Schedule 2). A single storey extension could theoretically be erected to the side of the property although this would not prejudice the parking arrangement, and space would still exist for bin storage behind the 2 westernmost parking designations. A single storey, any side extension would not likely cause significant harm to the character of this area. There is ample space within the rear of the site for single storey extensions should the occupiers wish to develop this at a later stage. For this reason, there is no clear justification to remove permitted development rights for Class A. Such a condition would not be necessary to make the development acceptable and thus fails the conditions tests set out in the NPPF.

49. With regard to classes B and C, any dormers erected to the rear of the property would still meet the separation distances set out in SPD4 and would not be visible within the street scene of Hope Road. No concerns would be raised with further provisions of roof lights. Boundary treatments of up to 1.0m could be erected to the front of the site under Part 2 (Class A), although the street scene is already characterised by a mixture of

boundary treatments including walls, hedges, railings and fencing. On this basis, there would be no clear justification for restricting this particular right, again failing the conditions test set out in the NPPF.

Developer Contributions

50. The proposed dwelling would comprise 420sqm new build floorspace and would therefore be liable for CIL (Community Infrastructure Levy). The site is within a designated 'Moderate' charging zone, which outlines a charge of £40 per sqm for private market houses. The submitted CIL form states that this would not be a 'self-build'.

Planning Balance and Conclusion

51. The objections have been noted and considered, however the presumption in favour of sustainable development is a significant material consideration in the determination of this application. Taking into account the merits of the application, and compliance with both local and national planning policy, the proposal satisfies all aspects of sustainable development.
52. The importance of housing delivery is highlighted both at a national and local level through respectively the NPPF, and Trafford's Core Strategy. In the absence of a housing land supply, the delivery of any additional housing is afforded significant weight in favour of the application. The development would make a small contribution to addressing the current imbalance between housing demand and housing supply. Notwithstanding this, however, the proposal is considered acceptable in all other respects, namely design/character, residential amenity, trees/landscaping, parking, highway safety and ecology. The increased density of development within this site would cause any material harm in planning terms. It is considered that the proposal complies with Local Plan policies L1, L2, L4, L5, L7 and L8 of the Trafford Core Strategy.
53. It is acknowledged there would be a greater impact on the character of the area than that at present by virtue of 2 houses replacing 1. There would also be a slight visual intrusion to the outlook of no. 87 due to the rear projection of the southernmost dwelling at 2-storey. These impacts are considered acceptable, however, and would accord with policy L7. In respect of the tests of Paragraph 11, the benefits of the scheme, namely contributing to housing need, significantly and demonstrably outweighs the increased impacts on the built environment, which are not considered significantly adverse. Paragraph 11 of the NPPF requires development proposals that accord with the development plan to be permitted without delay. Thus this application goes before the Planning Committee with a recommendation of approval subject to appropriately worded conditions being attached to any grant of permission.

RECOMMENDATION: Approve subject to 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 07/18/BP Rev A; 35/18/4 Rev E; 35/18/5 Rev E received 2 September 2019 and 35/18/1 Rev D; 35/18/2 Rev D; 35/18/3 Rev D; 07/18/LP received 19 July 2019;

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

3. Prior to above ground works all external facing materials to be used on the development hereby approved, (including brick/stonework, windows/doors, roof tiles and drain pipes) shall be submitted to the Local Planning Authority for approval in writing. Samples and specifications of the material shall be provided, with details to include colour and texture. Development shall be carried out in accordance with the approved details unless any variation is agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory finish to the development in accordance with the NPPF and Policy L7 of the Trafford Core Strategy (2012).

4. All window and door openings shall be constructed with minimum 90mm deep external reveals.

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

5. Notwithstanding the details hereby approved, no development above ground level shall commence until detailed plans and sections at a scale of 1:20 have been submitted and approved in writing by the local Planning Authority showing;

- i. All external window and door systems, (including technical detail (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour at scale 1:10;
- ii. Design and material of all main entrances including surrounds and treatment of facade and roof edges
- iii. Rainwater goods (including locations, fixing, material and colour)

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure a high quality standard of development and to safeguard the visual amenities of the locality, in accordance with Policies L7 and R1 of the Trafford Core Strategy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation, the windows in the 1st and 2nd floors on the side elevations facing north and south shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

7. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofs on the building hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

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

8. Prior to the first occupation of the development hereby approved, the developer shall provide Electric Vehicle Infrastructure to the following specification:

A single Mode 2 compliant Electric Vehicle Charging Point for each property with off road parking. The charging point shall be independently wired to a 30A spur to enable minimum 7kW charging or the best available given the electrical infrastructure. The infrastructure shall be maintained and operational in perpetuity. A plan showing the installation point of the infrastructure shall be submitted to the Local Planning Authority for approval in writing.

Reason: In accordance with paragraph 110e of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life with respect to Local Air Quality and in accordance with minimum good design standards as set out in the EPUK Guidance Land-Use Planning and Development Control: Planning for Air Quality.

9. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.
(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

10. No part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

11. Prior to above ground works, details of existing and finished site levels to agreed off-site datum point(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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

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

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

13. No dwelling shall be occupied until space for the parking of cars has been laid out within the site in accordance with drawing no. 07/18/BP Rev A, or any subsequent landscaping plan approved in writing by the Local Planning Authority, and that space shall thereafter be kept available at all times for the parking of vehicles.

Reason: To ensure a satisfactory provision of parking within the development in accordance with policy L7 of the Trafford Core Strategy (2012).

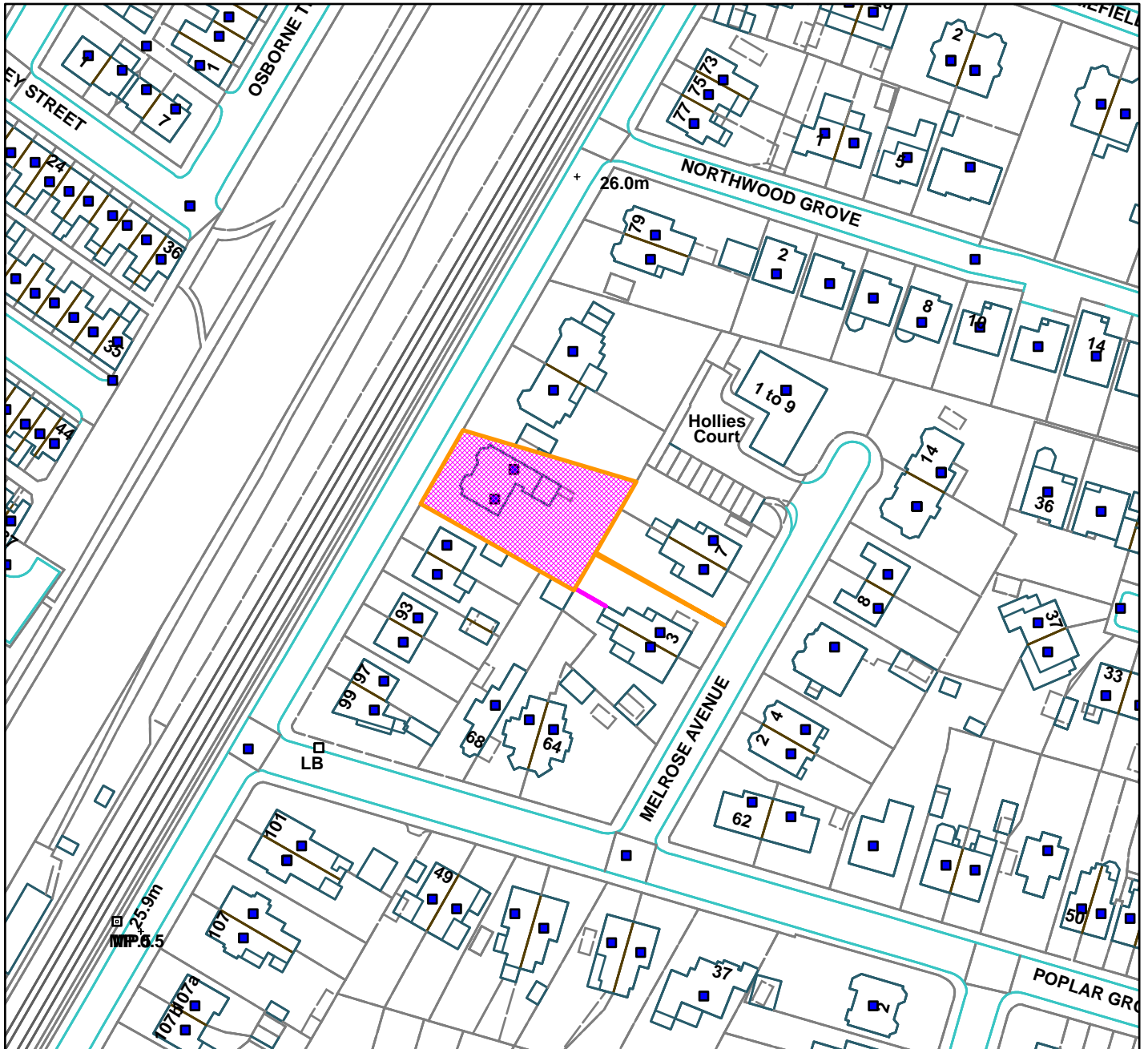
14. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

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

RC



87 Hope Road, Sale, M33 3AW (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/09/2019
Date	30/08/2019
MSA Number	100023172 (2012)

Demolition of existing derelict factory and construction of 11 no. new dwellings associated access, parking and landscaping.

