

WARD: Gorse Hill

98489/FUL/19

DEPARTURE: No

Change of use of the existing shop (Use Class A1) to a wine bar (Use Class A4)

32 Davyhulme Road East, Stretford, M32 0DW

APPLICANT: Mr Pedro Luka

AGENT: N/A

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee as the application has been called in by Councillor Walsh.

SITE

The application site is a ground floor unit in a two storey end-of-terrace property, constructed in brickwork with a hipped roof. The site sits in a row of commercial units with residential at 1st floor spread across 2 terrace rows. A ginnel passes between the two buildings providing access to the rear yard. On-street parking is available in the area.

The commercial unit has been used as an off-licence for a period of at least 2012 – 2017. Opposite the site lies Victoria Park Junior School. The site is positioned north of Stretford Town Centre but within walking distance.

This small stretch of Davyhulme Road East (encompassing the commercial properties) is designated as a 'Neighbourhood Shopping Centre' in the Local Plan.

PROPOSAL

This application seeks planning permission for the change of use of the existing retail unit (Use Class A1) to a wine bar (Use Class A4). No alterations are sought to the external fenestration.

Internally, the existing room partitions would be retained. The storage area associated with the A1 use would remain storage associated with the proposed A4 use and two WCs would be provided. A small serving area and bar/communal area will be created within the unit.

For clarity, the change of use relates only to the ground floor which covers an area of 97.5sqm.

No parking spaces would be created through the scheme, and the number of employees would remain as existing (1x Full Time, 2x Part Time).

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

W2 – Town Centres & Retail

PROPOSALS MAP NOTATION

Neighbourhood Shopping Centre

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 summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 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, and was updated on 1st October 2019. The NPPG will be referred to as appropriate in the report

RELEVANT PLANNING HISTORY

98659/ADV/19 - Advertisement consent sought for 1no fascia sign.
Approved with conditions 30th October 2019.

H/51256 - Erection of a single-storey rear extension to form a store.
Approved with conditions 17th April 2001.

H/47703 - Change of use of ground floor from retail use to a self-contained flat including external alterations to the front and side elevations.
Approved with conditions 16th September 1999. – Not implemented, no longer extant.

APPLICANT'S SUBMISSION

CIL Questionnaire
Crime Impact Statement

CONSULTATIONS

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

LHA – Raise no objection, however requires the proposed decking structure to be fully sited within the private courtyard area with no impact to, or overhang of, the public footway. In addition they requested a condition for a Construction Method Statement and more information regarding cycle parking. The comments are discussed in the body of the report.

Officer response: The proposed terrace/decking area has been withdrawn from the application at the request of officers, and no longer forms part of this application.

REPRESENTATIONS

The neighbouring properties on either side of the application site and to the front and rear have been consulted by letter, including the flat above the application site.

One letter of representation has been received from an adjacent property on Davyhulme Road East expressing concerns which can be summarised as follows:

- Noise from wine bar
- Anti-social behaviour (including drunk customers)
- Area is primarily quiet and residential, with any noise / rowdiness potentially prejudicing footfall to objector's hair salon.

- Stress and anxiety caused by submission of this application
- Applicant is currently undertaking some construction work inside the premises.

Cllr Walsh requested that the application be called-in to planning committee and raised concern about the consultation exercise undertaken for the application within the local area. The consultation of the application was carried out in accordance with the Council's adopted Statement of Community Involvement, with the neighbouring units and above flats each consulted, as well as the school opposite and several houses to the rear of the site.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

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** (emphasis added) development plan, permission should not normally be granted.
2. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.

Impact on the Neighbourhood Shopping Centre

3. The site is set within the settlement boundary of Stretford in an area designated as a 'Neighbourhood Shopping Centre'. Within these areas, there will be a '*focus on convenience retail facilities and services to meet local needs*' (W2.9, *Trafford Core Strategy*).
4. '*Changes of use from A1 retail to other uses should be carefully considered in terms of their impact on the function, character, vitality and viability of the centre as a whole and on specific frontages, particularly within primary shopping frontages*' (W2.11).
5. The row of commercial properties supports a relatively active Neighbourhood Centre. The properties observed when visiting the site include a launderette, takeaways, hairdressers, convenience store, vaping shop, beauty salon, and small medical facility. The application unit was not occupied at the time of site visit.

6. It is considered that the loss of A1 retail would not prejudice the functionality of this neighbourhood centre. A convenience store (A1 use) would remain within this particular centre. The A4 use would contribute to the vitality and viability of this centre, and may increase footfall within the area.
7. There appeared to be no A4 uses within the parade of commercial units along the two terraces. The proposal would assist the diversification of this local centre, according with guidance in paragraph 85 of the NPPF. Given the variety of A Class uses already on offer within the Centre it is not considered the proposed use would harm the vitality or viability of the Centre, but add to the offer available to local residents. It is therefore considered that the proposal would comply with policy W2 of the Trafford Core Strategy and paragraph 85 of the NPPF.

DESIGN AND APPEARANCE

8. No external alterations are sought to the main elevations of the building. An advertisement application was submitted alongside this elevation for a non-illuminated fascia board (ref. 98659/ADV/19), approved 30th October 2019.
10. Given the proposed use it is expected that the unit would have a an activate frontage and clear glazed shop window adding to the natural surveillance in the area as well as re-activating a vacant unit in a positive fashion, animating this section of Davyhulme Road East.
11. The proposal would comply with policy L7 of the Trafford Core Strategy.

AMENITY

12. No changes are sought to the fenestration nor are there any proposed extensions to the building which would lead to overlooking from the internal layout. The residential uses are retained at 1st floor with the ground floor units in commercial use.
14. Due to the residential accommodation above, these premises could be impacted unduly by noise and disturbance associated with the operation of a wine bar, such as music and entertainment, customers' voices, comings and goings and the disposal of waste, should sufficient controls not be in place.
15. Conditions have been recommended by Pollution and Licensing Officers to mitigate against such potential impacts. The conditions suggested are as follows:
 - No refuse shall be disposed of or collected from the premises between the hours of 23:00 – 09:00 where such disposal or collection is likely to cause disturbance to residents.

- The premises is to be closed to the public outside the hours of 12:00 to 23:00 (Mondays to Saturdays) and 12:00 to 22:00 (Sundays and Bank Holidays).
16. Whilst the hours of use suggested by Pollution and Licensing are noted, it is considered, given the close proximity of residential properties above the commercial ground floor units and nature of this commercial Centre, that slightly more restrictive hours are appropriate. These are 12.00 – 22.00 (Sunday to Thursday, and Bank Holidays) and 12.00 – 23.00 (Friday and Saturday) and waste disposal shall be restricted so as not to occur between 22:00 – 09:00.
 17. Given the proposed A4 use and proximity of residential properties Officers consider that it is also necessary to add conditions requesting a noise management plan and placing restrictions on music being played.
 18. The objections raised in the letter of representation are noted regarding anti-social behaviour. However, it is not considered that this use would be a direct precursor for such behaviour. Should this occur, it would be dealt with through separate legislation.
 19. It is noted that it has been reported that some works are being carried out at the premises. This is entirely at the applicants choosing, and should the application not be granted, this would be a matter for planning enforcement dependent on the nature of the works carried out.
 20. The proposal would be compatible within the surrounding area. Subject to conditions, the proposal would not prejudice the amenity of occupants / and future occupiers through overlooking, noise or odour. The proposal would accord with policy L7 of the Trafford Core Strategy.

PARKING

19. The proposal would not create parking spaces, however there are no designated parking spaces associated with the existing A1 Use. Some on-street parking is available to the front of the units, and in the local area. The Neighbourhood Centre is surrounded by residential properties, and it is expected that many customers of the business would walk or use public transport.
20. Comments from the LHA raise no objection, however further details of cycle parking have been requested, which can be conditioned.

DEVELOPER CONTRIBUTIONS

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

CONCLUSION AND PLANNING BALANCE

22. The proposed scheme is considered acceptable in terms of the loss of A1 use, design and visual amenity, residential amenity and highway safety and would comply with Policies W2, L4 and L7 of the Trafford Core Strategy and guidance in the National Planning Policy Framework. As such it is recommended that planning permission should be granted.

RECOMMENDATION:

GRANT subject to the following conditions:-

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans titled 'Existing and Proposed Layout' and the submitted Location Plan (1:1250).

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

3. The premises shall only be open for trade or business between the hours of: 12:00 - 22:00 (Sunday to Thursday and Bank Holidays) and 12:00 - 23:00 (Friday and Saturday).

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

5. No refuse shall be disposed of or collected from the premises between the hours of 22:00 - 07:00 hours.

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

6. Prior to the A4 use coming into use details of a scheme for secure cycle parking/storage shall be submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the premises are brought into use.

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

7. Prior to occupation a Noise Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include details of soundproofing, waste disposal and deliveries. The approved scheme shall be implemented in full before the use hereby permitted is occupied and shall be retained thereafter.

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

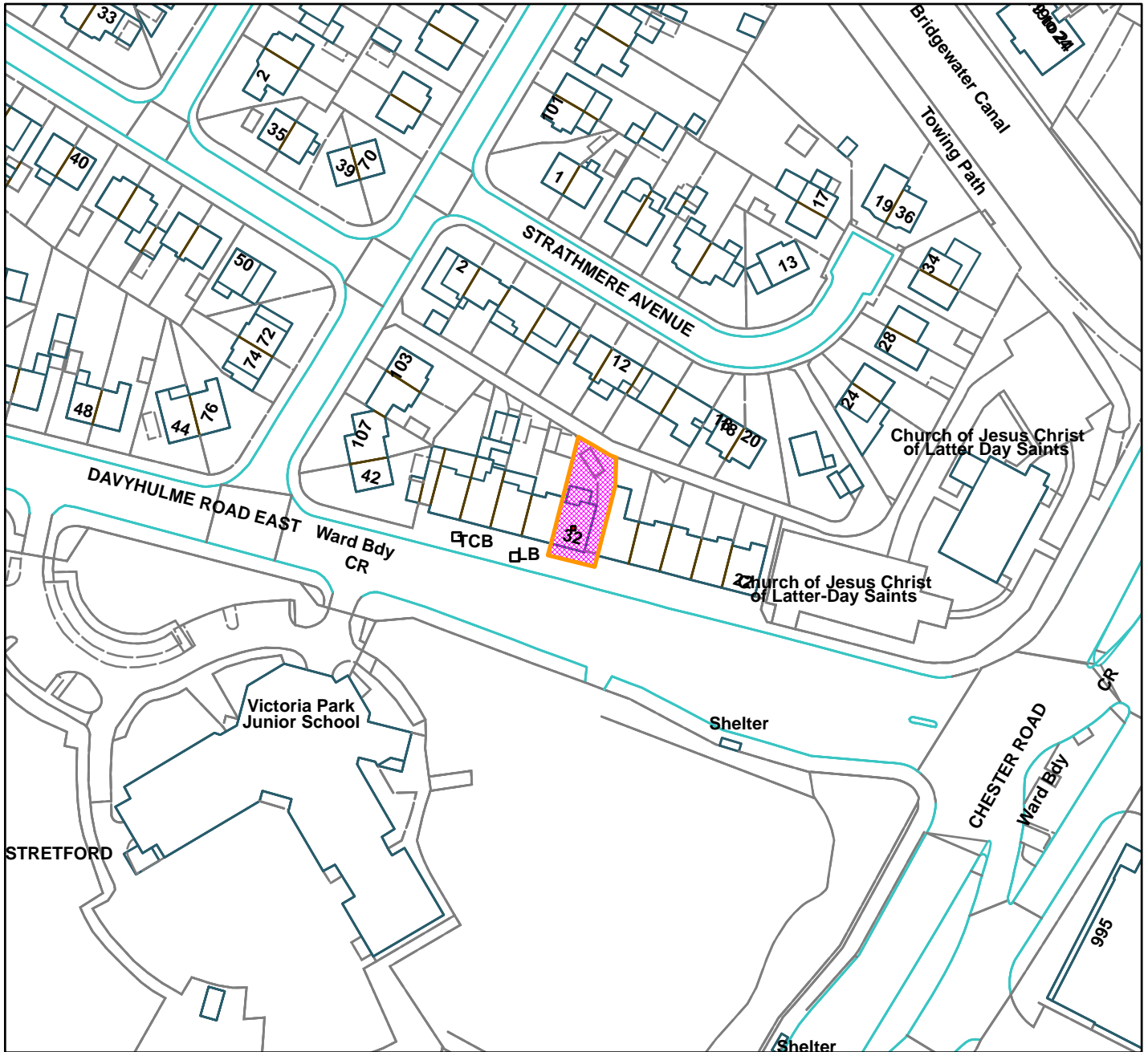
8. No amplified or other music shall be permitted to any external part of the site and when amplified music is played in the premises all doors and windows of the premises shall be closed, except for access.