Bankside Manufacturing, Blackburn Street, Old Trafford, M16 9JS

APPLICANT: MSN Development Ltd

AGENT: DaC Design

RECOMMENDATION: GRANT

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

SITE

The site comprises a vacant two storey former factory building that appears to have been unused for approximately 15 years and is in a dilapidated state. The building covers the vast majority of the site.

The site adjoins a two storey Mosque to the southwest and the private rear gardens of houses fronting Henrietta Street to the northwest. To the southeast on the opposite side of Blackburn Street are the side elevations of houses fronting Woodliffe Street and Prestage Street and to the northeast the site adjoins a gated alleyway to the rear of terraced houses fronting Beaver Street. With the exception of the Mosque the area is predominantly residential in character.

PROPOSAL

Planning permission is sought for the demolition of the existing derelict factory building and construction of 11 no. new dwellings with associated access, parking and landscaping.

A staggered row of 3 pairs of semi-detached houses would be located in the western half of the site with a terrace of 5 houses along the Blackburn Street frontage. The main access would be gated and off Blackburn Street at the southern corner of the site. The existing wall along the north-eastern boundary would be utilised at a reduced height to form the boundary wall for the new development and to screen a communal garden area proposed at the northern end of the site.

The scheme comprises 4 no. four bed, 5 no. three bed and 2 no. 2 bed houses with accommodation between two and four floors depending on the house type. Where the accommodation is over four floors this is achieved with rooms in the basement and roofspace. There is some variation in the roof heights across the development due to the different house types resulting in ridge heights of between 8 and 9 metres. Some of the house types incorporate dormers and rooflights.

The properties have a contemporary design but reference traditional features and materials from the local area (pitched roof form, bay windows and red brick) combined with contemporary materials and features such as integrated solar panels and zinc cladding.

A total of 18 parking spaces are proposed within the site, 10 of which would be in a basement area at the north-eastern end of the site which utilises an existing area below the current factory building, the remaining 8 would be at surface level.

The total floorspace of the proposed new dwellings would be 1176 m².

Value Added: - Various amendments have been made to the scheme to enhance the design, layout and scale of the houses, to resolve some highway layout issues and to improve the impacts on residential amenity both on and offsite.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

- L1 - Land for New Houses
- L2 - Meeting Housing Needs
- L3 - Regeneration and Reducing Inequalities
- L4 - Sustainable Transport and Accessibility
- L5 – Climate Change
- L7 - Design
- L8 - Planning Obligations

W1 - Economy
R2 - Natural Environment
R3 – Green Infrastructure

PROPOSALS MAP NOTATION

Old Trafford Priority Area for Regeneration

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

OTHER LOCAL POLICY DOCUMENTS

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

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. 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) 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 22 July 2019. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

H/ARM/64855 – Approval of reserved matters pursuant to outline planning approval
H/OUT/57639 for demolition of existing buildings and erection of 7 no. four bedroom terraced properties – Refused 2006

H/ARM/61895 – Approval of Reserved Matters pursuant to outline planning approval H/OUT/57639 for demolition of existing buildings and erection of 7 four bedroom semi-detached properties (including variation of condition 8) – Refused 2005

H/61894 - Variation of condition 8 of planning permission H/OUT/57639 to allow the construction of three storey residential properties – Refused 2005

H/61580 – Reserved Matters Application for demolition of existing industrial building and erection of 7 new three storey town houses, with associated car parking and access from Blackburn Street – Withdrawn 2005

H/OUT/57639 - Outline application for the residential development of land following the demolition of existing building – Approved 2004

H/21207 – Change of use of part of premises from warehouse to clothing manufacturing – Approved 1985

APPLICANT'S SUBMISSION

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

- Design and Access Statement incorporating Planning Statement
- Parking and Waste Strategy Addendum
- Drainage Strategy
- Contaminated Land Preliminary Assessment
- Bat Survey

CONSULTATIONS

Strategic Planning – No objection. Comments are discussed in more detail in the Observations section of the report.

LHA – Raise concerns about the level of car parking provided. Comments are discussed in more detail in the Observations section of the report.

Housing Strategy and Growth - No objection as the scheme will bring much needed family homes into Old Trafford. The overall scheme intends to deliver 11 new houses ranging between 2 and 4 bedrooms. The trigger for affordable housing has not been met as the scheme is under 15 units in a cold market location.

LLFA – No objection subject to recommended drainage conditions. Comments are discussed in more detail in the Observations section of the report.

Pollution and Housing (Nuisance) – No objection subject to conditions relating to exterior lighting and provision of a Construction and Demolition Environmental Management Plan. Comments are discussed in more detail in the Observations section of the report.

(Air Quality) – No objection subject to a condition relating to electric vehicle charging points. Comments are discussed in more detail in the Observations section of the report.

(Contaminated Land) – No objection subject to recommended contaminated land conditions. Comments are discussed in more detail in the Observations section of the report.

Waste Management – No comments received at the time of writing.

GM Ecology Unit – No objection subject to appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

GM Policy (Design for Security) - No comments received at the time of writing.

United Utilities – No objection subject to surface and foul water conditions.

REPRESENTATIONS

Neighbours: - 5 objections were received in relation to the plans originally submitted. Grounds of objection summarised as follows:

Highways Issues

- The lack of on-site parking will cause issues for residents as existing demand for parking on adjacent residential streets has already spilled onto Blackburn Street.
- The Mosque congregation is growing as is the demand for parking requirement. The parking information submitted is incorrect as there are on street parking issues on Blackburn Street and it is not the case that most Mosque attendees are from the local area.
- Increased on street parking and storage of bins on bin day will block pavements on Blackburn Street.
- Volume of construction traffic could be dangerous and result in parking issues for residents.
- Not enough cycle parking on the site

Noise and Disturbance

- Concerns about construction noise early in the morning and at weekends and the length of construction work.
- The access gate will result in noise nuisance.

- What will be done about vermin disturbed by the demolition?
- Could the existing wall onto Beaver Street be left in situ during demolition to protect adjacent houses?

Ecology

- There is a family of foxes on the site including cubs and also birds in the trees. How will they be protected?
- Could the large tree be retained?

Other Matters

- There is a need for social rented housing in the area – has this been considered?
- It is hoped the environmental credentials will come to fruition and not be ‘greenwash’
- A gated complex will create a barrier between residents causing segregation and is visually not in keeping with the area.
- The structural integrity of the retaining wall on Beaver Street needs urgent attention as masonry and slates are falling into the alleyway.
- Incorrect statement about the height of boundary walls – what will the boundary treatments be as privacy will need to be retained.
- An incorrect plan shows an off-site tree that was removed years ago.

A further 2 objections were received following publicity carried out in relation to the amended scheme. The only new issue raised was concern about asbestos on the site.

It should also be noted that several of the comments received welcome the redevelopment and stated that they were generally positive about the proposal and the removal of the factory building which had been an eyesore for at least 16 years. Other comments included that the scheme was an improvement on previous proposals, had been well thought out and had given consideration to adjacent residents. However these positive comments were subject to the concerns set out above being addressed.

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 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.
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. Nevertheless, without a five year housing land supply, where applications include housing development, the NPPF advises in Paragraph 11 and the associated footnotes that all relevant development plan policies should be deemed to be out of date. This means that unless NPPF policy that protects areas or assets of particular importance provides a clear reason for refusing the development proposed the tilted balance is engaged i.e. any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

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, it should be given significant weight in the decision making process.

PRINCIPLE OF DEVELOPMENT

Loss of Employment Land

4. The site is located within the Old Trafford Priority Area for Regeneration and currently comprises a vacant and dilapidated factory building with some peripheral tree and shrub planting.
5. Although the existing factory building is currently vacant and very dilapidated, the most recent use of the site was for employment purposes and Core Strategy Policy W1 is of relevance. This policy is consistent with the NPPF by supporting economic growth and is considered up to date. An Employment Land Statement has been submitted with the application and states that despite extensive marketing the current owner has been unable to let the factory for employment or storage use since the last occupier left. The property has been difficult to let due to a number of issues; access to the site for large HGV vehicles is difficult as Blackburn Street does not allow through traffic, the structural state of the building is poor and upgrading is not financially viable and the residential nature of the surrounding uses precludes noisy or dirty uses.
6. In terms of compliance with Policy W1 the site is not allocated for employment uses and there are more appropriate sites for B1/B2 uses in the Old Trafford Area. It is not considered that its retention as an employment site is required whereas there is a clear need for additional housing and insufficient sites across the Borough to meet housing need. It is considered that the proposed residential use would be compatible with other residential properties in the immediate area and that on balance the loss of the employment land is acceptable.

Housing

7. 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.
8. 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 eleven new residential units. Whilst this is a 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, at low risk of flooding, of an appropriate density and within an existing settlement. The scheme would also bring the site which is currently covered by a redundant industrial building back into use and this will contribute to the Council's aspirations in relation to the regeneration of Old Trafford.
9. 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.
10. The scheme incorporates a mix of housing types and sizes, as sought by Policy L2 and in the interests of delivering mixed and balanced communities and Housing Strategy and Growth have welcomed the homes proposed which comprise 2, 3 and 4 bedrooms units. 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 scale and location in a cold market area. 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 IMPACT ON THE STREETSCENE

11. 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”.

12. Core Strategy Policy L7 requires that, in relation to matters of design, development must be: appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and make appropriate provision for open space, where appropriate.
13. The existing building is an unattractive and dilapidated structure that detracts from the streetscene and is in a dangerous state. Its removal is therefore considered beneficial to the visual amenities of the area. The development proposes 11 new dwellings, a terrace of five properties fronting Blackburn Street and a further six houses (3 pairs of semi-detached) in the western half of the site. The proposed layout would effectively create a street including communal garden area within the development accessed via the southern corner of the site and Plots 7-11 would also provide a strong frontage onto Blackburn Street,
14. The scheme proposes to use the existing site levels and boundary walls at a reduced height and to utilise an existing half basement below the factory building to create a covered parking area with communal garden above. Different house types are proposed, with an overarching design approach and comprising semi-detached and terraced houses with pitched roofs. The number of floors would vary through the use of accommodation within basement and roofspaces of some of the properties but this would still result in a predominantly 2 storey appearance and the heights of the proposed houses (between 8 and 9 metres) are comparable to existing adjacent houses. Streetscene and sectional drawings have been submitted to demonstrate these relationships. The variation in the roof heights of the houses within the development assists in adding interest to the scheme.
15. The buildings have a contemporary appearance but utilise materials, scale and roof pitches that reflect the character of the wider area. Red brick walls with feature detailing would combine with zinc clad feature box bay windows with the zinc effect carried through to the porches and dormers. Roofs would be slate effect tiles and solar panels and rooflights would be integrated into the roof slopes reducing their visual impact. The elevations would be further articulated through areas of brick detailing.
16. The Design and Access Statement states that the scheme would be double glazed to a high thermal efficiency and that materials have been selected for their longevity and environmental impact. In addition, the properties include solar panels and electric charging points. This approach is compliant with Policy L5 which states that *‘New development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or*

decentralised energy generation.' While it is noted that Policy L5 is out of date in relation to NPPF guidance on Climate Change it is considered that the environmental efficiencies that the scheme seeks to achieve is in accordance with the general thrust of the NPPF guidance. The objector's concerns that the development may not include the measures to improve the environmental performance of the building are noted however the development would need to be built in accordance with the approved plans and a condition is recommended in relation to the provision of electric charging points.

17. Vehicle access has been proposed to be via gates at the southern corner of the site. Objector's comments regarding the gated access resulting in a sense of segregation are noted. The applicant included the gates due to concerns about the potential for parking within the site by persons who do not live within the development, however notwithstanding this they are considering the possible removal of the gates from the scheme at the time of writing and this issue will be clarified in the Additional Information Report.

Landscaping

18. At the present time there is no formal landscaping on the site although there are trees and bushes that have grown on some of the limited external areas of curtilage land and up through the roof of the existing building. The development proposes private gardens for all of the properties and in addition to this an oval shaped communal garden area in the northern half of the site above the basement parking. It is accepted that the scope for tree planting on the communal area and to the front of some of the properties will be limited due to the depth of soil and extent of hardstanding. However shrubs and planters could be used to break up these areas in combination with good quality paving materials and there are opportunities for tree planting in the rear gardens. Therefore it is considered that this would contribute to the greening of the site and wider area and subject to an appropriate landscaping scheme, to be secured via condition, would contribute to the biodiversity of the area.
19. It is considered that the proposed development has a clear design approach that would complement the scale and form of nearby semi-detached houses and would contribute to the streetscene through a strong frontage onto Blackburn Street and the use of landscaping. The redevelopment would open the site up and provide a unique development which contributes to the visual amenity of the area.
20. The design of the proposed development is therefore considered acceptable and would not adversely impact on the character of the surrounding area in accordance with Policy L7 and the guidance set out in the NPPF.

RESIDENTIAL AMENITY

21. Core Strategy Policy L7 states that in relation to matters of amenity protection, development must be compatible with the surrounding area and not prejudice the

amenity of the future occupants of the development and / or occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

22. SPG1 New Residential Development sets out the guidelines that relate to all forms of new residential development. With regards to privacy, the Council's Guidelines require, for new two storey dwellings, that the minimum distance between dwellings which have major facing windows is 21 metres across public highways and 27 metres across private gardens. The SPG states that 'Where *three storey* dwellings (houses or flats) are proposed, the minimum distances are increased by 3 metres over the above figures and for *four or more storeys*, the figures as for 3 storeys apply.
23. With regard to overshadowing SPG1 states that 'In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided. The SPG states that 'Distances to rear garden boundaries from main windows should be at least 10.5 m for 2 storey houses and 13.5 m for 2 storey flats or houses or flats with 3 or more storeys.

Impact on existing adjacent properties

Impact on Beaver Street

24. To the northeast of the application site are two storey terraced properties with two storey rear outriggers on Beaver Street. The rear yards of the houses are separated from the application site by a rear gated alleyway and at the present time the side wall of the factory and boundary wall. There are habitable room windows in the rear elevations of the main house walls and the outriggers. The most affected windows would be those at ground floor level in the rear of the outriggers as they are the closest to the site. These predominantly serve kitchens in the properties and it is noted that there are also side facing ground floor windows in these outriggers to provide additional light and outlook.
25. Notwithstanding this, the north-eastern side walls of Plots 1 and 11 in the proposed development would not comply with the SPG1 guidelines in relation to the rear elevations of the properties on Beaver Street. The SPD suggests a gap of 15 metres should be provided to a two storey gable, within the proposed scheme the gap is only 6 metres. However a significant material factor in the consideration of these relationships is that at the present time these properties look onto the unrelenting and overbearing side wall of the existing factory building which is approximately 4.6 metres in height and extends at this height for approximately 46 metres. Above and immediately beyond this wall to a height of approximately 7.4 metres is the roof of the factory building. The proposed eaves heights of Plots 1 and 11 are between 4.7 and 6.4 metres with a ridge height of 9.1 metres above the level of the adjacent alley and houses on Beaver Street.

26. The proposed scheme would seek to incorporate the boundary wall but also significantly reduce its height along the majority of the northeastern boundary to between 2 and 2.9 metres. Drawings of the proposed relationship between the existing houses on Beaver Street and those proposed have been submitted to show it in comparison with the existing situation and as a result of the development a relatively small triangular area would project above the existing height of the factory and this has to be considered against the benefits of the removal of the significant extent of high boundary wall that currently exists. Overall it is considered that the scheme would have an acceptable impact on light and outlook to the rear of the properties on Beaver Street as even those properties with windows and yards directly opposite the new houses would have a more open view across the site when compared to the existing situation. It is also noted that although comments have been received from residents on Beaver Street no objections have been received in relation to the potential amenity impacts of the scheme in terms of loss of light or outlook.
27. Secondary windows are proposed in the north-eastern elevation of Plot's 1 and 11 but these serve a staircase and will be obscure glazed and fixed shut to protect the privacy of the properties on Beaver Street.
28. On the basis that the scale of the existing extensive boundary wall onto the alleyway at the rear of Beaver Street would be significantly reduced and that the existing factory structures beyond would also be removed, on balance it is considered that the proposal would not unduly impact on the residential amenity of these neighbouring properties.

Impact on Henrietta Street

29. The properties on Henrietta Street are 2 storey semi-detached houses with rear gardens backing onto the application site. Some have ground floor rear extensions and garden buildings and the rear elevations and gardens currently look onto the rear wall of the factory building.
30. Under the proposal, these properties would look onto the rear elevations of Plots 1-6 and their rear garden areas. Due to their height and the distances involved it is not considered that the proposed dwellings would have an overbearing impact on the Henrietta Street properties or result in a material loss of light or outlook from their windows as the distances are significantly in excess of the 15 metres recommended by SPG1 guidelines.
31. In relation to privacy impacts the distances from the rear elevations of Plots 1-6 to the rear boundaries with the gardens of properties on Henrietta Street are slightly substandard in some instances (between 9.7m and 10.3m rather than the 10.5 metres recommended in SPG1. However these are relatively small shortfalls and in

combination with appropriate planting and boundary treatments it is considered that the relationships would be acceptable.

32. Small dormers are proposed in the rear roof elevations of Plots 3-6 with rooflights proposed in the rear roof elevation of Plots 1 and 2. The dormers would serve bathrooms and would be obscure glazed and fixed shut unless the opening parts are 1.7m above internal floor level and the rooflights in Plots 1 and 2 would serve bedrooms but would be situated above eye level as demonstrated by sectional drawings.
33. Due to the orientation of properties and the distances involved it is considered that the development would have an acceptable impact on the rear windows and gardens of the Henrietta Street properties although in order to retain acceptable relationships it is recommended that permitted development rights are removed. One objector has raised concerns about the accuracy of the plans in relation to existing boundary treatments to Henrietta Street. The proposal has been assessed on site and the variation in boundary treatments to the Henrietta Street properties is noted. It is considered that the supporting information is generally reflective of the situation on site and in order to protect privacy between gardens a requirement to submit full details of proposed boundary treatments is recommended via condition.

Impact on 2 Prestage Street and 18, Woodliffe Street

34. The side elevation of No 2 Prestage Street is opposite the site frontage onto Blackburn Street. As a result the main front and rear elevations would not be materially affected by the proposal. The main side elevation of the property is blank except for a side door which does not allow views into the property, but there is a rear yard and windows in the side of the rear outrigger at No. 2, Prestage Street.
35. The front elevation of Plot 8 which is a two storey property would be 16 metres away from the kitchen window in the side of 2, Prestage Street across Blackburn Street. As indicated above 21 metres would normally be sought between windows, however it is noted that the side windows at No. 2 are obscure glazed and there is also a significant boundary wall to the pavement.
36. The distance of 13.5 metres between the front windows in Plot 8 and the yard area at No. 2 Prestage Street is in excess of the required distances to garden areas and it is not therefore considered that the proposal would result in any undue overlooking resulting in a loss of privacy to the occupiers of that property.
37. No. 18 Woodliffe Street also has a side elevation onto Blackburn Street but this property and its yard would be offset in relation to Plot 7 opposite. The side wall would be opposite the proposed site access. There are windows in the side of the outrigger at No. 18 Woodliffe Street but the development would represent an improvement in terms of light and outlook for the property due to the removal of the factory building and Plot 6 is set well in excess of the required privacy distances

away from No. 18, Woodliffe Street. The yard at No. 18 has a brick boundary wall to the pavement and it is not considered that the access opposite would result in material amenity impacts in relation to comings and goings given the scale of the development.