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

RC



32 Davyhulme Road East, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 13/02/2020
Date	03/02/2020
MSA Number	100023172 (2012)

WARD: Urmston

98751/FUL/19

DEPARTURE: No

Alteration and extension of existing building to form first floor restaurant area (A3) and two apartments to second floor, external amendments to include new shop front and openings in side elevation, together with enclosed bin store to the rear.

Market Hall, Railway Road, Urmston, M41 0XL

APPLICANT: Pride Properties Manchester Ltd

AGENT: Mr Stephen Bostock, G & S Design Ltd

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee because it has received six objections contrary to the officer recommendation.

SITE

The application site comprises of a rectangular plot accommodating a part single/part two/part three storey building located in Urmston Town Centre, immediately adjacent to Urmston Market to the east.

The site fronts Railway Road to the south and comprises of a relatively ornate Victorian/Edwardian-era three storey element to the front, beyond which are a combination of utilitarian designed single storey and two storey extensions which appear to have been built during the course of the mid-20th Century. The three storey element has a dual pitched roof and a shop front facing Railway Road, whilst the two storey element has a dual-pitched hipped roof and the single storey element, which links the other two elements, has a flat roof.

The building's ground floor comprises of a collection of several shop units forming part of Urmston Market, with the first and second floors accommodating two apartments.

The plot is bound by Urmston Market to the east, including a single storey lean-to element attached to the building's side (east) elevation, similar type 2.5 storey commercial properties forming the remainder of the commercial row fronting Railway Road to the south-west, a railway cutting to the front (south) on the opposite side of Railway Road, and residential properties backing onto the rear of the site to the north, the latter separated by a cobbled alleyway.

PROPOSAL

The applicant proposes to remove the existing first floor rear element and add a new restaurant at first floor and two apartments at loft level. The extension would have a dual-pitched roof and would be 2.5 storeys in height for most of its length before

dropping to two storeys at its rear portion. The 2.5 storey element would introduce four side facing dormer windows serving the two apartments. A single roof light would be installed within the east facing roof slope.

The current ground floor layout would be retained as at present apart from the loss of a single clothes shop at the front of the unit which would be converted into a lobby/reception for the new first floor restaurant including a set of internal stairs and a lift. Two doors would be set in the rear (north) gable elevation. The first floor restaurant would comprise of a main dining area, kitchen, WCs and bar. This element would also occupy the retained first floor element to the front of the site. The second floor apartments would each have a single bedroom, bathroom and open plan kitchen-diner-living room. Apartment 1 would be set to the front (south) of the building and would include the original ornate second floor element to the front of the site. Its outlooks would comprise of the existing four front (south) facing second floor windows and a single side (east) facing dormer. Apartment 2 would be set to the rear with outlooks comprising of three side (east) facing dormer windows.

A new glazed shop front would be installed in the building's principal elevation with a new first floor window serving the restaurant level above. The apartments would be accessed from a door in the ground floor principal elevation with a set of stairs leading up to the second floor.

External materials would comprise of grey powder coated aluminium windows, doors and glazed shop front, together with brickwork and roof slates to match the existing building.

The applicant expects the restaurant to employ 10 full-time members of staff.

The shop front and side facing door would be secured through internal shutters.

The proposed restaurant's hours of operation are unknown because a future operative has not been secured.

Value Added

Following LPA advice the applicant has amended their proposal through changing the proposed shop front to include a 0.45m stall riser, confirmed that roller shutters are to be fixed internally, added a fence enclosed rear bin store and added four side (east) facing first floor restaurant windows.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes;
 L2 – Meeting Housing Needs;
 L4 - Sustainable Transport and Accessibility;
 L5 – Climate Change;
 L7 - Design;
 L8 - Planning Obligations;
 W2 – Town Centres and Retail;
 R2 - Natural Environment;
 R3 – Green Infrastructure.

SO1 - Meet housing needs;
 SO4 - Revitalise town centres;
 URO7 - To protect and enhance the existing town centre and small neighbourhood shopping centres located in the area;
 URO8 - To consolidate and improve the convenience and comparison retail offer of Urmston Town Centre and the diversification to other uses.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
 SPD3 - Parking Standards & Design;
 PG1 - New Residential Development;
 SPG17 - Shop Fronts;
 SPG24 - Crime and Security.

PROPOSALS MAP NOTATION

Development in Town and District Shopping Centres.
 Critical Drainage Area;
 Town and District Shopping Centre.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework

for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

RELEVANT PLANNING HISTORY

97012/FUL/19: Alterations to elevations including extension of existing building to form first floor restaurant area (A3) and second floor extension to form two apartments. Withdrawn 28 August 2019.

Adjacent Urmston Market site:

93629/FUL/18: Full planning application for site clearance and erection of a part single, part two storey building to provide new food hall for food/drink/leisure, including music area, kids outdoor play area and back of house facilities and a covered area for the provision of retail stallholders. Approved 18 October 2018.

APPLICANT'S SUBMISSION

N/A.

CONSULTATIONS

Local Highways Authority – No objection subject to condition.

Lead Local Flood Authority – No objection.

United Utilities – No comment received.

Greater Manchester Ecology Unit - No objection.

Pollution and Licensing (Nuisance – including Air Quality) – No objection subject to conditions.

GMP Design for Crime – No objection.

Servicing – No comment.

Strategic Planning – No comment received.

REPRESENTATIONS

Multiple letters of objection have been received from six neighbouring addresses which raise the following issues:

- The proposal would directly impact the adjacent Urmston Market site which is due to be redeveloped following the LPA's grant of planning permission;
- The proposed side (east) facing windows would overlook the adjacent Urmston Market site and would prevent further development of this adjacent plot;
- The proposal would be contrary to NPPF requirements through being poorly designed including through being too high/large;
- The development's poor design would be out of keeping with local character;
- The proposed side facing dormer windows would have an unacceptable restricted outlook with views blocked by the new Urmston Market buildings when they are constructed;
- The proposed eaves, downpipes, fascias, cill and any outward opening windows would project within the adjacent Urmston Market plot;
- The owners of the adjacent Urmston Market plot would not permit access to their site to facilitate the development;
- The proposed rear bin storage area would be positioned too close to the back gardens of properties facing Primrose Avenue to the north, resulting in an unacceptable amenity impact in terms of noise, smells and vermin on these neighbouring occupants. It would appear that future residential occupants would have to exit the front of the property and walk around the building to use the rear bin store. The bin store should be amended to move it to the front of the building;
- Insufficient detail has been provided regarding the proposed restaurant in terms of the likely occupant, hours of operation and noise management strategy. This information would again be required to ensure the proposal would not result in an unacceptable negative amenity impact on surrounding occupants;
- Opposition to the installation of outdoor lighting (timed / movement sensing or otherwise) to the rear of the proposed development as it would have a negative impact on the rear bedrooms of the adjacent properties to the north;
- Having apartments above a restaurant would result in an unacceptable amenity impact.

None of the original objections have been withdrawn with reference to the amended scheme.

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 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. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
5. Policies controlling the supply of housing and development in town centre locations are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11.
6. The Council does not, at present, have a five year supply of immediately available housing land and thus development plan policies relating to the supply of housing are 'out of date' in NPPF terms.
7. There are no protective policies in the NPPF which provide a clear reason for the refusing the development proposed. Paragraph 11(d) (ii) of the NPPF 'the tilted balance' is therefore engaged.

Land for Homes

8. The proposal would result in the redevelopment of the building's upper floors to allow for the like for like replacement of the existing two apartments.
9. The site is located in Urmston Town Centre and is bound by a mix of commercial, retail, office and residential uses. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that the rate of building is failing to meet the housing land target as expressed in Table L1 of the Core Strategy. Therefore, there exists a significant need to not only meet the

level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions.

10. Notwithstanding this the proposal is considered to be broadly in compliance with Core Strategy Policies L1 and L2. Thus the development would result in the reuse/redevelopment of the current building thereby complying with Policy L1.7 which sets an indicative target of 80% of new housing provision within the Borough to be built upon brownfield land.
11. In addition it is noted that the application site is located within Urmston Town Centre which is partly residential and is considered to be in a sustainable location sited relatively close to public transport links, local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 in terms of meeting housing needs and promoting high quality housing in sustainable locations of a size, density and tenure to meet the needs of the community.
12. The proposal would also acceptably comply with the requirements of Core Strategy Policy L2 through the development being located on a sufficiently sized plot, appropriately located to access existing community facilities, not harmful to local area character or amenity, and more generally in accordance with Core Strategy Policy L7 as outlined in the design section below (L2.2). The development would also likely result in a small economic benefit during its construction phase. The proposed apartment layout would be an improvement on the current dwellings on site.

Town Centre Development

13. NPPF paragraph 85 states: Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
14. Core Strategy Policy W2.4: *Within these centres [including Urmston] there will be a focus on the consolidation and improvement of the convenience and comparison retail offer, with the potential to strengthen and enhance the retail offer where suitable, as well as diversification to other uses such as offices, services, leisure, cultural and residential, as appropriate.*
15. Strategic Objective SO4, Revitalise Town Centres, seeks to maintain a clear hierarchy of vibrant, diverse and distinct shopping centres across the Borough to be the focus for commercial, retail and leisure uses to meet the needs of the local population.
16. The proposed restaurant would be a main town centre use which would be acceptable at this location within Urmston town centre.

DESIGN

17. Paragraph 124 of the NPPF states: *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better*

places in which to live and work and helps make development acceptable to communities. Paragraph 130 states: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

18. Policy L7 of the Trafford Core Strategy states: *In relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan.*

19. The Shop Fronts SPG includes the following guidance:

The design should have regard to the appearance of the rest of the building....display window treatment should not clash with upper floor window styles (3.1).

For larger shop fronts a very wide undivided expanse of glazing usually looks awkward and some vertical subdivision is advisable (3.2).

Careful consideration should be given to the choice of materials to be used (5.1).

20. The property is bound by residential and commercial/retail properties of varied design with Victorian/Edwardian-era 2.5 storey units within the commercial row to the west, the cleared Urmston market site to the east, utilitarian commercial units to the north-west forming the rear of the adjoining commercial row, Victorian/Edwardian dwellings to the north-west, recently constructed dwellings to the north, and a Victorian/Edwardian church to the north-east. The site's context is therefore characterised by a variety of buildings in term of their design, type, age and scale, albeit with the row of commercial properties within which the application site sits comprising of 2.5 storey Victorian/Edwardian buildings.

21. The proposed development would entail the demolition of the first floor level of the rear element and the erection of a new first floor and loft level with dual pitched roofs, together with amendments to the existing shop front and other associated changes. Side (east) facing restaurant and apartment windows would be installed at first and second floor level.

Demolition/Amendments to Original Structure

22. There is no objection to the demolition of the rear element's first floor level which has a utilitarian design that is not in keeping with the building on the Railway Road frontage. The proposal would also not result in any changes to the ornate upper floor façade fronting Railway Road.

Size, Scale and Massing

23. The proposal is considered to be acceptably designed in terms of its size, scale and massing with reference to the retained building and its context, with the extension being acceptably subservient in scale to the retained front of the plot and stepped down in height approaching the rear boundary.

Footprint

24. The proposal would retain the existing footprint and it would not result in an overdevelopment of the plot.

External Detail and Materials

25. The proposed development would introduce side facing dormer and first floor windows, with the latter breaking up what would otherwise be a visually oppressive expanse of brickwork. The detailing of the proposed external amendments/development would be acceptable. The proposed external materials would be also acceptable and planning permission would be subject to a condition requiring the submission of full material details for the LPA's written approval prior to above ground works.

26. Should the adjacent Urmston Market site be redeveloped as per the extant grant of planning permission this would further screen the proposed rear element especially when viewed from the east which would help to limit its visual impact.

Design and Crime

27. The proposal would result in the redevelopment of what is currently a relatively run down building including through a new restaurant which would go some way to reanimate this area. The GMP Design and Crime consultee has not objected to the proposal. The proposal would be acceptable with reference to the Crime and Security SPG.

28. The proposal would result in an acceptable design/visual impact and therefore would be acceptable with reference to Core Strategy Policy L7, the New Residential Development SPG, the Design and Crime SPG and the NPPF.

RESIDENTIAL AMENITY

29. Policy L7 of the Core Strategy states: *In matters of amenity protection, development must be compatible with the surrounding area and not prejudice the amenity of the future occupiers and/or occupants of adjacent properties by reason of overbearing, overshadowing, visual intrusion, noise and/or disturbance, odour or in any other way.*

30. The New Residential Development SPG requires new residential developments to result in acceptable amenity privacy, overshadowing and overbearing impacts on neighbouring properties, in addition to the provision of acceptable amenity standards for the future occupants of the proposed development.