Amenity of Future Occupiers

38. The privacy distances between the front elevations of Plots 1-6 and the rear gardens of Plots 7-11 are compliant with the SPG1. The distances between the windows in the main front elevations of Plots 1-5 and the rear elevations of Plots 7-11 range between 16 and 23 metres and it is accepted that this represents a shortfall in some instances in relation to the guidelines which require 21 metres. However this is an infill site and the shortfalls would be known to any future occupier of the development. Furthermore these distances are generally reflective of the privacy levels seen in the wider area given the predominant character of terraced streets. The properties are laid out so that there are no main elevations facing onto blank side elevations and therefore it is not considered that there would be materially overbearing or overshadowing impacts between the proposed properties.
39. The Mosque at the southwestern end of the site is a significant two storey building with its side wall running along almost the full length of the site. The site access has been located adjacent to the wall at the southern end of the site. Plot 7 is proposed to be set away from the wall and the site has a degree of openness at this corner. Plot 6 would be sited adjacent to the Mosque side wall, which would project 5 metres beyond the rear elevation of this plot. Following amendments to the scheme the house has been set further away from the wall (by between 1 and 2 metres) and the ground floor accommodation is open plan with large windows in the rear elevation. In addition, there are no houses proposed on the site opposite the front elevation of Plot 6 which looks onto the site access and is therefore entirely open to the front. It is therefore considered that the amenity levels for this property would be acceptable in terms of outlook.
40. There are windows at ground and first floor level in the side elevation of the Mosque facing the application site. It is also noted that there are numerous windows at ground and first floor level in the rear elevation of the Mosque which currently back directly onto the private gardens and rear windows of houses on Henrietta Street and in the front elevation looking onto houses on Blackburn Street and these relationships are established in the area.
41. The applicant has provided details of the siting, size, height and depth of these windows and it is noted that one first floor window in the Mosque would be adjacent to the garden of Plot 6. Usually a distance of 10.5 metres would be required between a first floor window and a rear garden. In this instance the relevant window at the Mosque is on the boundary with Plot 6. However the window has a cill depth of 430mm and a cill height of 1.2 metres. Due to the depth of the cill it is used for

storage and display and because of this depth views down into the garden of Plot 6 would be very difficult in combination with the acute angle and would not result in overlooking to the detriment of privacy levels.

42. There is a fire escape staircase on the side wall of the Mosque which the applicant has stated overhangs their land. While they do not seek its total removal the plan indicates that the staircase arrangement will be reversed so that it can be accessed and egressed from outside the gates to the site onto Blackburn Street. In addition, although this is an escape staircase and rarely used, the upper level staircase landing will be screened to prevent any potential noise nuisance or loss of privacy to the proposed development and this will be conditioned appropriately. The applicants have been in discussions with the Mosque and as the staircase is on the applicant's land it is considered that a condition is appropriate in relation to this aspect of the proposal.
43. The scheme proposes acceptable amounts of private and communal garden spaces for the future occupiers of the development and is also close to Hullard Park to the west.
44. It is accepted that there are some shortfalls in the residential amenity distances set out in SPG1, but this is an infill site which due to various constraints is not straightforward to develop. The fall-back position would be the retention and re-use of the factory building. SPG1 states that *'The Council acknowledges that a rigid adherence to spacing standards can stifle creativity in design and result in uniformity of development. The Council is looking to encourage imaginative design solutions and in doing so it accepts the need for a flexible approach to privacy distances between buildings within a development site, where good design or the particular circumstances of the site allow this'* and it is considered that the applicant has strived to achieve this without the development appearing unduly contrived. The scheme represents the effective use of brownfield land and removes a potentially unneighbourly factory use from this largely residential area.

Noise and Disturbance

45. The Pollution and Housing section have been consulted on the application and do not consider that it raises any issues in terms of increased levels of noise and disturbance as a result of the proposed use. With relation to concerns raised about the demolition and construction phase, noise and disturbance is an unfortunate side effect of all new construction development but if properly controlled, the impacts can be mitigated. The Pollution and Housing section have recommended a condition requiring a Management Plan relating to the environmental impacts of the demolition and construction phases and this would cover issues such as hours of operation, measures to control dust and dirt and areas for parking of site operatives' vehicles and for loading and unloading. A condition relating to external lighting is also recommended to protect the amenities of neighbouring properties.

46. The issue raised by an objector regarding the structural integrity of the retaining wall at the Beaver Street end of the site has been referred to the Council's Structural Engineers at Amey who are looking into the issue
47. For the foregoing reasons the impact of the proposed development on residential amenity is considered to be compliant with the Council's adopted guidelines for New Residential Development, Policy L7 of the Trafford Core Strategy.

HIGHWAYS, PARKING AND SERVICING

48. Core Strategy Policy L4 states that 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.*' The aim of the policy to deliver sustainable transport is considered to be consistent with the NPPF.
49. 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.*'
50. Initial comments from the LHA regarding the provision of visibility splays, correct aisle widths and manoeuvring space and an indication of cycle parking areas have been addressed through the provision of amended plans. Full details of the cycle parking provision can be confirmed through the use of a condition but the LHA is satisfied there is scope for appropriate secure cycle parking provision within the site. However the LHA consider that the maximum standards set out in SPD3 should be provided on the site to ensure that the development does not result in on street parking pressures. It is noted that some objectors have also raised concerns about the proposed levels of car parking.
51. With regard to the amount of car parking proposed, 18 spaces are proposed on site for the 11 houses. This represents 69 % of the maximum parking standards set out in SPD3 which would require 26 spaces. The site is in a sustainable location close to shops and services and a local park and close to sustainable modes of transport. Secure cycle storage in the gardens and the undercroft area are proposed with an additional two Sheffield bike stands to be provided in the courtyard area adjacent to the gates. While the application documentation acknowledges that there is some on street parking pressure on a Friday afternoon when the Mosque holds its main service, generally on street parking issues in the vicinity are not significant. It is also noted that there is an existing established industrial / commercial use on the site and that if re-instated this would result in significant vehicle movements including the potential for large delivery vehicles to visit the site.

52. As stated above 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”* and it is not considered that severe impacts could be demonstrated in view of the circumstances of this site set out above.

53. It is therefore concluded that the development given the specific circumstances of the site in this instance would have an acceptable highway, parking and servicing impact with reference to Core Strategy Policies L4 and L7 and the NPPF.

TREES AND ECOLOGY

54. 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”*.

55. Policy R2 of the Core Strategy (Natural Environment) is considered to be consistent with the NPPF and therefore up to date as it comprises the local expression of the NPPF’s emphasis on conserving and enhancing the natural environment. Accordingly, full weight can be attached to it in the decision making process.

56. There is some scrub vegetation on the site and self-seeded trees that are growing around the site edges and through the roof of the building. None of the trees on the site are covered by a TPO and are not considered worthy of retention subject to a suitable replacement planting scheme details of which will need to be submitted through a landscaping condition. The comment made by one of the objectors on Henrietta Street that an off-site tree that no longer exists is shown in their garden on one of the plans is noted but as indicated above the proposal has been assessed on site and this has not had a material impact on the consideration of the application.

57. In view of the proposed demolition of the building and removal of trees a bat survey was submitted with the application and the Ecology Unit have been consulted on the scheme. They comment that the buildings were found to be in varying states of repair. No bats or signs of bats were found in any of the buildings. Buildings two and three were considered to have a negligible potential to support roosting bats and no further surveys are therefore considered necessary in relation to these buildings. Building one was considered to have a low potential to support a bat roost and whilst no further bat surveys are considered necessary at this time, precautionary measures are recommended by way of good practice. A condition is therefore required that the chimneys in Building one should be re-inspected by a bat ecologist prior to demolition and the sarking and hardboard cladding should be removed by hand under the watching brief of a bat ecologist.

58. With regard to the issues raised by objectors of foxes on the site, the Ecology Unit advise that although foxes have very little legal protection, they are a native species. They have been afforded some degree of protection from cruelty under the Wildlife and Countryside Act (1981) as amended and the Wild Mammals (Protection) Act 1996. It is therefore recommended that methods of good practice are followed. Foxes have dependant young, usually in fox holes underground, between March and July, therefore if the foxes are found to be resident on the site demolition should not take place whilst the young are still dependant on their mother. A condition is recommended to this effect.
59. In line with the requirements of the NPPF opportunities for biodiversity enhancement be incorporated into the new development. The Ecology Unit suggest these should include; bat bricks, bat slates and/or tubes, bird boxes and native tree and shrub planting. Subject to a condition relating to this the scheme would represent an improvement in the biodiversity of the site and consequently the application is considered to be compliant with Policy R2 and the NPPF.

DRAINAGE AND CONTAMINATION

60. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 155 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere.
61. The Lead Local Flood Authority has commented that they have no objections in principle to the development subject to two conditions in relation to surface water drainage, in particular the need to fully consider sustainable drainage techniques. United Utilities have commented that foul and surface water should be drained on separate systems.
62. Policy L5 also states that *‘Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place’* In relation to site contamination the Council’s historical database has revealed that amongst other uses the site has operated as a mineral water works and a mosaic works. Given the historical industrial / commercial use of the site it is considered appropriate to attach contaminated land conditions in order to protect site operatives and future occupiers of the site.
63. Objectors have referred to the potential for asbestos to be on site and are concerned about the impacts of this during demolition. The Construction Environmental Management Plan referred to under the ‘Residential Amenity’ section of the report includes a subsection requiring *‘information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to*

adjacent receptors' and this would need to be submitted prior to demolition commencing.

64. Subject to the attachment of the relevant conditions it is considered that the scheme is compliant with Policies L5 and L7 of the Core Strategy and the NPPF.

DEVELOPER CONTRIBUTIONS

65. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the cold zone for residential development, consequently private market houses will be liable to a CIL charge rate of £20 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
66. It is noted that objectors have commented that social rented housing is needed in the area. However Policy L2 of the Trafford Core Strategy states that in relation to the provision of affordable housing *'The minimum threshold for qualifying sites will be 5 residential units in the Borough's "hot" and "moderate" market locations and 15 within the Borough's "cold" market locations.'* As the application proposes less than 15 residential units in a cold market location no affordable housing is required.
67. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to require appropriate levels of tree and shrub planting as part of the landscaping proposals.

PLANNING BALANCE AND CONCLUSION

68. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted. However, the Council does not have a five year supply of housing land and as this is an application for housing development, all relevant development plan policy is deemed to be out of date and the tilted balance in. Paragraph 11(d) of the NPPF is engaged and should be taken into account as an important material consideration.
69. The proposal would have the key benefit of delivering 11 family houses within the Old Trafford Priority Area for Regeneration and is considered to support Place Objectives OTO1 which seeks to improve the quality, mix and type of residential offer, OTO2 which seeks to maximize the re-use or redevelopment of unused, under used or derelict and OTO 22 which seeks to ensure new development is constructed in accordance with the latest environmental standards. In NPPF terms there is no clear reason for refusing the development proposed. Paragraph 11(d)(ii) of the NPPF is therefore engaged.
70. All other detailed matters have been assessed, including visual amenity and design, highway safety, ecology and residential amenity. These have been found to be

acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and representations and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The adverse impacts of the proposal are significantly and demonstrably outweighed by the benefits.

71. The proposed development is therefore considered to be acceptable in accordance with the local development plan and the NPPF.

RECOMMENDATION: GRANT subject to the following conditions:-

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

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

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

P05B Proposed Site Plan – Undercroft Parking Level
P06B Proposed Site Plan – Garden Courtyard and First Floor Levels
P07A Front and Rear Elevations in Context
P08B Gable End Elevations in Context
P09B Proposed Floor Plans, Section and Elevations – House Type 1
P10A Proposed Floor Plans, Front Elevations and Section – House Type 2A and 2B
P11A Proposed Front and Side Elevations – House Type 2A and 2B
P12A Proposed Side Elevation and Section – House Type 2A and 2B
P13A Proposed Plans and Elevations – House Type 3
P14A Proposed Plans and Elevations – House Type 4
P15 Proposed Alternative Elevations House Type 1 – Plots 4 and 6
P16A Existing Elevations and Section – Of Mosque wall looking into site

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

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

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

4. No development works above ground level shall take place until detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.
 - i) All external window and door systems (including technical details (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour)
 - ii) Design and material of all main entrances;
 - iii) Rain water goods (including locations, fixings, material and colour);
 - iv) brick detailing;
 - v) boundary treatments and gates; and
 - vii) cycle and refuse storage areas

Reason: To ensure a high quality standard of development in the interests of the visual amenities of the area in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework

5. a) Notwithstanding the details submitted, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.
 - (b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.
 - (c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

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

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

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

8. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place other than the excluded works listed above. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.
- iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken
- 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 prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

9. The development hereby permitted shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the health of future occupiers in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework. The assessment is required prior to development taking place on site to mitigate risks to site operatives.

10. The development hereby permitted shall not take place until such time as a scheme to improve the existing surface water drainage system has been submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the drainage hierarchy in the planning practice guidance and must be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in the most sustainable manner having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

11. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the ability to accommodate surface water run-off on-site up to the critical 1 in 100-year event plus an appropriate allowance for

climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

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

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

13. The development hereby permitted shall not be occupied until full details of the fire escape staircase on the northeastern wall of the adjacent Mosque building have been submitted to and approved in writing by the Local Planning Authority, These details shall include an opaque privacy screen, with a minimum height of 1.7 metres above the level of the first floor landing area on the staircase. The approved fire escape staircase design shall be implemented on site prior to first occupation of the houses hereby permitted and retained in accordance with the approved details thereafter.

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

14. The demolition of 'Structure One' as identified in the Bat Survey: Preliminary Roost Assessment by Stuart Spray Wildlife Consultancy and dated April 2019 shall not commence unless and until the chimney's in Structure one have been re-inspected by a bat ecologist and the sarking and hardboard cladding have been removed by hand under the watching brief of a bat ecologist. Should any bat(s) be found during this investigation all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). The results of this inspection shall be submitted to and approved in writing by the Local Planning Authority.

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

15. No development shall take place until a method statement detailing the Reasonable Avoidance Measures (RAMs) to be adopted in order to avoid and/or minimise any unforeseen disturbance impacts on foxes during the course of the development shall have been submitted to and approved in writing by the Local Planning Authority. The

development shall thereafter only be carried out in accordance with the RAMs detailed in the approved method statement.

Reason: In order to minimise habitat disturbance to foxes having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that the impact of the work on foxes is minimised from the outset of the development works including site clearance.

16. Prior to any above ground construction work first taking place, a scheme detailing the Biodiversity Enhancement Measures proposed on the site which shall include bat bricks, bat slates and/or tubes, bird boxes and native tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

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

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

- The windows in the north-eastern side elevations of Plots 1 and 11
- The dormer windows in the north-western roof elevations of Plots 3, 4, 5 and 6
- With the exception of the first floor box bay windows in Plots 3, 4 and 5, all windows in the side elevations of Plots 1-6 inclusive

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

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

- (i) no external alterations shall be carried out to the dwellings
- (ii) no extensions shall be carried out to the dwellings
- (iii) no outbuildings (including garages or carports) shall be erected within the curtilage of the dwellings
- (iv) no vehicle standing space or other areas of hardstanding shall be provided within the curtilage of the dwellings

- (v) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwellings
- (vi) no means of access shall be constructed to the curtilage of the dwellings
- (vii) no windows or dormer windows shall be added to the dwellings

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

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

19. No development shall take place, including any works of demolition, until a Construction and Demolition Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period and shall include the following information:

- a. Suitable hours of construction and demolition activity
- b. the parking of vehicles of site operatives and visitors (all within the site),
- c. loading and unloading of plant and materials (all within the site) and times of access/egress
- d. storage of plant and materials used in constructing the development
- e. the erection and maintenance of security hoardings
- f. wheel washing facilities
- g. measures to control the emission of dust and dirt during construction and procedures to be adopted in response to complaints of fugitive dust emissions
- h. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
- i. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- j. information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors
- k. information to be made available for members of the public

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

20. The development hereby approved shall not be occupied or brought into use until full details of the provision of Electric Vehicle (EV) charging points have been submitted to and approved in writing by the Local Planning Authority. The EV charging facilities shall thereafter be installed in accordance with the approved details before the development is first occupied or brought into use and 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.