Privacy

31. The development would introduce four side (east) facing loft level dormer windows serving the two apartments. These would directly overlook the Urmston Market site immediately to the east. The overlooked area currently comprises of a cleared brownfield site, however should development take place as per the extant grant of planning permission (reference 93629/FUL/18) these windows would directly and closely overlook the roof of the closest Urmston Market building, views from these windows would also be to the east over the top of the redeveloped Urmston Market site. There is currently no residential use on the land to the east and the planning permission for that site does not include any residential use. The closest facing residential property is located approximately 56m to the east on the opposite side of the Market site. Therefore, it is considered that the side facing dormer windows would not result in an unacceptable privacy impact on neighbouring occupants.
32. The apartment situated to the front of the site would utilise four front facing second floor windows which are currently used by an existing apartment, these windows in any event face towards the railway cutting to the south.
33. The proposed first floor side facing windows would either overlook the cleared Urmston Market site or directly face a side wall formed by the newly built Urmston Market building. Whilst the latter set up would result in a restricted outlook for these windows, this would be acceptable considering they would not serve protected habitable rooms and provides a better design solution in the event the market proposals do not come forward as currently proposed.

Overbearing/Overshadowing

34. The proposed rear elements would introduce a two storey gable elevation which would be more than the 15m minimum distance from ground floor habitable room windows in the rear of the recently constructed dwellings to the north (16.2m at their closest point).
35. The rear gardens of the residential properties to the north are currently overshadowed to some extent by the current buildings on site and the rear of the adjoining commercial units to the west. It is considered that the proposed development would not have a significant additional impact on these properties over and above the existing situation. The impact is reduced through the proposed staggered roof design with the main roof height falling moving north towards the back of the plot.

Future Occupant Amenity Space/Outlook

36. The proposal would provide an acceptable degree of internal amenity space for future occupants of the apartments in terms of their size and layout and they would be an improvement on the current provision in this regard.
37. The proposed side facing dormer windows would have a clear outlook across the top of the approved Urmston Market development, which would be acceptable.

38. Whilst the proposal would not include any external amenity space the site is within easy walking distance of Davyhulme Park to the north.

Noise/Nuisance

39. The applicant does not have a confirmed operator for the restaurant use and therefore does not know what proposed hours of operation would be sought. The Nuisance consultee has reviewed the submitted noise assessment and has confirmed no objection to the proposal subject to standard planning conditions controlling the hours of restaurant operation and servicing. Any future operator would therefore be aware of the restrictions on hours of opening / servicing and could decide before taking up the property whether these met their needs.

40. The hours of opening of the restaurant would be limited by condition to between 08:00 - 23:00 Monday to Thursday, 08:00 - 24:00 Friday and Saturday; and 10:00 - 23:00 on Sundays and Public Holidays. Servicing hours would be limited to between 0700 and 2100, Monday to Saturday, with no servicing to take place on Sundays and Public Holidays.

41. The proposed bin store to the rear of the plot would be of a standard fenced type. It would be set away from the adjacent residential back gardens to the north. It is noted that the Nuisance consultee has not objected to the proposal with reference to their noise and other amenity impacts on these adjacent occupants. The site is a mixed residential and commercial area and the proposed use including its servicing/amenity impact is considered acceptable at this location.

42. It is therefore considered that the development would have an acceptable amenity/privacy impact on surrounding residential properties and future occupants with reference to Core Strategy Policy L7 and the New Residential Development SPG.

HIGHWAYS, PARKING AND SERVICING

43. 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.*

44. 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.*

45. The Parking SPD's objectives include ensuring that planning applications accommodate an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.
46. The development would not have any dedicated on or off-street parking. A fence enclosed bin store would be installed at the rear of the property occupying half of the alleyway, which is currently blocked by fencing, with cycle hoops installed next to the rear bin area. The site currently does not have any parking spaces and is in a highly sustainable location within easy reach of several bus stops and Urmston railway station, together with the amenities and services provided by Urmston Town Centre. The LHA and Servicing consultee have both confirmed no objection subject to a condition requiring the submission of full cycle parking details.
47. It is therefore considered that the development would have an acceptable highway, parking and servicing impact with reference to Core Strategy policies L4 and L7, the Parking Standards and Design SPD and the NPPF.

TREES AND ECOLOGY

48. The proposal would result in the redevelopment of a brownfield site with no scope for tree planting. The GMEU consultee has confirmed no objection.
49. The development would not result in unacceptable harm to the natural environment with reference to Core Strategy policy R2 and the NPPF.

DEVELOPER CONTRIBUTIONS

50. This proposal is subject to the Community Infrastructure Levy (CIL) at a rate of £0 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
51. 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 the form of one tree per 50sqm GIA provided within the restaurant, which would amount to five trees with reference to the proposed 205sqm GIA, together with two additional trees for the proposed apartments, totalling seven trees. However there is not considered to be any space on site for the proposed trees, with the site not including any soft landscaping, therefore, in this case, the applicant is not required to satisfy this element.

OTHER MATTERS

52. In response to the neighbour objections officers confirm as follows:

53. The proposal is not considered to unacceptably impact the adjacent Urmston Market site which is due to be redeveloped. The relationship to the permitted Urmston Market development has been considered and the LPA is unable to refuse a proposal due to the fact that this would prevent future unspecified development at an adjacent plot.

54. The applicant has completed Certificate A on their application form indicating that they own all of the land which would be impacted by the development, and has submitted a red edge plan indicating its extent. The applicant has confirmed that the proposed external elements would not overhang neighbouring plots.

55. The application does not include any outdoor lighting to the rear of the building.

CONCLUSION

56. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted.

57. All detailed matters have been assessed, including the principle of the proposed development location, together with its visual amenity and design, highway safety and residential amenity impacts. 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 proposal comprises an appropriate form of development for the site.

58. The proposal is therefore considered to be appropriate in policy terms as well as being acceptable with reference to its design, residential amenity, privacy, highways, parking, servicing and ecology impacts. It is therefore considered to be acceptable with reference to Core Strategy policies L1, L2, L4, L5, L7, L8, W2, R2 and R3, the Planning Obligation SPD, the Parking Standards and Design SPD, the Crime and Security SPG, the New Residential Development SPG, the Shop Fronts SPG and the NPPF.

RECOMMENDATION

GRANT 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 plan, number 0719-02 Rev xii, received 23 January 2020.

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

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

5. No development, including demolition works, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction to manage and mitigate the main environmental effects. The following matters shall be addressed:
 - (i) hours of construction activity
 - (ii) the parking of vehicles of site operatives and visitors (all within the site),
 - (iii) loading and unloading of plant and materials (all within the site), times of access/egress (arriving early/not parking within the site)
 - (iv) storage of plant and materials used in constructing the development
 - (v) the erection and maintenance of security hoardings
 - (vi) wheel washing facilities
 - (vii) measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions
 - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (ix) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activityThe development shall be implemented in accordance with the approved CEMP.

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

6. No development shall take place until details of a scheme of glazing and mechanical ventilation have been submitted to and approved in writing by the Local Planning Authority, with sufficient details to demonstrate the scheme being

consistent with the recommendations of section 6.2 of the Noise Exposure Assessment supporting the development (report ref. 15233-NEA-01, prepared on 10 October 2019 by Clement Acoustics Ltd.). The development shall not be occupied or brought into use unless or until the approved scheme has been implemented.

Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site to ensure the installed scheme of glazing and mechanical ventilation would be acceptable thereby ensuring the development would result in an acceptable residential amenity impact.

7. The development hereby permitted shall not be brought into use or occupied until a scheme of sound insulation has been implemented to the existing separating floor between first and second floors of the development in accordance with the recommendations of section 7.0 of the Noise Exposure Assessment (report ref. 15233-NEA-01, prepared on 10 October 2019 by Clement Acoustics Ltd.).

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

8. The premises shall only be open for trade or business between the hours of:

08:00 - 23:00 Monday to Thursday,

08:00 - 24:00 Friday and Saturday; and

10:00 - 23:00 Sunday and Bank Holidays

And not at any time outside these hours.

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

9. Servicing, waste collections and deliveries to or from the premises shall only take place between the hours of:

07:00 - 21:00 Monday to Saturday only and at no time on Sundays or Bank Holidays

And not at any time outside these hours.

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

10. The development hereby permitted shall be serviced only in accordance with the document titled Waste Management Strategy rev iii, received 2 January 2020.

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

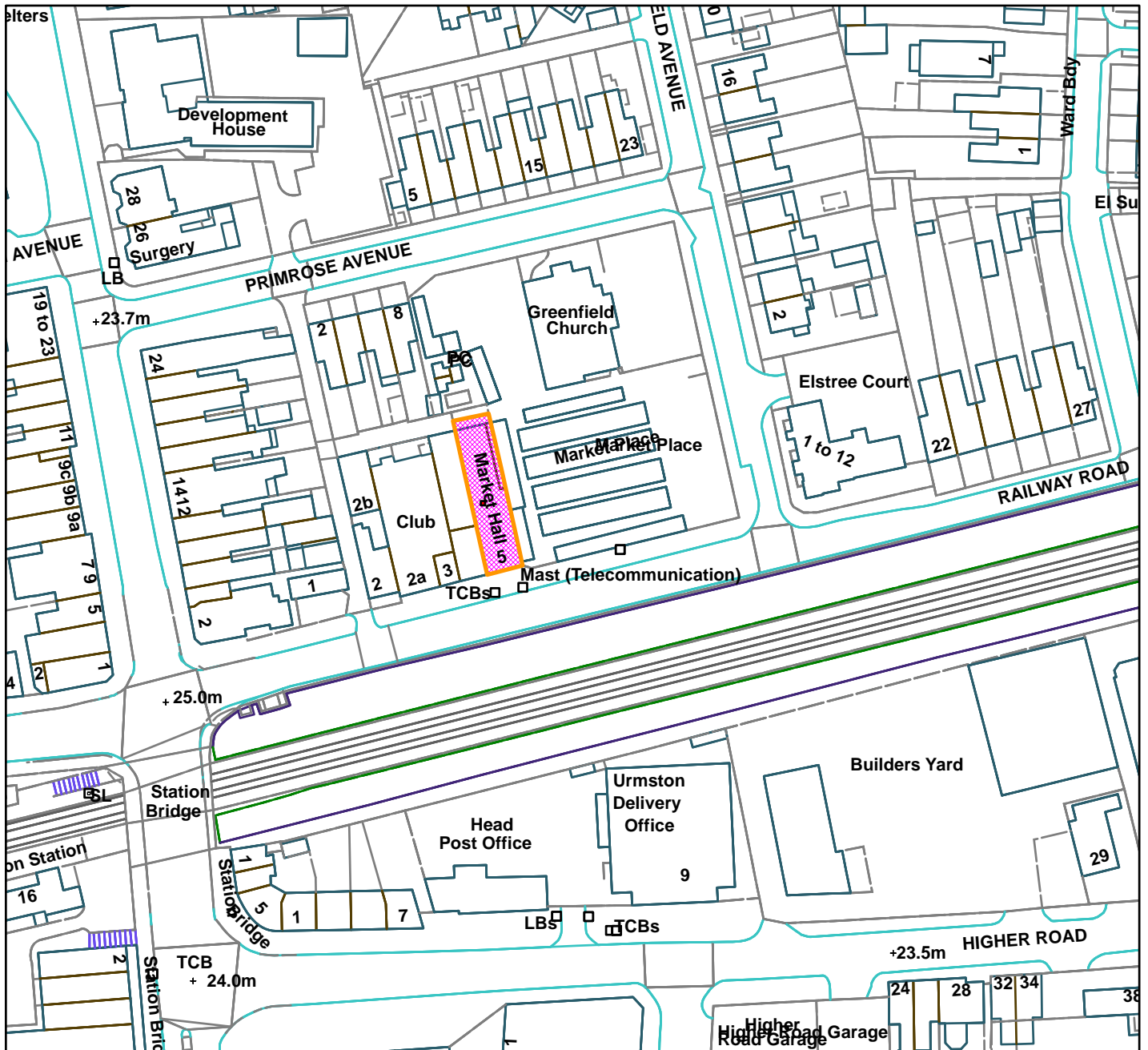
11. The development hereby permitted shall not be occupied or brought into use unless and until cycle storage has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (the proposed cycle storage to be secured and covered).

Reason: In the interests of visual amenity and residential amenity and in order to encourage sustainable modes of transport, having regard to Policies L4 and L7 of the Trafford Core Strategy.

TP



Market Hall, Railway Road, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/02/20
Date	03/02/2020
MSA Number	100023172 (2012)

Application for variation of condition 3 (approved plans) for 92958/FUL/17 (Erection of detached dwelling, following demolition of existing garage block on eastern side of Greenbank House. Works to Greenbank House including: removal of conservatory and extension on eastern side, conversion of basement to create additional flat (C3) and creation of external terraces. Alterations to landscape layout including new parking layout and bin store.) To amend the approved plans with respect to the new dwelling to allow for raising of roof height, increased width, re-siting, and alteration to fenestration, landscaping and car parking layout.

Greenbank House, 15 Albert Square, Altrincham

APPLICANT: Novo Property Group

AGENT: Nexus Planning

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee as more than six letters of objection have been received contrary to the officer recommendation of approval.

SITE

The application relates to Greenbank House, sited to the eastern side of Albert Square, Altrincham. Situated within a large residential area, the application site has residential units sited to all sides. The application site has been converted to form a number of individual apartments, with a shared drive off Albert Square. The main building on site has previously been extended to its eastern side in the form of a single storey side extension, alongside the erection of a conservatory.

A single storey detached garage building was formerly sited to the east of the property. This has been demolished and a new dwelling (now subject of this application) has been partially constructed.

The application site is situated within the Downs Conservation Area and has a number of large mature trees sited along its southern and eastern side boundaries.

PROPOSAL

The application proposes to vary condition 3 of planning permission ref: 92958/FUL/17 to allow minor material amendments to the approved scheme drawings for the proposed new dwelling at Greenbank House, Altrincham.

The proposed alterations to the development are as follows:

- Alterations to the dwelling’s position
- Alterations to the size of the dwelling – increase in width and height
- Alterations to the proposed fenestration (size and material)
- Alterations to the roof lights – include upstand and not flush as approved
- Alterations to soft & hard landscaping and car park layout

Specific details are included below:

Element	Approved (W x H)	Proposed (W x H)
Front door	1.4m x 2.6m	1.2m x 2.9m
Front Window	2.2m x 2.6m	2m x 2.9m
Recessed section	4.9m x 2.6m	4.7m x 2.9m
Building front elevation	10.3m x 3.2m	10.6m x 3.65m
Building side elevation	6.2m x 3.2m	6.2m x 3.65m
Side window	2.2m x 2.2m	2.2m x 2.3m

Value Added

- Lowered sill of window
- Reinstated green/ sedum roof
- Reinstated stack bonded headers to the recessed area around the front door
- Taller and narrower aluminium door

The total floorspace of the proposed new dwelling would be circa 52 m².

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

- L1 - Land for New Homes
- L2 - Meeting Housing Needs
- L4 - Sustainable Transport and Accessibility
- L7 - Design
- L8 - Planning Obligations

R1 - Historic Environment

PROPOSALS MAP NOTATION

The Downs Conservation Area
Critical Drainage Area

SUPPLEMENTARY PLANNING DOCUMENTS

SPD5.5 - The Downs Conservation Area Appraisal (October 2014)
SPD5.5a - The Downs Conservation Area Management Plan (March 2016)

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, and it has been updated regularly since. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

94931/CND/18 - Application for approval of details reserved by conditions of grant of planning permission 92958/FUL/17. Conditions 2 (Materials), 4 (Window, Door and Light-well details) and 7 (Tree Protection).
Full discharge of conditions – 20th August 2018

92958/FUL/17 - Erection of detached dwelling, following demolition of existing garage block on eastern side of Greenbank House. Works to Greenbank House including: removal of conservatory and extension on eastern side, conversion of basement to create additional flat (C3) and creation of external terraces. Alterations to landscape layout including new parking layout and bin store.

Approved 13th April 2018

APPLICANT'S SUBMISSION

**Heritage Statement
Covering Letter**

CONSULTATIONS

Heritage Development Officer – No objections to the proposed revised amendments

Lead Local Flood Authority – No objection to the proposal

REPRESENTATIONS

The application was advertised by way of press advert, neighbour notification letters and a site notice displayed near to the site. A number of letters, resulting in a total of 12 objections have been received in relation to this application. Additional neighbour notification letters were sent following receipt of revisions. Comments from both consultations are summarised below:

Comments made in relation to the revisions received in January 2020:

- Amendments do not appear on the weekly list
- Only 7 days to respond is insufficient
- 12 allocated parking spaces are inadequate for 8 x 2 bedroom properties
- 6m aisle width not achieved
- The car parking spaces have already been laid in non-porous block paving- the water does not run off or soak back into the ground and has already flooded on many occasions
- No sign or indication on plan for the required cycle store
- The applicant's covering letter includes the statement that *"The proposed amendments in the height of the roof do not constitute a major change to the original approval, and this approach has been verbally confirmed by Trafford Council Planning Compliance Officer, Sama Alusa on the 25th July 2019"* Perhaps the planning department could explain this statement to make this further variation from the original approved plans transparent.

Overall comments

- Visible from St Johns Court, including industrial looking roof lights
- Planting and mature trees do not screen building from Albert Square
- Loss of trees
- Material is totally out of character with its surroundings, including The Downs Conservation Area. The additional height exaggerates this further.
- Not in keeping with Albert Square
- Overlooking 11 Albert Square
- Maintenance issue

- Built at an angle, hence there is a progressively diminishing gap between the back wall of the Novo building and our wall; this means that the new building allows our wall to be weathered but does not allow us to maintain it.
- Built so out of position that it has proved necessary for the Novo building to be built actually onto our boundary wall over a length of about a metre.
- Developer should adhere to approved plans
 - Height should be reduced to boundary wall
 - Windows and doors should be re-sited to their original positions
 - Materials should match what was stated and approved in the original application
 - Roof should be sedum – a small compensation for the garden lost in the development of Greenbank House
 - Proposed smaller garden area not complete
- Disruption from living on a building site for 2/3 years
- Dangerous boundary wall
- Reference to other developments such as Alderbank
- The development at Alderbank for the past 3 years was built too high but the added height was approved by the Council. If approval is similarly given to the Garden House, it will truly confirm the strongly held perception that the Council gives in to the wishes of the big builders, but gives individuals a hard time.

OBSERVATIONS

BACKGROUND

1. Section 73 of the Town and Country Planning Act 1990 allows an applicant to seek minor amendments to an approved scheme by varying the relevant condition. Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.
2. This application seeks approval under Section 73 of the Town and Country Planning Act (1990) (as amended) for minor material amendments following a grant of planning permission reference 92958/FUL/17 granted on 13th April 2018 under delegated powers. Permission was granted for the erection of a detached dwelling, following demolition of the existing garage block on the eastern side of Greenbank House as well as works to Greenbank House and alterations to the landscape layout, including new parking layout and bin store.
3. Condition 3 of the approval (92958/FUL/17) states that:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 487-al(05)-200-(G), 487-al(05)-202-(J), 487-al(05)-203-(F), 487-al(05)-210-(F), 487-al(05)-220-(E), 487-al(05)-211-(E), 487-al(05)-234-(D), 487-al-(05)221-(E), 02 Rev. M,

PA-13 Rev. H, PA-12 Rev. H, 487-al(05)-234-(C), 487-al(05)-240-(A) and Pa-11 Rev. H.

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

4. The new replacement dwelling (partially constructed) has not been constructed in accordance with the approved plans listed within condition 3. This application therefore seeks to vary this condition to approve minor amendments to the new dwelling. The proposed minor material amendments are detailed within the proposal section of this report above. No amendments are proposed in respect of Greenbank House itself other than in relation to the overall parking layout. Although the government has published a revised NPPF, this has not materially changed the decision making framework in a way which would be determinative for this particular application. This report will assess the acceptability of the minor material changes as proposed under section 73 of the Town and Country Planning Act (1990) (as amended) through the variation of planning permission 92958/FUL/17.
5. In addition, it is of note that pre-commencement conditions in relation to drainage, cycle parking and permeable surfacing have not been discharged. These are discussed in detail within the report. This application will only review the minor amendments in relation to condition 3, however as this application creates a new permission, other conditions may change as a result.

PRINCIPLE OF THE DEVELOPMENT

6. S38(6) of the Planning and Compulsory Purchase Act 2004 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.
7. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but was 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.
8. The NPPF is a material consideration in planning decisions 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.

9. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
10. Policies in relation to housing and the historic environment are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11 as they control the principle of development.
11. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' to the significance of heritage assets in the NPPF.
12. No less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms.
13. The main considerations of this application are therefore the impacts of the proposed amendments on the designated heritage asset, visual amenity and residential amenity. As Policy R1 of the Core Strategy is out of date for decision making purposes, the requirements of Paragraph 11 of the NPPF are engaged. Heritage policies in the NPPF *could* provide a clear reason for refusing the development proposed (NPPF 11d(i)).

IMPACT ON DESIGNATED HERITAGE ASSET

Policy summary

14. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "special attention in the exercise of planning functions to the desirability of preserving or enhancing the character

or appearance of a conservation area” in the determination of planning applications.

15. A number of paragraphs with the NPPF under section 16 are relevant to this application, the most relevant are outlined below:
16. In determining applications, local planning authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness. (Para 192)
17. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. (Para 193)
18. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (Para 196)
19. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. (Para 200).
20. With regard to the Historic Environment, Policy R1 states that: All new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. As aforementioned, Policy R1 is considered out of date and thus limited weight would be afforded to this policy.
21. The Downs Conservation Area Management Plan 2016 has a number of relevant policies to the proposed works, these include:

Policy 9 - Brick walls should not be painted or rendered. Where repairs are needed to the brickwork this should be done with like-for-like replacements. The predominant building material is to be red, cream or brown brick, with contrasting coloured details.

Policy 20 - Roof lights should not to be installed in locations that impact on the aesthetic value of the principal elevation or streetscape and should not be disproportionately large compared to the established fenestration. Conservation roof lights should be installed rather than standard roof lights.

Policy 61 - Any new development is to take inspiration from the established architectural styles which are well-established within the Conservation Area, such as the simple early-19th century; the mid-Victorian Italianate and late Victorian revival styles. Use of traditional materials and architectural details would ensure new development is appropriate for its setting. Modern design is not prohibited within the Conservation Area but should be sympathetic to its historic context; have regard to appropriate siting; of a high standard; of an appropriate scale and proportions; and use appropriate, high-quality traditional and natural materials.

Policy 63 - The scale of any new development should mirror the existing building and plot sizes. The council reserves the right to refuse applications where any proposed development impedes on the building density of the wider area and/or the characteristics of the Conservation Area.

The Significance of the Designated Heritage Assets

22. Significance (for heritage policy) is defined in the NPPF as: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
23. Setting of a heritage asset is defined as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
24. The application site is located within The Downs Conservation Area. The Downs CA was first designated on 8th February 1973 and has been extended three times since.
25. The special character of The Downs Conservation Area derives from its 5 Historic key Character Zones of development. The application site is located within Character Zone A of the Conservation Area, this area forms part of the area's earlier core and features a great variety of buildings, with many unique two

storey terraces with town gardens to the front and rear. The area is characterised by short terraces in a simple Classical Style, dating back to the late 18th century. Each of the terraces has in this case been developed by a different builder and thus has its own distinctive features. Many of these features still exist today and include bay windows, timber sash openings, timber doors, original railings and dormer windows.

26. The Downs Conservation Area Appraisal highlights Greenbank House as currently being in a “Good” condition and highlights the property as featuring a substantial number of elements, key to the character of the Conservation Area. These include; the age of the building itself, its construction materials and overall form and style. The Appraisal further highlights that the site reflects the traditional functional character and former use of this section of The Downs, reiterating its importance within the wider Conservation Area.

Proposal and Impact on Significance of the Designated Heritage Assets

27. The new dwelling has not been built in accordance with the approved plans. The dwelling was approved to be built adjacent to the northern boundary wall. Instead it has been built at an angle and therefore has a gap of approx. 0.5m between the north-east corner of the dwelling and boundary wall. Furthermore the dwelling is approx. 0.45m higher (overall height of 3.65m) and 0.3m wider than approved. The window openings also differ from the approved plans. Roof lights have been installed with an upstand and thus protrude above the roof line, unlike the approved plans which proposed flush fitted roof lights.
28. The position of the new dwelling as built was not correctly shown on the drawings originally submitted with the current application, however this has been rectified within the revisions. The revised drawings also include changes to seek positive amendments. The reinstatement of the sedum roof is one of the amendments. It is considered that the sedum roof would help screen the protruding roof lights.
29. The revisions include a full height aluminium door, which would match the proposed windows. The revised window opening would now be a full height and equal to the front door and recessed element. The proposed material of the windows would be grey powder coated aluminium. It is acknowledged that aluminium is not a traditional historic window material. However in this instance the applicant has demonstrated that the window frame at this size could not be constructed in timber and be openable (required under building regulations) at the same time. The size of the window opening is a key design component of the proposed new dwelling in that the large openings reflects the former garage door openings. Therefore it is considered a smaller timber framed window with mullions, as per the drawings originally submitted with this application (drawing nos. 487-al(05)-234-[E] & 487-al(05)-210-[G]) would have more of a negative impact on the overall appearance and thus impact upon the conservation area.