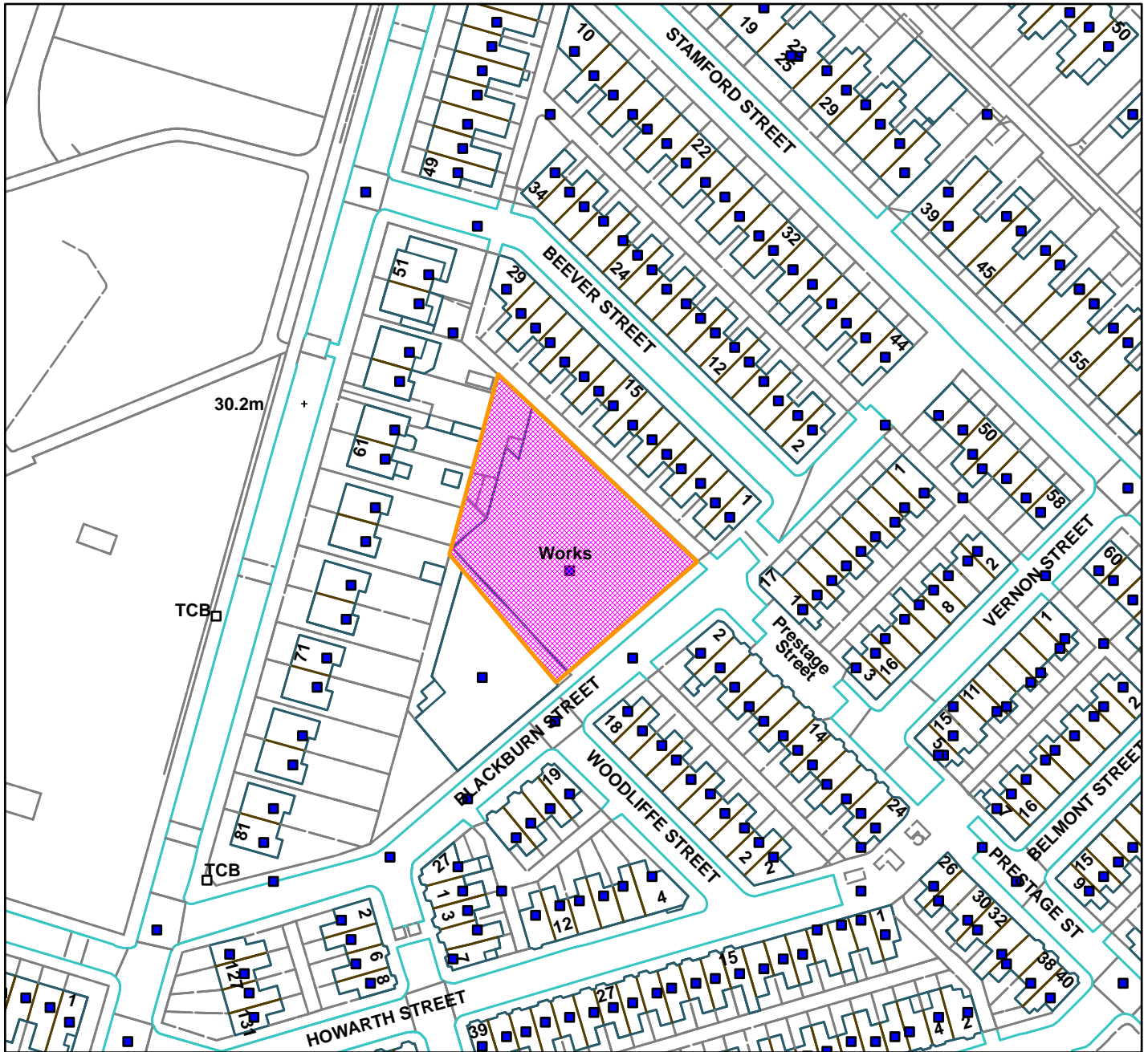
- 21.No above ground construction works shall take place until a full external lighting scheme and a Lighting Impact Assessment has been submitted to and approved in writing by the Local Planning Authority in respect of exterior lighting installations in order to demonstrate compliance with the Obtrusive Light Limitations of The Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, including details of any necessary mitigation measures. Any mitigation measures shall be implemented in full before the development hereby permitted is first occupied and shall be retained thereafter.

Reason: In the interests of residential amenity and safety having regard to Policy L7 of the Trafford Council and the National Planning Policy Framework.

JJ



Bankside Manufacturing, Blackburn Street, Old Trafford, M16 9JS (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/09/2019
Date	30/08/2019
MSA Number	100023172 (2012)

WARD: Stretford

98072/VAR/19

DEPARTURE: No

Application for variation of Conditions 4 and 5 on planning permission 84550/FUL/14. (Change of use of Stretford Public Hall from Offices (B1) to community and office based accommodation to be occupied on a flexible basis by uses falling within Classes B1 (including offices and an artist's studio), D1 (non-residential uses) and D2 (Assembly and Leisure Uses) and by a Sui Generis Use (Tattoo Artist's studio only). To allow amplified music to 10.00 - 23.00 Friday and Saturday and continue music playing 10.00 to 21.00 Sunday to Thursday. Operation of building 07.00 - midnight (Monday to Sunday).

Stretford Public Hall, Chester Road, Stretford, Manchester, M32 0LG

APPLICANT: Friends of Stretford Public Hall

AGENT: N/A

RECOMMENDATION: GRANT TEMPORARY PERMISSION SUBJECT TO CONDITIONS

SITE

The application relates to Stretford Public Hall, situated on the edge of Stretford Town Centre. The building dates from 1878 and is Grade II Listed.

Stretford Public Hall is surrounded by three highways; Kingsway to the south, Dorset Street to the north and Chester Road (A56) to the east. Residential properties are located within Davies Court which adjoining the western boundary of the site, and along the northern side of Dorset Street.

The character of the wider area is mixed, with Stretford Mall Shopping Centre located on the opposite side of Kingsway to the south, residential properties along Dorset Street, Cyprus Street and Jackson Street to the north and west and Chester Road to the east.

In 2014, permission was granted to change the use of the building from B1 Offices to a mix of uses falling within the following classes:

- B1 – business
- D1 – non-residential uses (with the exception of clinics and health centres)
- D2 – assembly and leisure (with the exception of concert halls)
- Tattoo artists salon (sui generis)

PROPOSAL

The proposal seeks to allow extended opening hours and extended hours for amplified music in order to allow for use of the hall for events and functions.

Application 84550/FUL/14 had the following conditions attached:

4. Prior to the first occupation of the building, a detailed Noise Management Plan (NMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The NMP shall describe all mechanisms to be put into place to control noise break-out from the building, including noise generated by access/egress, deliveries/waste collections, and servicing. The NMP shall include, but not be limited to, the following details/measures:
 - A target assessment criterion of 'inaudibility' at the façade of properties on Dorset Street and Davies Court.
 - Confirmation that the use of amplified music by any service provider will be subject to a hire agreement to ensure the management and control of amplified and, in particular, low frequency (bass) octaves.
 - Confirmation that the doors and windows of rooms that are used for the playing of amplified music shall be kept closed at all times, except in the case of emergency.
 - Confirmation that amplified music shall not be played outside of the hours of 10:00 - 21:00 on any day (Monday - Sunday).
 - That the building shall only be open for public use between the hours of 07:00 - 22:00 Monday to Sunday.
 - That the outside space immediately to the north-west and south-west of the public hall shall not be used as a play space or breakout/smoking area.Thereafter all uses within the building shall comply with the approved NMP, unless otherwise agreed in writing by the LPA.
5. The premises shall only be open for business or public use between the hours of: 07:00 - 21:00 Monday to Sunday.

It is sought to alter these conditions as follows:

- To allow amplified music from 10.00 - 23.00 Friday and Saturday (and to continue with the previously approved hours for music playing 10.00 to 21.00 Sunday to Thursday.)
- To extend the hours of operation of the building from 07.00 - midnight (Monday to Sunday).

Value Added

The application is a resubmission of an earlier application ref: 97201/VAR/19, the description of which was:

To allow amplified music to be played from 10:00 - 23:00 on any day (Monday - Sunday), the building shall be open for public use between the hours of 07:00 - 00:00 (midnight) Monday to Sunday and the building's opening hours to be changed to 07.00 - 00.00 (midnight) Monday to Sunday.

Following discussions between the Applicant, Case Officer and Environmental Health Officer, it was decided that insufficient information was submitted with the application with regard to how the proposal may affect nearby residents. The application did not provide sufficient management plans and mitigation measures, to allow for a proper assessment of the proposal. The application was therefore withdrawn while information was gathered including complaints logs and procedures and information on how the Noise Management Plan was being followed.

Discussions also took place with the Applicant explaining that should any such extension to opening hours or hours of amplified music be recommended for approval, that any permission would likely be on a 12 month temporary basis, with a limit on the number of events over that period. This would be to allow constant monitoring of any noise or disturbance over the year, in order to ensure that the management plans and complaints procedures in place are satisfactory to ensure that any later public events or amplified music would not have any unacceptable impacts on residential amenity, over the long term.

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

W1 – Economy
W2 – Town Centres and Retail

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

R1 – Historic Environment

For the purpose of the determination of this planning application, Policy R1 is considered 'out of date' in NPPF Paragraph 11 terms and can therefore be afforded very limited weight.

PROPOSALS MAP NOTATION

Town and District Shopping Centres (Stretford Town Centre)

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

S5 – Development in Town and District Shopping Centres

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.

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.

RELEVANT PLANNING HISTORY

97201/VAR/19 -

Application for variation of conditions 4 (noise) and 5 (hours of use) on planning permission 84550/FUL/14 (Change of use of Stretford Public Hall from Offices (B1) to community and office based accommodation to be occupied on a flexible basis by uses falling within Classes B1 (including offices and an artist's studio), D1 (non-residential uses) and D2 (Assembly and Leisure Uses) and by a Sui Generis Use (Tattoo Artist's studio only). To allow amplified music to be played from 10:00 - 23:00 on any day (Monday - Sunday), the building shall be open for public use between the hours of 07:00 - 00:00 (midnight) Monday to Sunday and the building's opening hours to be changed to 07.00 - 00.00 (midnight) Monday to Sunday. – Withdrawn May 2019

95390/LBC/18 - Listed Building Consent sought for various internal alterations to include: removing several partition stud walls and the reintroduction of a historic doorway to improve emergency egress. External alterations to include replacement of roof covering. – Pending Decision

84550/FUL/14 - Change of use of Stretford Public Hall from Offices (B1) to community and office based accommodation to be occupied on a flexible basis by uses falling within Classes B1 (including offices and an artist's studio), D1 (non-residential uses) and D2 (Assembly and Leisure Uses) and by a Sui Generis Use (Tattoo Artist's studio only). – Approved 2016.

84551/LBC/14 - Change of use of Stretford Public Hall from offices to mixed uses, including office space, cafe/restaurant, small retail units, meeting rooms, health and wellbeing activities, support and youth services, arts, music and theatre workshops/performances, music heritage museum, conferences, and indoor markets. There will be no extensions or demolition, though there may be minor internal alterations. Withdrawn November 2015.