30. The revisions made during the course of the application are considered to result in an overall development that would assimilate the design concept of the approved scheme - a modern reinterpretation of the garage and earlier structures on site (as per the Design and Access Statement, 92958/FUL/17). The increase in roof height and re-positioning of the building are not considered to have a significant impact on the character and appearance of the Conservation Area.
31. The proposed development also seeks to increase the amount of hardstanding by approximately 7m². This would be laid adjacent to the existing permeable block paving on the eastern side of the site. This is not considered to result in material harm to the character, appearance or significance of the Conservation Area, given its limited coverage, location and proposed material – Grasscrete or similar product. It is considered that a condition requiring further details within a landscaping plan would ensure an acceptable impact upon the designated heritage asset.
32. Given the above, it is considered the proposed alterations would not have any adverse impact upon the character and appearance or cause harm to the significance of the designated heritage asset – the Downs Conservation Area. The proposal is therefore considered to be acceptable in terms of the guidance in the NPPF in this respect and in terms of paragraph 11 of the NPPF there is no clear reason for refusing the development. In making this assessment, great weight has been given to the need to preserve the character and appearance and significance of the heritage asset.

DESIGN AND APPEARANCE

33. Paragraphs 124 and 130 of the NPPF states: Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
34. Trafford Core Strategy Policy L7 states that “In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary

treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”.

35. The proposed changes as outlined above are limited in terms of their visibility upon the public domain. The proposed amended plans have resulted in an overall design, which reflects the design concept of the approved scheme. It is therefore considered that the proposed amendments are visually acceptable and the overall development would continue to have an acceptable impact with regard to the appearance of the application site. It is therefore considered that the proposed development is acceptable in terms of design and visual amenity, having regard to Policy L7 of the Core Strategy and guidance in the NPPF.

RESIDENTIAL AMENITY

36. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
37. The adopted SPD New Residential Development recommends that where the development would result in major facing windows, two storey dwellings, including dormers, should retain a minimum distance of 21m across public highways and 27 metres across private gardens.

Impact upon neighbouring properties:

38. The changes to the windows included within the new dwelling would not alter the position of the openings. As such the amendments would not result in an undue loss of privacy or overlooking to neighbouring properties.
39. The dwelling is proposed to be increased in height to 3.65m, which is approx. 0.55m above the boundary wall. A row of garages serving residents of St Johns Court is situated to the north of the boundary wall and therefore the land immediately adjacent to the dwelling is not useable private amenity space. Furthermore, the apex of the garages is approx. 4m and therefore the new dwelling would not exceed this height. It is noted that the new dwelling cannot be seen at ground level within the grounds of St John Courts. The proposed increase of circa 0.45m is not considered to have any greater impact on the amenity of neighbouring dwellings.
40. The proposed dwelling would not be positioned any closer to apartment 1 and the increase in height is not considered to unduly impact the occupiers of apartment 1 with regard to loss of light, overshadowing or overbearing impact, when compared to the approved plan and former situation on site.

Amenity of future residents at the site:

41. The proposed landscaping plan would result in the creation of areas of defensible space around the habitable room windows using evergreen hedges in order to limit any harmful overlooking from the communal areas within the development. Further landscaping details have not been submitted and thus the landscaping plan would be secured by way of condition. The privacy levels proposed for future occupiers of the detached dwelling are considered to be sufficient to provide an adequate level of accommodation for future occupiers.

Conclusion:

42. It is therefore considered that the proposed development would not have any unacceptable impacts in terms of residential amenity and would comply with Policy L7 in this respect.

PARKING AND HIGHWAY SAFETY

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

Appropriateness of Access

44. The existing access to the front of the site is to be retained via Albert Square. This has been considered acceptable by the Local Highway Authority.

Servicing Arrangements

45. Details in relation to the bin store have not been submitted and therefore a condition requiring this information is included in the recommendation.

Car Parking, including disabled provision

46. The proposal seeks to increase the approved parking provision from 12 parking spaces to 13 spaces.
47. The Council's SPD3 parking related guidelines detail that within this area, a 2-bed dwelling should be allocated 2 parking spaces. For a 1 bed dwelling, 1 parking space is required. This would result in a total requirement of 15 spaces for the site (7 no. 2 bed apartments plus 1 no. 1 bed dwelling).
48. The application proposes the provision of 13 parking spaces on site, therefore resulting in a shortfall of 2 no. spaces. It is however considered given the site's location, in close proximity to Altrincham town centre, where a number of public transport modes can be easily accessed, this level of parking provision is

considered to be acceptable in this instance. Furthermore this is an improvement, with regard to highways, compared to the approved scheme, application ref: 92958/FUL/17. The parking spaces also achieve an aisle width of 6m.

Secure Cycle Parking

49. No details have been submitted in relation to cycle parking and therefore a condition requiring the submission of details for cycle storage prior to the occupation of the proposed development will be attached to any subsequent planning consent.
50. The Councils adopted SPD3: Parking Standards and Design state that cycle parking of either one communal space per apartment or one allocated space per bedroom is required for a development of this type, within this location. This equates to 8 communal spaces or 15 allocated spaces.

Conclusion

51. It is therefore considered the proposed development would not have an adverse impact upon the parking provision or result in harm to highway or pedestrian safety within the immediate area of the site nor would this result in any adverse highway safety concerns and as such the development is considered to be in accordance with policy L4 of the TBC Core strategy and the relevant sections of the NPPF.

DRAINAGE

52. The following was reported within the Officers report associated with planning application ref: 92958/FUL/17 - *The site is within a Critical Drainage Area, although the development is below the threshold requiring consultation with the Environment Agency or the submission of a Flood Risk Assessment. It is considered that the development would not be at risk of flooding, nor increase the risk of flooding, subject to the implementation of a sustainable urban drainage scheme across the site. It is recommended that a condition is attached to any permission, requiring full details of the drainage scheme required to comply with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment. These details should be provided and assessed prior to the commencement of any development.*
53. This application does not seek to change the approved scheme in relation to drainage. However it is noted that details with regard to sustainable drainage and porous / permeable surfacing were not submitted or approved before the development commenced. Having consulted with the Lead Local Flood Authority, it is understood that a sustainable drainage condition is not now

considered necessary given it is a minor development with no significant flood risk attached to it. As such condition 11 previously imposed (on 92958/FUL/17) is recommended to be removed. A condition in respect of porous / permeable surfacing is attached with a revised trigger for implementation (on occupation).

OTHER MATTERS

54. There are no changes in relation to Greenbank House itself, ecology or trees.
55. The boundary wall is not subject of this application.
56. The conduct of developers and the construction works are not material planning considerations and therefore cannot be taken into account within the decision making process.
57. The changes made in the revised plans received in January 2020 were minor changes to the overall proposed development/variation of condition application. As such the consultation period of 7 days is considered sufficient. Furthermore planning applications are only published on the weekly list once.

DEVELOPER CONTRIBUTIONS

58. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the hot zone for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
59. 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 this instance however, given the size of the site and its location within a Town Centre, this obligation is not required, given the lack of suitable provision for such infrastructure within the site.
60. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

61. The proposed alterations to the new dwelling, plus changes to the landscaping and car parking layout are considered to be acceptable and in accordance with policies R1, L4 and L7 of the Core strategy, relevant policies from The Downs Conservation Area Management Plan and the relevant sections of the NPPF. In arriving at this decision considerable importance and weight has been given to the desirability of preserving The Downs Conservation Area. The proposed changes in this instance has been found to lead to no harm to this designated Heritage Asset and the proposal is therefore considered to be in compliance with the relevant sections of the NPPF and Policy R1 of the Core strategy. As such,

in terms of NPPF paragraph 11 d) i), there is no clear reason for refusal of the proposed development.

62. It is considered that the impacts of the proposed amendments, subject to appropriate mitigation through conditions, would be in compliance with the development plan and relevant policy in the NPPF. In terms of NPPF paragraph 11 d) ii), there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission. It is therefore concluded that the application should be approved subject to appropriate conditions.

RECOMMENDATION

GRANT subject to conditions:-

1. Notwithstanding any description of materials in the application no further construction works shall take place until samples and full specification of materials to be used externally on the coach house 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. In relation to Greenbank House, the development is to be carried out to be in accordance with details approved under app ref: 94931/CND/18.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity having regard to Policy L7 and R1 for historic environment of the Trafford Core Strategy and the requirements of 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, numbers: 487-al(05)-200-(C), 487-al(05)-202(B), 487-al(05)-203-(B), 487-al(05)-210-(A), 487-al(05)-211-(A), 487-al(05)-220-(A), 487-al(05)-221-(A), 487-al(05)-234-(A), 487-al(05)-240-(A), PA-13 Rev. H, PA-12 Rev. H, and Pa-11 Rev. H.

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

3. No further development 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 of the new dwelling shall thereafter be carried out solely in accordance with the approved details and the development of Greenbank House is to be carried out in accordance with details approved under 94931/CND/18.

- a. new external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths/colour) at scale 1:10;

Reason: To ensure a high quality standard of development and to safeguard and enhance the character and appearance of the Downs Conservation Area and the visual amenities of the locality in general in accordance Policies L7 and R1 of the Trafford Core Strategy.

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works, including the proposed Sedum roof, 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.

5. The development hereby approved shall not be occupied until a schedule of landscape maintenance (including that for the green roof) 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.

6. The approved measures in relation to Tree Protection as submitted as part of 94931/CND/18 shall be retained on site throughout the duration of the development works.

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

7. The development hereby approved shall not be occupied until a scheme for the storage of waste bins and recycling bins has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the location where waste and recycling will be stored and the design of such bin stores and how they will be collected. The approved scheme shall be adhered to at all times.

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

8. The development hereby approved shall not be occupied unless and until a scheme for secure cycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.

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

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

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

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

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

11. The car parking arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available prior to the development being first brought into use and shall be retained thereafter for their intended purpose. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

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

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

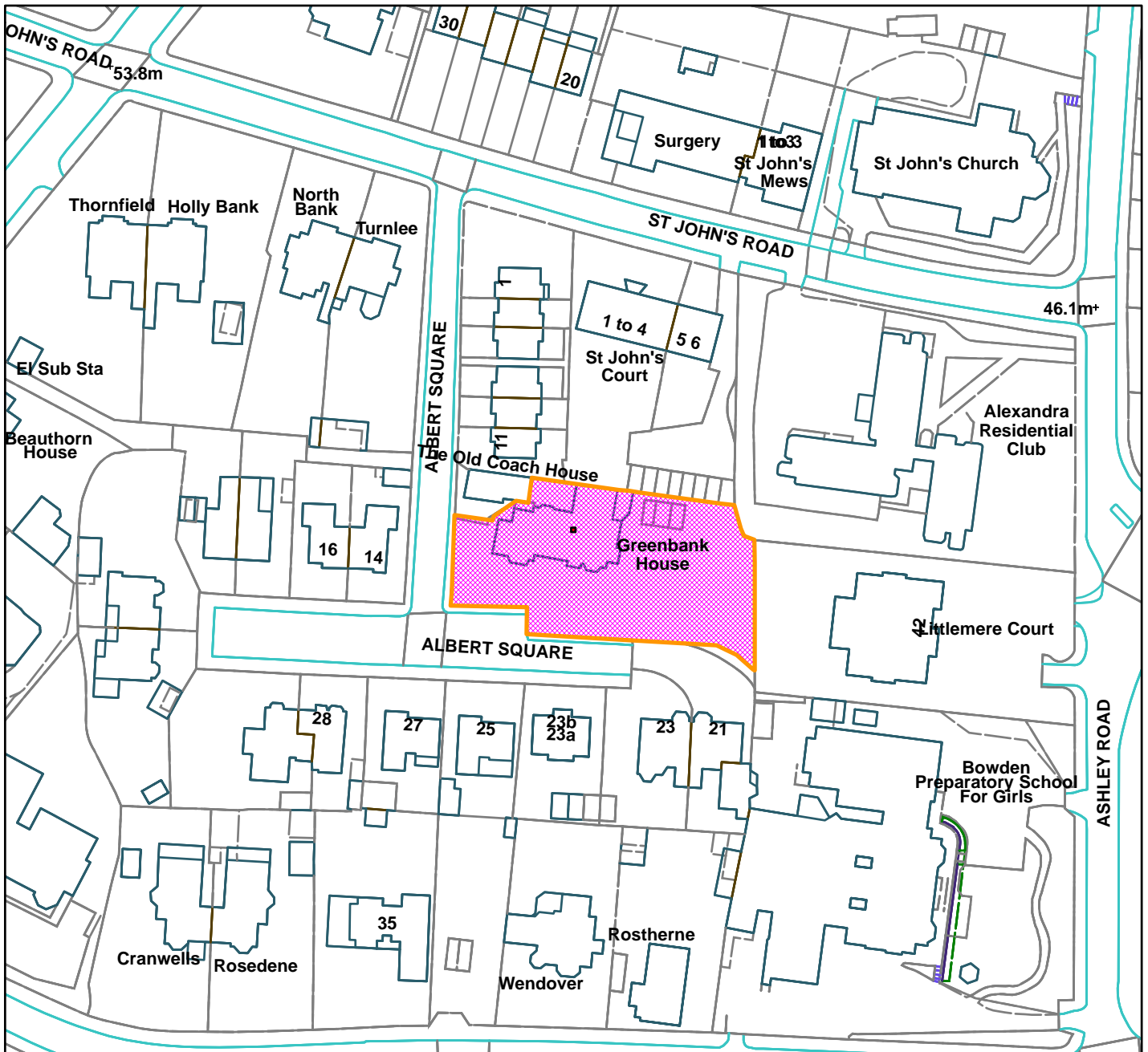
- i. no external alterations shall be carried out to the dwelling
- ii. no extensions shall be carried out to the dwelling
- iii. no garages or carports shall be erected within the curtilage of the dwelling
- iv. no vehicle standing space shall be provided within the curtilage of the dwelling
- v. no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling
- vi. no means of access or areas of hard surfacing shall be constructed in the curtilage of the dwelling
- vii. no windows or dormer windows shall be added to the dwelling other than those expressly authorised by this permission, unless planning permission for such development has first been granted by the Local Planning Authority.

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

LT



Greenbank House, 15 Albert Square, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/02/20
Date	03/02/2020
MSA Number	100023172 (2012)

WARD: Bucklow St Martins 98783/FUL/19

DEPARTURE: No

Demolition of single storey element to the side and rear of the nursing home, change of use of the nursing home and extensions and building works to accommodate 5no. dwellings. The works would comprise of the change of use of the nursing home to accommodate 2no. dwellings; erection of 3no. additional dwellings through a two storey extension to side of nursing home accommodating 2no. dwellings; together with a bungalow to the rear of the site. External alterations to include new access onto Manchester Road, hard and soft landscaping including new parking areas and bin stores.

Beech House, Manchester Road, Partington, M31 4DJ

APPLICANT: Mr George Khanijau

AGENT: Mr Justyn Lambert, Magnus Technical Engineering Ltd

RECOMMENDATION: GRANT

This application is reported to the Planning and Development Management Committee as eight letters of objection have been received contrary to the officer recommendation of approval.

SITE

The application site comprises of a 0.17ha plot to the south-east of Manchester Road (the A6144), the plot being to the north-east of Partington Local Centre. The site currently accommodates a two storey Edwardian-era main building with 20th Century single storey side (south-west/north-east) and rear extensions, these buildings are currently vacant and were formerly used as a nursing home. The main building also has a two storey rear gable element which appears to be original.

The plot is accessed from Manchester Road with an area of hard standing to the front of the buildings as well as running south-east along the side (north-east) boundary before terminating at an overgrown slightly raised grassed area adjacent to the rear boundary.

Plot boundaries are marked by a brick wall to the front and fencing to the sides/rear, with much of these boundaries further screened by trees and mature vegetation including leylandii trees.

The site is bound by residential properties to all sides.

The application site originally included a single storey building to the north-east of the care home; however following grant of planning permission reference 93406/FUL/18 on 17 April 2018 this has been excluded from the application site with the building converted into a terrace of three single storey dwellings. This neighbouring building has two windows in its south-west facing gable elevation comprising part of the north-east plot boundary, these windows looking directly into

the application site and comprising of a secondary living room outlook and a bathroom window.

PROPOSAL

The applicant proposes to redevelop the site as residential housing through the conversion of the original building into two dwellings, the demolition of the existing single storey side (north-east) and rear extensions followed by the erection of a two storey side (north-east) extension accommodating two dwellings and the erection of a bungalow to the rear of the plot.

The side extension would have a dual-pitched roof to match that of the main building whilst the bungalow would have a hipped roof and a front facing bay windowed element.

Each of the dwellings would have three bedrooms and would include a living room, dining room and kitchen (a combined living-dining room for the dwellings in the side extension and a combined kitchen-dining-living room for the bungalow), with WCs and bathrooms.

The original main building would be split into two dwellings with that to the west accessed via a new 'front' door in the building's gable elevation, this door replacing a current side facing window. This new dwelling would also introduce a side facing dining room door and a side facing first floor bathroom window.

External materials would include facing brickwork, grey concrete roof tiles and UPVC windows/doors/guttering.

The wider site would include an amended vehicle access fronting Manchester Road, fence enclosed private amenity spaces along the plot's south-east and south-west boundaries, an access route running along the plot's north-east boundary and to the front of the original building providing access to nine parking spaces, two to the front and seven to the rear of the plot.

Plot boundaries would be marked by new 2m high fencing to the sides and rear with the front boundary wall retained.

All trees and boundary vegetation, including leylandii along the plot boundaries, would be removed, apart from a single tree to the rear which would be retained.

Value Added

Following Planning Officer advice the applicant has amended their proposal through:

- Removing an originally proposed additional bungalow from the centre of the plot;
- Reduction and repositioning of the proposed on-site parking spaces;
- Redesigning the proposed two storey side extension to better reflect the main building and ensure the extension is subservient;
- Redesigning the bungalow through the installation of dual-pitch hipped roofs;
- Moving the bungalow away from the side boundary to the south-west;
- Improving the design of the bungalow's external elevations;

- Extension of back gardens for the proposed dwellings to the front of the site;
- Changes to the proposed servicing arrangements.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 - Land for New Houses;
 L2 - Meeting Housing Needs;
 L3 – Regeneration and Reducing Inequalities;
 L4 - Sustainable Transport and Accessibility;
 L5 – Climate Change;
 L7 - Design;
 L8 - Planning Obligations;
 R2 - Natural Environment;
 R3 – Green Infrastructure.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
 SPD3- Parking Standards & Design;
 PG1 - New Residential Development;
 PG – Crime and Security.

PROPOSALS MAP NOTATION

Priority Regeneration Area.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

97803/FUL/19: Demolition of single storey element to the side and rear of the nursing home, change of use of the nursing home and extensions and building works to accommodate 7no. dwellings. The works would comprise of the change of use of the nursing home to accommodate 2no. 3 bedroom dwellings including a first floor side extension; erection of 5no. additional dwellings through a single storey extension to side of nursing home accommodating 2no. three bedroom dwellings; together with 2no. semi-detached three bedroom dwellings and a detached four bedroom dwelling to the rear of the site. External alterations to include new access onto Manchester Road, hard and soft landscaping including new parking areas and bin stores. Withdrawn.

93406/FUL/18: Change of use of a single storey building within the wider Nursing Home (C2) site to 3no residential dwellings (C3). Erection of single storey front and rear extensions to the single storey building in addition to new fences and gates following demolition of the existing outbuildings. External alterations to include new windows, doors and open sided front porches, and creation of two new vehicular accesses, including a vehicle access for the remainder of the site retained as a Nursing Home. Approved 17 April 2018.

APPLICANT'S SUBMISSION

None submitted.

CONSULTATIONS

Local Highways Authority – Object due to under provision of a single on-site parking space.

Lead Local Flood Authority – No objection.

United Utilities – No objection subject to conditions.

Greater Manchester Ecology Unit – No objection.

Pollution and Licensing (Contaminated Land) – No objection subject to condition.

Pollution and Licensing (Nuisance) – No objection subject to condition.

Arboriculturist – No objection.

Waste – No objection.

REPRESENTATIONS

Multiple letters of objection have been received from eight neighbouring addresses which raise the following issues:

- The proposal would result in an unacceptable overdevelopment of the plot;
- The proposal would result in an unacceptable noise amenity impact on neighbouring residents, for example the new access route and vehicle movements would result in an unacceptable noise amenity impact on neighbouring properties;
- The proposal would result in an unacceptable privacy impact on neighbouring occupants;
- The proposal would result in an unacceptable overbearing impact on neighbouring plots;
- The proposal would result in unacceptable highways and parking impacts. The proposed access road would be too narrow for the proposed number of vehicles, with insufficient space for vehicles to enter and exit the site at the same time. Servicing and emergency vehicles would not be able to enter and leave the site. The internal access route does not include any turning points. Insufficient parking spaces are provided. The site has a lack of public transport options;
- The proposed rear bungalow would be built too close to the adjacent plot to the south-west with a concern that guttering would overhang the common boundary and insufficient space to carry out maintenance works for both properties. The bungalow should be a minimum 2m from the common boundary. The impacted neighbouring property would directly face the bungalow which would be less than 13m away. Government guidance requires a minimum 13m distance between a new blank gable wall and a facing property which is not complied with in this instance;

- The applicant has failed to maintain the coniferous trees within their plot which has resulted in a damaged common boundary fence and overshadowing of neighbouring plots. Will the proposal result in the removal or maintenance of the existing trees on site as well as replacement of the damaged fence panels? Who will maintain the retained trees?
- A concern that the redevelopment could lead to the site being left open causing security issues;
- The works could damage surrounding dwellings. Who will pay for their repair?
- The proposed common boundary with an adjacent property to the south-west should be amended to a 2.4m high wood panel fence should the rear bungalow be built upon the current raised ground area at this point;
- The resulting cars would cause unacceptable pollution impacts;
- Future occupants could end up smoking outside of their properties;
- The development would include land within surrounding plots;
- Planning permission should be withheld until the applicant has tidied up the site and repaired the boundary treatments;
- The proposed boundary treatment adjacent to Manchester Road would be too high thereby limiting visibility for drivers leaving the site;
- Partington does not have enough shops and other amenities to accommodate this and other proposed housing developments;
- No provision for construction traffic parking;
- The proposal would fail to comply with the minimum distances as per the Domestic Extensions SPD;
- Who will be responsible for the maintenance of the common amenity space;
- No information provided on what will happen to the leylandii hedge;
- The proposed fencing would be too low;
- The proposed fencing would not be robust enough to withstand vehicle impact;
- If approved future occupants should not be allowed to add dormers to the bungalow to protect against unacceptable privacy and design impacts;
- The development could result in unacceptable overspill parking problems on surrounding roads caused by the new occupants.
- The amended rear bungalow should be reduced from three to two bedrooms and set in from the side and front boundaries;
- The proposed dwellings to the front of the plot should be replaced by a terrace row set at 90 degrees to the front boundary;
- The amended parking spaces would include several close to neighbouring back gardens resulting in an unacceptable amenity impact;
- When will building commence and what will be the permitted hours of construction?

One further letter has been received in relation to the latest consultation raising the following concerns: -

- The proposed bungalow remains too close to properties on Dean Close and is now closer to those on Hardwick Road. Any new owner would be overlooked, overshadowed and the front door would open to face a fence.
- Car parking will be adjacent to neighbours boundaries and cause excess noise and pollution.

- New planting will be close to boundaries and plans don't specify type of planting.
- Levels plan is incorrect and doesn't show 11 or 13 Dean Close. The plan states that the levels will be reduced in line with properties to the east but the planning officer said it would be in line with properties to the west (which sit lower than the site).
- Construction will cause noise and disturbance.
- Site is too small for proposed development.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

The decision-taking framework

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 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. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Housing

5. Policies controlling the supply of housing and regeneration are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11.
6. The Council does not, at present, have a five year supply of immediately available housing land and thus development plan policies relating to the supply of housing are 'out of date' in NPPF terms.
7. For the purposes of this application, Policy L3 is considered to be consistent with the NPPF.
8. Policy L1 of the Trafford Core Strategy seeks to release sufficient land to accommodate a minimum 12,210 new dwellings (net of clearance) over the plan period up to 2026. Policy L1 is out of date in so far as the calculation of housing need should be based on the more up to date 2014 'Local Housing Need' figures. Using the 2014 LHN calculations, 1,362 net homes per annum are required. Given Trafford's historic under delivery of housing a 20% buffer is included within this figure. The Government introduced their own figures for housing need, known as the Housing Delivery Test. The Government's assessment shows that Trafford met 47% of its housing requirement for 2015 – 2018. Regular monitoring has revealed that the rate of building is failing to meet the housing land target and the latest monitoring (based on 2014 LHN) suggests that the Council's supply is in the region of only two and a half years. Additionally, the Council is required to demonstrate how many new homes it is actually delivering in the Government's Housing Delivery Test. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but to meet the more up to date LHN figure and also to make up for a historic shortfall in housing completions.
9. Notwithstanding this the proposal is considered to be broadly in compliance with Core Strategy Policies L1 and L2. Thus the development would result in the reuse of a formerly developed site (brownfield land) thereby complying with Policy L1.7 which sets an indicative target of 80% of new housing provision within the Borough to be built upon brownfield land.
10. In addition it is noted that the application site is located to the north-east of Partington Local Centre and close to public transport links, local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Place Objectives PA01 and PA02 in terms of meeting housing needs and tackling population decline and maximising the potential of vacant sites.
11. The proposal would also make a contribution towards meeting housing needs within the Borough by the provision of five additional dwellings (L2.1); through the development being located on a sufficiently sized plot, appropriately located to access existing community facilities, not harmful to local area character or amenity, and more generally in accordance with Core Strategy Policy L7 as outlined in the design section below (L2.2). The proposed dwellings could be used for family housing (L2.4/L2.6). The development would also likely result in

a small economic benefit during its construction phase.