APPLICANT'S SUBMISSION

The applicant has submitted the following information:

- SPH Case for Support document
- Sound readings from public events
- Complaint Log
- SPH Noise Management Plan Review 2018

CONSULTATIONS

Highways – No objection

Environmental Health – The EHO submitted a detailed response following ongoing discussions with the case officer and applicant, following the previous, withdrawn application (97201/VAR/19) submitted earlier in the year:

The EHO noted they had reviewed both the supporting information submitted by the Applicant and objections of local residents. However they concluded that provided that appropriate conditions were imposed and the consent was limited to a year, allowing for

ongoing assessment, then no objection was raised to the proposed increase in hours. Specifically the EHO noted that currently the majority of 'events' have taken place without resulting in significant adverse impact upon neighbouring residents. Where there have been complaints, it would appear that progress has been made and procedures have been put into place to try to prevent any recurrence. It is important for complaint records to be maintained as thoroughly as possible to enable regular review of the NMP.

Therefore subject to condition regarding the following no objection is raised from EHO:

1. *The building shall be open to leaseholders between the hours of 0700 to 0000(midnight) Monday through to Sunday.*
2. *The building shall be open to the public between the hours of 0700 and 2300 hours Fridays and Saturdays.*
3. *The building shall be open to the public between the hours of 0700 and 2200 hours Sunday through to Thursdays.*
4. *The number of events involving the use of amplified music after 2100 hours, on any day, shall not exceed 12 events per annum.*
5. *The applicant shall conduct a quarterly review of the Noise Management Plan throughout the duration of the 12 month consent period (for the purpose of addressing any new noise complaints), and shall submit the updated NMP (detailing the corrective action implemented), to the LPA for approval within 4 weeks from the date of the review.*
6. *The applicant shall submit details to illustrate that any lighting from the building complies with the criteria described within Table 2 of the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011, for Environmental Zone E3 in respect of light spillage into windows at sensitive receptors (measured as lux).*
7. *The consent shall expire after one year from the date of the approval.*

REPRESENTATIONS

One petition with signatures from 7 different nearby addresses has been received and 1 separate letter, from the resident of 80 Trafford Grove, which put forward objections to the proposal on the following grounds:

Noise and disturbance

- After late night events, people would likely wait for taxis on Dorset Street and the increase in traffic would cause disturbance to residents
- The objection states that in 2016, the residents of Dorset Street were assured works would be completed to soundproof this building, but this has not been completed.
- Resident complains have not been dealt with correctly in line with the Hall's complaints policy

- The requirement for: “a target assessment criterion of ‘inaudibility’ at the façade of the properties on Dorset St and Davies Court” does not sufficiently take into account the effect of associated vibration inside these properties.
- There has been past issues with light pollution from external lighting on the Hall and there are concerns that additional late night events would result in internal lighting would shine directly into residential properties bedrooms.
- Concerns that the complaints log does not show the full picture of disturbance to residents as it responds only to specific complaints, and does not take into account other day to day disturbance which is not always reported.

Highway Safety and parking

- The proposal would increase traffic and pedestrian footfall in the area later into the evenings, which could result in safety issues and potential damage to property.
- There is an ongoing issue of drivers driving the wrong way down Dorset Street to enter the Hall car park
- Although the Hall has a large car park, some visitors still park on Dorset Street, reducing parking spaces for residents.

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 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version.
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 residential amenity 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 L7 of the Core Strategy, relating to protecting amenity is considered to be up to date in respect of the NPPF and therefore can be given full weight in the consideration of this application.
6. Although the development relates to a Listed Building as the analysis below will show it is not considered that the proposal would harm the significance of the listed building and as such Policy R1 (Historic Environment) of the Core Strategy is not considered to be 'most important' for determining the application and therefore Paragraph 11(d) of the NPPF is not engaged.

Impact on Listed Building

7. The application building is a Grade II Listed Building.
8. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area" in the determination of planning applications.
9. National Planning Policy Framework (NPPF) is also a significant material consideration, and in this particular case, paragraph 193 of the NPPF advises that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)*".
10. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets..
11. The listing description for the Public Hall notes the original use as a library with offices and lecture rooms and the architectural detailing of the building both internally and externally. It is noted that over time the use of the buildings has changed several times and modifications have been made to the fabric of the building. The current proposal however does not seek to make any physical alterations to the building or change the approved use of the building. The proposal relates to the extension of openings hours for non-public and public use and an extension of the hours during which amplified music can be played to allow for events to take place later in the evenings.
12. Officers therefore do not consider that there will be any harm to the significance of the Listed Building or the visual amenity of its setting. The application will however

assist in retaining the Listed Building in active, viable use, which could therefore assist with its long term maintenance. The application is therefore considered acceptable in terms of its impacts on the Listed Building in line with the NPPF and R1 of the Trafford Core Strategy.

Residential Amenity

13. Policy L7 states that in relation to matters of amenity protection, development must:
- Be compatible with the surrounding area
 - Not prejudice the amenity of the future occupants of the development and / or occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
14. The original permission **84550/FUL/14** gave consent for the building to be open for public / business use between the hours of 07:00 - 22:00 Monday to Sunday and stipulated that amplified music shall not be played outside of the hours of 10:00 - 21:00 on any day (Monday - Sunday). The current application seeks to extend the hours of operation of the building from 07.00 - midnight (Monday to Sunday) and to allow an extension on the previously approved hours for amplified music from 10.00 - 23.00 hrs on Friday and Saturday only.
15. The rationale behind extending the building's operation hours is mainly to allow for office workers to work later into the evening, but also to allow for later night events to take place on Friday and Saturday evenings. Again the rationale behind extending the hours for amplified music is to allow for events involving music on a Friday and Saturday to run later into the evening, with a finish time of 23:00 as opposed to the previously approved 21:00 hours. The Applicant (Friends of Stretford Public Hall (FOSPH) submitted a case in support of the application which sets out the reason for the proposed changes, to support the viability and ongoing use of the hall:
- The campaign to save Stretford Public Hall, and the successful community share offer which followed this campaign, were supported by a strong business plan for the Hall, which proposed its development and operation as a multi-purpose cultural venue for the benefit of the local community. Having now run Stretford Public Hall for over 3 years, Friends of Stretford Public Hall would like the opportunity to extend the operating hours of the Hall, to further develop the events and activities which the Hall can offer the local community.*
16. It is recognised that the extension of opening hours and hours of amplified music could potentially have additional impacts on the amenity of nearby residents. Eight objections have been received from residents with the main concerns being:
- Additional disturbance from the amplified music itself
 - associated noise and disturbance from people leaving the building after the later weekend events, and

- disturbance from internal lighting associated with the later events (e.g. disco lighting)
17. It is acknowledged by Officers that the objections received raise material planning considerations and the concerns of a detrimental increase in activity and noise and disturbance have been considered throughout the current and previous applications. In discussion with the EHO and the Applicant, Officers consider that the potential disturbance to the amenity of local residents through the extended hours can be mitigated through the use of planning conditions. It is important that any extension of operation hours / hours of music are sufficiently conditioned, to ensure there is not unacceptable, additional impact on residential amenity.
 18. In the first instance however, given the sensitivities of the proposal it is considered that any permission should initially be conditioned for a temporary period of 12 months, with the number of events taking place within the extended hours (to 23:00 Fri and Sat) being limited to 12, over this 12 month period. Whilst other conditions limiting noise and hours can also be applied to mitigate any impact on residents, it is considered that the temporary period and limit on event numbers is essential to allow for a full and representative assessment of the nature of any disturbance from the extended hours. This will allow for a review at the end of this temporary period as to whether the extended hours have, on balance, resulted in any unacceptable increase in disturbance for residents and if so, the temporary use can be discontinued, reverting back to the originally approved opening hours under 84550/FUL/14.
 19. With regard to the hours of operation of the building, although the application is for the extension of hours of operation from 7:00 until midnight Monday to Sunday, it is considered that there should be separate conditions relating to the hours of use of the building by the businesses and workers sited at the premises and the hours of opening of the building to the public. This is in order to allow for employees to work late when needed throughout the week and weekends, whilst ensuring that the public events are limited to those as set out through condition.
 20. With regard to mitigating the noise levels of the amplified music, a Noise Management Plan was required by the original 2014 permission, and it is considered necessary that this NMP should continue to be reviewed and updated over the 12 month temporary consent period to ensure that noise is not breaching agreed limits and to ensure that any complaints from neighbours are fully investigated and appropriate corrective action is undertaken. This information would inform any application for the continuation of extended hours and hours of amplified music at the end of the 12 month temporary consent period recommended. EHO have also requested a condition to limit the octave noise levels associated with the uses of the building and as detailed within the Noise Management Plan.
 21. With regard to the management of events and the treatment of complaints, it is recognised that due to the nature of the area (a mixed use area on a major road

junction on the edge of the town centre) and uses of the Public Hall, there may well be occasional instances where certain activities result in some level of disturbance for residents. It is important that any disturbance is kept to a minimum and the management of events and treatment of complaints are key in achieving this. The application documents detail how training of staff and on site procedures have been employed to control noise and disturbance to surrounding residential properties.

22. It is considered that these measures would help to significantly reduce any likely disturbance from the use and hours proposed and that this could be supplemented by additional more specific requirements. Therefore conditions would be imposed restricting the use of outdoor areas within the site and restricting the hours of use of the Dorset Road entrance.
23. Finally, with regard to the potential for lighting within the building to cause disturbance to residents due to the extended hours, it is considered that a condition ensuring compliance with professional standards and recommendations be imposed.
24. In conclusion, it is considered that the increase in hours of operation, public use and amplified music would have an acceptable impact on amenity and can be granted consent subject conditions and restrictions proposed above are sufficient to ensure that the proposal has no significant detrimental impact on residential amenity.