12. The proposal would also comply with paragraph 68 of the NPPF in that it would result in the provision of additional housing on a small site; thereby making an important contribution towards meeting the Borough's housing requirements.
13. There is no requirement to provide affordable housing as the quantum of development proposed is below both the national and local threshold for doing so.

Regeneration

14. Core Strategy Policy L3.1 states that the Council will seek to secure an improved quality of design and construction and range (including affordability and type) of the Borough's housing stock on offer to residents within the Regeneration Areas.
15. Policy L3.2 states: *Within these Regeneration Areas the Council will support appropriate development(s) that will reduce inequalities, secure regeneration benefits; create truly sustainable communities; and make positive contribution(s) to achieving the Plan's Strategic Objectives and relevant Place Objectives.*
16. The application site is located within an area identified for regeneration. The proposal is considered to acceptably comply with the above notes requirements with reference to the fact it would result in the regeneration of a currently vacant brownfield plot through an acceptably designed scheme, with the new housing increasing the range of local housing stock.
17. It is therefore considered that the proposal would be acceptable with reference to the relevant Core Strategy housing land supply policies.

DESIGN

18. New Residential Development PG 1 states that infill development can be acceptable provided it would be satisfactory in relation to its context in terms of design and amenity impacts. This type of development will not be accepted at the expense of the amenity of surrounding properties or local area character. The resulting plot sizes and frontages should be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.
19. Paragraph 124 of the NPPF states: *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking*

into account any local design standards or style guides in plans or supplementary planning documents.

20. Policy L7 of the Trafford Core Strategy states: *In relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan.*
21. The proposed dwellings would be bound by mid-20th Century semi-detached, detached and terraced dwellings to all sides, all of these having two storeys apart from the bungalows to the north-east.

Siting and Footprint

22. The proposed dwellings would be located to the front and rear of the plot. The proposed two storey side extension accommodating two dwellings to the north-east of the original property would not undermine a building line at this point with existing properties facing Manchester Road at differing angles. The dwellings would be acceptably set in from each side boundary. An access route and parking area would be set along the plot's north and north-east boundaries which would mirror the current set up. The proposal would not result in an unacceptable overdevelopment and subdivision of the plot. The proposed plot sizes would not be out of keeping with surrounding plots thereby respecting the local density and grain of development. Following Officer advice the applicant has amended their proposal to remove an originally proposed second bungalow located in the centre of the plot, thereby allowing for a reduction in the number of buildings on site.

Bulk, Scale, Massing and Height

23. The proposed dwelling heights would be acceptable with reference to the surrounding properties. Officers have worked with the applicant to reduce their scale and massing for example through the addition of a hipped roof to the bungalow. The applicant has also provided existing and proposed levels plans showing the bungalow would be built on a lowered ground level. In all the proposed dwellings would have an acceptable visual impact in terms of their bulk, scale, massing and height with reference to the size of the plot and their surrounding context.

External Appearance/Materials

24. It is considered that the proposal dwellings would have an acceptable design in terms of their external features, detailing and proportions. Whilst the bungalow would have a relatively utilitarian design, this would be sited at the rear of the plot and would not have any impact on the Manchester Road street scene. The applicant has increased the amount of soft landscaping and reduced the amount of car parking spaces through removal of one of the two originally proposed bungalows. The proposed amended hard standings, garden areas

and boundary treatments are considered to be acceptable with reference to the surrounding context.

25. The proposed amendments to the retained building would be relatively minor and would be acceptable. It is noted that the retained building's original sliding sash windows would be restored.
26. The proposed external materials of facing brickwork, grey concrete roof tiles and UPVC windows/doors/guttering are considered to be acceptable with reference to the proposed development and its context. Planning permission would be subject to a condition requiring the applicant to submit full material and boundary treatment details for approval prior to the commencement of above ground development.
27. Planning permission would be subject to a landscaping condition requiring the submission of full details for the LPA's written approval prior to the commencement of above ground works.
28. The new plots would be separated from the surrounding residential properties by a 2m high timber fence, which would be acceptable.

Design and Crime

29. The proposal would result in the redevelopment of an unused relatively dilapidated site and would introduce multiple windows for passive surveillance.
30. The development would be acceptably designed with reference to Core Strategy Policy L7, PG1 New Residential Development, the Design and Crime SPD and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

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

Privacy and Overlooking

33. The proposed dwellings would introduce ground floor front, and rear facing habitable room windows however views towards neighbouring plots would be acceptably screened by the retained brick wall to the front and 2m high wood panel fencing along common boundaries to the rear. The south-western converted dwelling would introduce a side facing secondary living room window

and a side facing glazed dining room door which again would face a 2m high side fence. The two storey dwellings would also introduce front and rear facing first habitable room windows however those to the front would be 19.3m from the facing properties on the opposite side of Manchester Road, these neighbouring properties are at right angles with no main habitable room windows facing the application site and the proposed windows would only face the end of a residential cul-de-sac. The proposed first floor rear facing bedroom windows in the converted main building would be 23m from the facing common boundary, which complies with PG1. Whilst views from these windows would also admittedly be along the rear plot boundaries of properties to the south-west at a distance of approximately 6.1m, the view would not face directly into the relevant neighbouring plot, so again this relationship is considered to be acceptable.

34. The two storey properties would introduce side facing first floor windows. The south-west facing windows in the retained original building would be close to sensitive common boundaries to the side with a neighbouring back garden beyond, however these windows would comprise of a secondary bedroom outlook and a bathroom window, and it is recommended that planning permission should be subject to a condition requiring these to be obscurely glazed. The proposed north-east facing side window in the terrace gable end would serve a bathroom window which it is recommended is also conditioned to be obscurely glazed with this window not overlooking a sensitive area such as a garden.

Overbearing/Overshadowing

35. The proposed two storey terrace dwellings and bungalow would not result in an unacceptable overbearing or overshadowing impact on neighbouring properties.
36. The proposed bungalow has been amended to include hipped roofs to reduce its impact in this regard. The applicant has provided an existing levels plan and the proposed site levels on the proposed site plan. These indicate that the bungalow would be built on a lower ground level (17.1m as opposed to the current ground level at this point of 17.5/17.65m).
37. The proposed bungalow has also been pulled away from the closest neighbouring boundaries to maintain approximately 1m to each boundary at the closest point in order to reduce its impact and ensure adequate space to the side.
38. It is not considered that the proposed bungalow would result in an unacceptable overbearing impact on the rear facing habitable room windows of the adjacent bungalow to the north-east (No. 49 Hardwick Road), with the latter's windows facing past the front of the bungalow, and moreover it is noted that the common boundary at this point currently comprises of a high level fence (approximately 2.2m) and planning permission would be subject to a condition requiring this fencing to be retained.

39. Whilst the Council's SPD4 Householder Guidelines are not directly applicable in that the proposal relates to new dwellings rather than extensions to existing dwellings, they are considered to be a useful guide when assessing the amenity impact of new dwellings. Addressing a neighbour objection it is noted that there is nothing in SPD4 which requires a minimum 13m distance between neighbouring habitable room windows and a single storey gable elevation.
40. The rear facing ground floor habitable room windows in the proposed new terraced properties on the site frontage would not be subjected to an unacceptable overbearing impact from the retained two storey rear projecting outrigger on the existing building with the closest proposed rear facing window set in approximately 1m from the common boundary and the retained outrigger projecting 4.5m to the rear and set in 2.5m from the boundary. Whilst it is accepted that this would fail to comply with the guidelines set down in SPD4, this is nevertheless considered to be acceptable given that the rear outrigger is already in place and the projection is only 0.5m greater than the guideline. Furthermore, this relationship would be evident to the prospective occupiers of the property prior to occupation.
41. The proposed two storey side (north-east) extension accommodating two dwellings would introduce a gable elevation which would be directly faced by two ground floor windows in the gable elevation of the neighbouring single storey dwelling house in the converted building to the north-east, however neither of the impacted neighbouring windows is a principal habitable room outlook, and so this relationship is considered to be acceptable.
42. It is considered necessary to remove the proposed properties' domestic permitted development rights relating to rear extensions and rear dormers to ensure the new houses would have an acceptable privacy and amenity impact on neighbouring properties.
43. The proposed dwellings would not result in an unacceptable overbearing or overshadowing impact on neighbouring properties or the occupants of future dwellings.

Noise/Disturbance

44. The proposal would use the existing access route to the rear of the site along the plot's north-east boundary. Whilst the driving of cars along this route would result in a degree of noise and disturbance to adjacent back gardens, it is noted that the previous use would have entailed vehicle movements at this point and it is therefore considered that the proposed development would not result in a significant additional impact such as to justify the refusal of the application.
45. In addition the amended site layout now includes a parking area adjacent to the plot's rear boundary. This arrangement would be acceptable considering the fact that an area of hard standing is currently located at this point, and also with

reference to the fact that a vegetation buffer has been included between the parking spaces and the rear boundary.

Future Occupant Amenity

46. Future occupants would be provided with an acceptable degree of internal and external amenity space.
47. The development would not unacceptably harm the residential amenity of the neighbouring residential properties and would provide an acceptable level of amenity for future occupants. As such, the proposed development would comply with Core Strategy Policy L7, PG1 New Residential Development and the NPPF.

HIGHWAYS, PARKING AND SERVICING

48. 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.*
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. The Parking SPD's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments. The Council's parking standards indicate that the provision of two off road car parking spaces is appropriate for three bedroom dwellings in this location, albeit these are maximum standards.
51. The development would include a total of nine parking spaces, which would be one less than the standard requirement. In addition the proposal would include an amended access onto Manchester Road. It is noted that the LHA has confirmed no objection to the proposal in terms of general parking layout and servicing, however they have objected to the under provision of a single parking space. The LHA has confirmed no objection to the amended proposed site layout.
52. Officers consider that the provision of one less parking space than the maximum standard in SPD3 would not result in a significant impact in terms of on-street parking and allows for additional landscaping that would improve the appearance of the site. Officers note that the site is in a sustainable location in terms of access to the services and amenities of Partington Local Centre and it

is located close to several bus stops. As such in this instance Officers are willing to accept the proposed level of parking provision, despite the LHA objection.

53. Notwithstanding the LHA objection Officers consider the development would have an acceptable highway, parking and servicing impact with reference to Core Strategy policies L4 and L7, the Parking Standards and Design SPD3, the New Residential Development PG1 and the NPPF.

DRAINAGE AND FLOOD RISK

54. The LLFA has raised no objections, stating that there will be no significant change to the impermeable area and so little change to the surface water run off generated by the site. It is therefore considered that a SUDS condition is not required. Conditions are recommended requiring that the site is drained on separate systems for foul and surface water drainage and requiring details of a porous material to be used in the hard standing (for the car parking area) or a scheme directing run-off water from that hard standing to a permeable or porous area or surface within the curtilage of the dwellinghouses.

TREES AND ECOLOGY

55. All trees and boundary vegetation, including leylandii along the plot boundaries, would be removed, apart from a single tree which would be retained. The arborist and GMEU consultees have confirmed no objection. The new development would result in the introduction of areas of soft landscaping and planning permission would be subject to a landscaping condition requiring the provision of such information including the planting of replacement trees.
56. Although the proposal would result in the loss of several trees, there is scope for replacement planting and it is considered the development would not result in unacceptable harm to the natural environment with reference to Core Strategy policy R2, PG1 New Residential Development and the NPPF.