Highways, Parking and Servicing

25. 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.*
26. 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.*
27. Users of Stretford Public hall arriving by car will have access to the building's 52-space car park, which is accessed from Dorset Street and additional public parking is available in the large car park at Stretford Mall (approx. 200m away). The hall is also highly accessible by sustainable transport being sited on a regular bus route and just 200m from Stretford Metrolink Stop. No changes are proposed to the existing access or parking arrangements as part of this application and the LHA have no objection.
28. While it is accepted that the proposal would result in a higher number of people leaving the hall, up until around 23:00 hours on Fridays and Saturdays, it is considered that the existing car park and vehicle access are sufficient to result in no

unacceptable impact on highway safety. Any additional noise or disturbance from pedestrians / vehicles leaving / picking up from the premises at these times could be mitigated against by effective management of events by both the event organisers and by the staff of FOSPH as noted above.

29. During the week there may be some of employees working later into the evenings, but it is considered that this would result in only a small number of individuals leaving the premises later, and if these people are travelling by car, they would be using the Hall's car park in any case.
30. The development would have acceptable highways, parking and servicing impact with reference to Core Strategy Policies L4 and L7, the Parking Standards and Design SPD and the NPPF.

Developer Contributions

31. The proposal results in no changes to internal floorspace and as such CIL charging is not applicable.

PLANNING BALANCE AND CONCLUSION

32. Whilst Officers understand the objections of local residents it is considered that subject to conditions the impact of the increase in hours of use and to an initial 12 month temporary permission and restriction of the number of late night events to 12 per annum, to allow ongoing monitoring of any noise and disturbance, and subject to the below listed conditions aimed at minimising and mitigating any noise and disturbance, the proposal is considered to be appropriate in principle as well as being acceptable with reference to its impact on residential amenity, the local highway network, parking and servicing. It is therefore considered to be acceptable with reference to Core Strategy Policies L4, L7 and W2 and the NPPF.

RECOMMENDATION: GRANT subject to the following conditions:-

1. This planning permission is granted for a limited period of one year from the date of this permission, following which the use of the building shall revert back to operate in accordance with the permission as granted by 84550/FUL/14.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered 001 (Site Plan); SSL:16388:100:1:1:ELV; 100 Rev: B; 101 Rev: B; 102 Rev: B; 053 (car parking plan), unless otherwise agreed in writing by the Local Planning Authority.

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

3. The premises to which this permission relates shall be occupied only by uses within Use Class B1 - Business; Class D1 - Non-Residential Institutions (with the exception of clinics and health centres), Class D2 - Assembly and Leisure (with the exception of concert halls), and as a Tattoo Artists (Sui Generis), and occupied only by uses that comply with the Noise Management Plan required under condition 5 of this permission.

Reason: Uses outside of the above may have a detrimental effect on residential amenity and / or highway amenity/safety and the restriction to the use proposed will enable the Local Planning Authority to consider any further change of use on its merits, having regard to Policies L4 and L7 of the Trafford Core Strategy.

4. Use of the premises shall be restricted as follows;
 - o The building shall not be open between the hours of 0000 to 0700 on any day.
 - o The building shall not be open to the public between the hours of 2200 and 0700 hours on Sunday to Thursday.
 - o The building shall not be open to the public between the hours of 2300 and 0700 hours Fridays and Saturdays.
 - o Amplified music shall not be played outside of the hours of 10:00 - 21:00 on any day, save for 12 occasions per annum, with no more occasions per calendar month, when amplified may be played between 21:00 - 23:00 on Friday or Saturday.

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

5. With the exception of the hours of opening, all the measures as set out in the detailed Noise Management Plan (NMP) approved by the Local Planning Authority under application 89307/CND/16 on 14/10/2016 shall be retained to control noise break-out from the building, including noise generated by access/egress, deliveries/waste collections, and servicing. All uses within the building shall continue to comply with the approved NMP, unless otherwise agreed in writing by the LPA.

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

6. The noise emanating from the building (including all activities carried out in connection with the operation of the application site) shall be controlled in accordance with the procedures described within the Noise Management Plan submitted in support of this application. In particular, Appendix 2 Table 7

describes octave band limits for amplified music for the Main Hall. These limits are not exceeded during any event. Doors and windows serving the rooms where amplified music is being played shall be kept closed at all times, except in the case of emergency.

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

7. A) A register of all complaints received by the public documenting the date, time and nature of complaint shall be maintained. The register shall be made available for inspection by the Council on request.
B) A contact telephone number for the public to register complaints should be displayed externally on the building.

C) A register of the dates when amplified music is played between the hours of 21:00 – 23:00 shall be maintained. The register shall be made available for inspection by the Council on request.

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

8. The outside space immediately to the north-west and south-west of the public hall shall not be used as a play space or breakout/smoking area.

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

9. The Dorset Street entrance shall not be used between the hours of 21:00 – 07:00 on any day.

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

10. The car park shall continue to operate in accordance with the Car Park Management Plan approved by the Local Planning Authority under application 89307/CND/16 on 14/10/2016.

Reason: In the interests of the residential and highway amenities of the area, having regard to Policies L4 and L7 of the Trafford Core Strategy.

11. The Travel Plan approved by the Local Planning Authority under application 89307/CND/16 on 14/10/2016 shall continue to be implemented throughout the duration of this permission.

Reason: To reduce car travel to and from the site in the interests of residential amenity and highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy.

12. The cycle storage, details of which were approved by the Local Planning Authority under application 89307/CND/16 on 14/10/2016 and shall be retained throughout the duration of this permission.

Reason: To comply with Policies L4 and L7 of the Trafford Core Strategy.

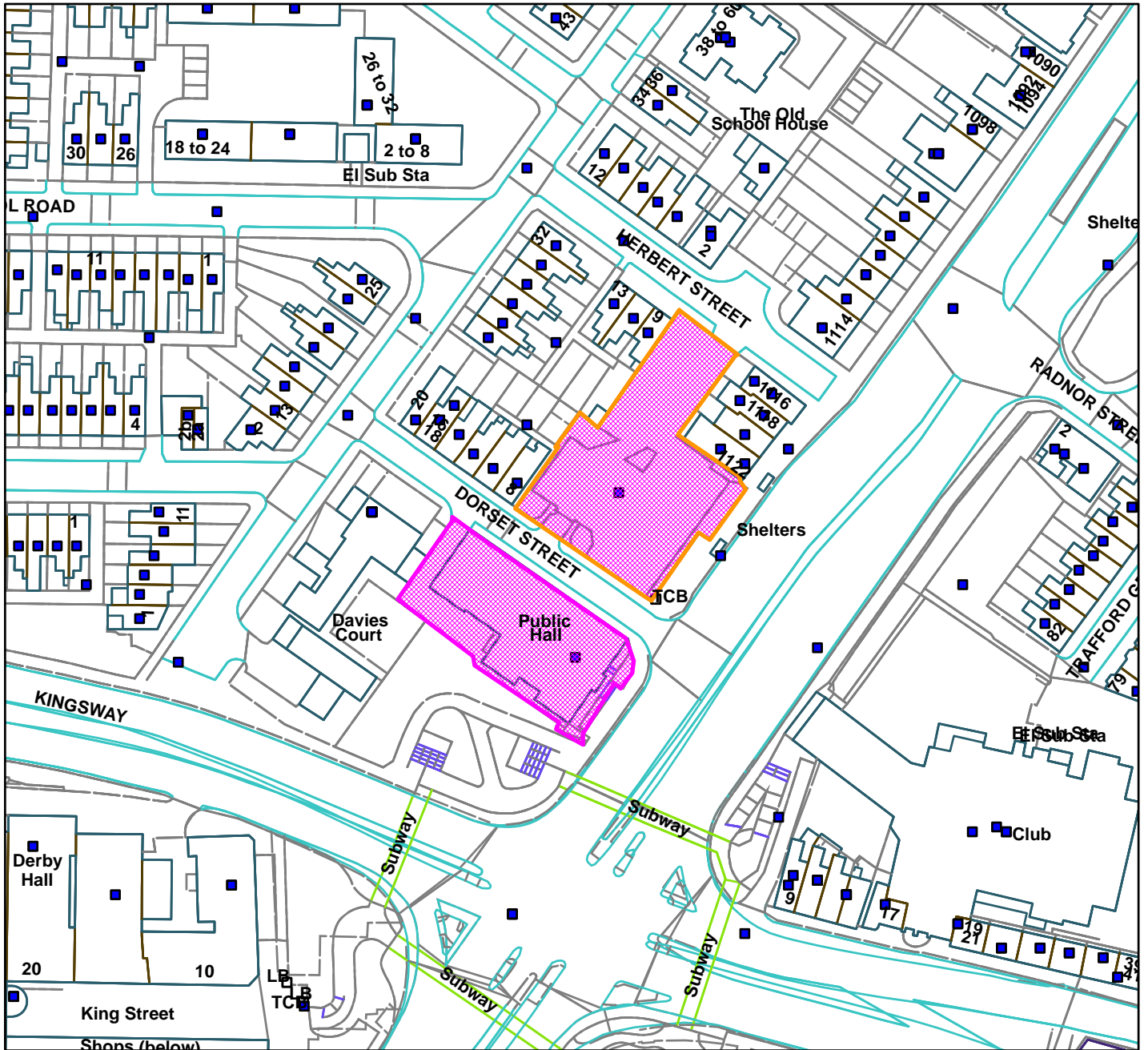
13. The lighting from the building complies with the criteria described within Table 2 of the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011, for Environmental Zone E3 in respect of light spillage into windows at sensitive receptors (measured as lux).

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

JS



Stretford Public Hall, Chester Road, Stretford, M32 0LG (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/09/2019
Date	30/08/2019
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