DEVELOPER CONTRIBUTIONS

57. 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).
58. 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 the form of three additional trees per new property, and an additional tree for each dwelling in the converted main building totalling 11 trees. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide 10 additional trees net of clearance on site as part of the landscaping proposals. No affordable housing provision is required as the development falls below the thresholds set within the Core Strategy and the NPPF.

OTHER MATTERS

59. In response to the other issues raised by neighbours, officers would respond as follows:
60. The applicant would be responsible for ensuring that the site is secure during the course of development works.
61. Should the proposal result in damage to surrounding properties that would be a private civil matter.
62. The LPA cannot control whether future occupants smoke outside their properties.
63. The applicant has provided a red edge location plan and has signed certificate A on their application form stating they own all land within the application site. The applicant has also provided a copy of the Land Registry plan showing they own this land.
64. The redevelopment of the site would result in the removal of any waste which currently causes concern for local residents.
65. Planning permission would be subject to a construction management condition which would control contractor parking arrangements and hours of construction.
66. The originally proposed shared amenity space has now been removed.

CONCLUSION AND PLANNING BALANCE

67. 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 development plan policies which are 'most important' for determining this application, those relating to housing land supply, are out of date. In terms of NPPF paragraph 11 d) i), there is no clear reason for refusing the development, and so Paragraph 11(d)ii) of the NPPF (the 'tilted balance') is therefore engaged and should be taken into account as an important material consideration.

The proposed development would provide much needed residential accommodation in the Borough and would also support Place Objectives PA01 and PA02.

68. All detailed matters have been assessed, including visual amenity and design, highway safety, parking, trees, 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. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of the development with reference to NPPF paragraph 11(d) (ii).

69. The proposal is therefore considered to be acceptable with reference to Core Strategy Policies L1, L2, L4, L5, L7, L8, R2 and R3, the Planning Obligation SPD1, the Parking Standards and Design SPD3, the New Residential Development PG1, the Crime and Security PG24 and the NPPF.

RECOMMENDATION

That Members resolve to **GRANT** planning permission for the development subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [KHANIJAU] 11 and site location plan, received by the local planning authority on 12 September 2019; 06 Rev C, received by the local planning authority on 15 January 2020; 15 Rev C, received by the local planning authority on 20 January 2020; 09 Rev E, received by the local planning authority on 23 January 2020, 05 Rev H, received by the local planning authority on 29 January 2020, and 10 Rev. F, 13 Rev. F and 14 Rev. E, received by the local planning authority on 3rd February 2020.

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 of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

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

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

5. 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, but not be limited to, the planting of 10 additional trees net of any clearance, together with the formation of any banks, terraces or other earthworks, boundary treatments (which shall include the retention of the existing fencing to the rear of No. 49 Hardwick Road), hard surfaced areas and materials (including the car parking areas), 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 and R2 of the Trafford Core Strategy and the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1 (or any Order revoking and re-enacting that Order with or without modification):
- (i) No rear extensions shall be carried out to the dwellings;
 - (ii) No 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, given the close proximity of the approved dwellings to existing dwellings in accordance with Policy L7 of the Trafford Core Strategy.

7. 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 buildings' first floor side facing gable elevations shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening

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

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

8. No development, including demolition works, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction to manage and mitigate the main environmental effects. The following matters shall be addressed:
- (i) hours of construction activity
 - (ii) the parking of vehicles of site operatives and visitors (all within the site),
 - (iii) loading and unloading of plant and materials (all within the site), times of access/egress (arriving early/not parking within the site)
 - (iv) storage of plant and materials used in constructing the development
 - (v) the erection and maintenance of security hoardings
 - (vi) wheel washing facilities
 - (vii) measures to control the emission of dust and dirt during construction and procedures to be adopted in response to complaints of fugitive dust emissions
 - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (ix) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
 - (x) Contact details of site manager to be advertised at the site in case of issues arising.
- The development shall be implemented in accordance with the approved CEMP.

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

9. 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.

10. 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.

11. 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.

12. No above ground works shall take place until full details of the site's proposed cycle storage details, the proposed cycle storage to be secured and covered, have been submitted to and approved in writing by the Local Planning Authority. The approved cycle storage to be installed in accordance with the approved scheme prior to the first occupation of the building.

Reason: In the interests of visual amenity and residential amenity and in order to encourage sustainable modes of transport, having regard to Policies L4 and L7 of the Trafford Core Strategy.

13. No development or works of site preparation shall take place until the tree to be retained within the site as shown on drawing reference 05 Rev. G has been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' with reference to the approved tree protection plan reference KHANIJAU/05 Rev G, received 20 January 2020. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: In order to protect the existing trees on the site in the interests of the amenities of the area having regard to Policies L7, R2 and R3 of the Trafford.

14. The development hereby approved shall not be occupied unless and until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved charging points shall be installed and made available for use prior to the development being brought into use and shall be retained thereafter.

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

15. Notwithstanding the details of levels shown on the approved plan, no development shall take place unless and until details of existing and proposed ground levels and proposed finished floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity, having regard to the proximity of the approved dwellings to existing dwellings and to Policy L7 of the Core Strategy and guidance in the NPPF.

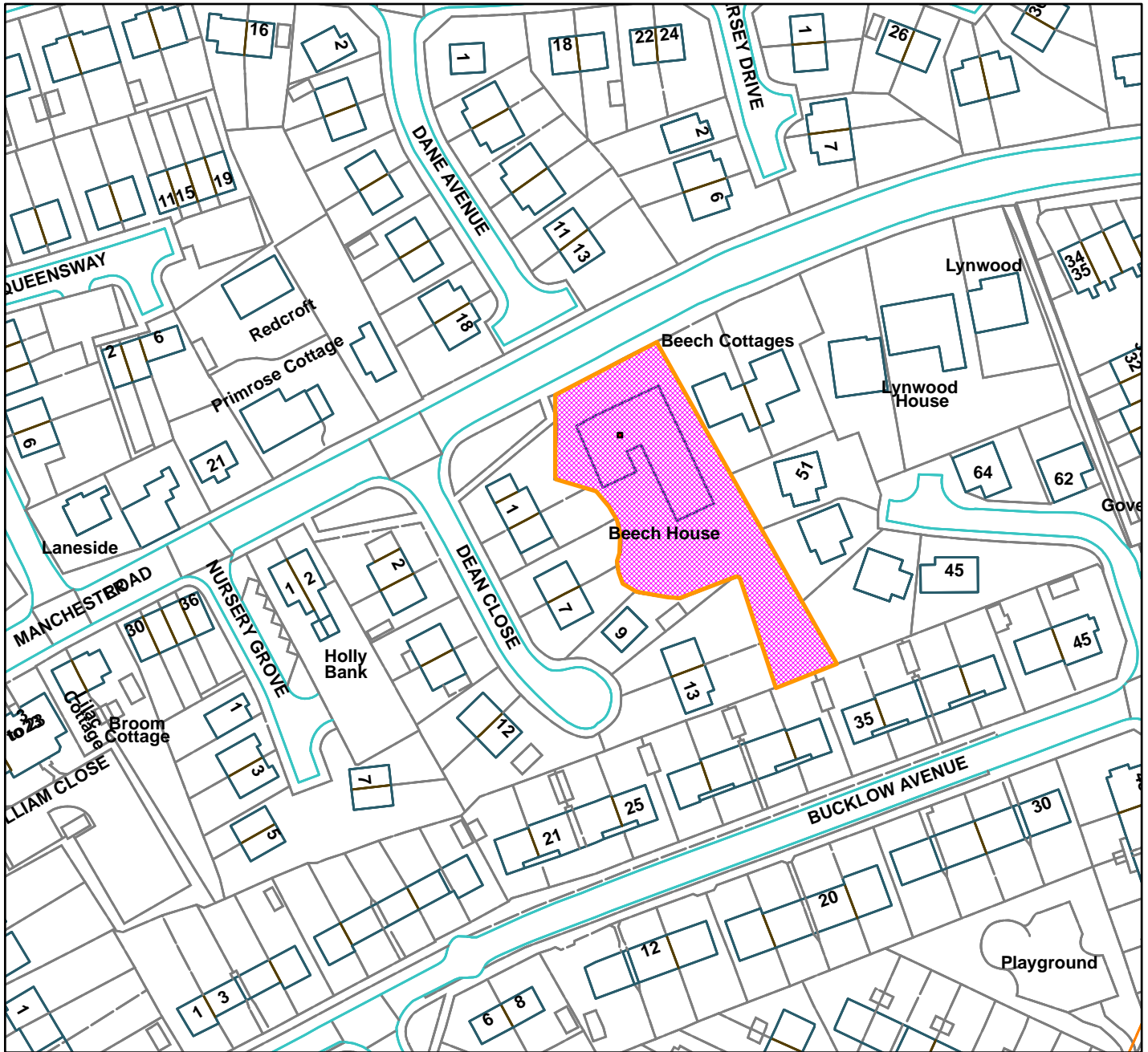
16. Notwithstanding the plans hereby approved and prior to the creation of the parking area, a scheme identifying a porous material to be used in the hard standing (for the car parking area) or a scheme directing run-off water from that hard standing to a permeable or porous area or surface within the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

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

TP



Beech House, Manchester Road, Partington (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/02/20
Date	03/02/2020
MSA Number	100023172 (2012)

WARD: Davyhulme East

98906/FUL/19

DEPARTURE: No

Erection of 8no. floodlit outdoor all-weather football pitches, clubhouse comprising changing rooms, bathroom facilities, clubroom, office, store and plant room, parking and associated works

Land adjacent to Soccer Dome, Trafford Way, Trafford Park, M17 8DD

APPLICANT: Peel Investments (North) Ltd

AGENT: Mr James Warrington, WSP – Indigo Planning

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee at the request of Councillor Walsh.

SITE

The application relates to a 1.54ha area of scrubland bounded to the east by the Beyond Chill Factore ski slope, to the south by the M60 and to the north by the iFly indoor skydiving centre. Further to the north-west is the current Fives Soccer Centre and DW Sports and Fitness Centre, beyond which is the Bridgewater Canal.

The site falls within Flood Zone 2 as defined by the Environment Agency and partly within/adjacent to an Air Quality Management Area. There are no listed buildings within or adjacent to the site whilst the nearest designated heritage asset is the Barton-upon-Irwell Conservation Area, approximately 500m to the north-east.

The site is accessed by vehicle from Trafford Way to the north, along which a bus route operates to Manchester city centre amongst other destinations. Once complete, the Trafford Park Metrolink line will terminate at the Trafford Centre, approximately ten minutes away by foot.

PROPOSAL

Planning permission is sought for the creation of an outdoor football facility comprising 8no all-weather 3G pitches, clubhouse and associated fencing, floodlighting and parking.

The clubhouse is a single storey structure with external finishes to include grey composite cladding, black brickwork, powder-coated aluminium windows and doors and a monopitched cladded roof. This is proposed to accommodate a clubroom, changing rooms, showers, toilets and an office. A total of 31no, 12m-high LED floodlights are proposed, 28no of which surround the pitches with the remaining 3no columns situated within the car park. Fencing comprises 1.2m rebound boards and 4.5m high netting on

all sides of the perimeter of all pitches whilst a 2.4m high weldmesh fence with gate is proposed to the outer pitch perimeter.

A total of 50no car parking spaces are proposed to the north-west of the pitches/clubhouse, 3no of which are disabled spaces. In addition, 6no cycle parking spaces and 2no motorcycle parking spaces are proposed within the parking area.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

SL4 – Trafford Centre Rectangle
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
W1 – Economy
W2 – Town Centres & Retail
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

SUPPLEMENTARY PLANNING DOCUMENTS

SPD3 – Parking Standards & Design

PROPOSALS MAP NOTATION

Trafford Centre and its Vicinity
Regional Sports Complex

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV9 – Sites of Importance for Nature Conservation

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

Soccer Dome:

98907/FUL/19: Change of use of existing Soccer Dome building from D2 to D1 use, erection of extensions for D1 use, formation of service yard, extension to existing parking areas, external alterations including new entrance feature, demolition of external sports pitches, landscaping and associated works – Pending consideration.

93120/FUL/17: Conversion of part of the existing building from use as indoor football pitches to a 'Project Canyon' branded indoor adventure centre, including the erection of

a rear extension, external alterations, landscaping and other associated works – Approved with conditions 08/03/2018.

H45212: Erection of a regional sports complex (approval of reserved matters relating to a multi-purpose sports hall) pursuant to condition (i) of planning permission H/UDC/41035 (TPA 1095) – Approved with conditions 26/02/1998.

APPLICANT'S SUBMISSION

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

- Air Quality Assessment
- Crime Impact Statement
- Design and Access Statement
- Ecological Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Framework Travel Plan
- Landscape Strategy
- Phase I Desk Study and Preliminary Contaminated Land Risk Assessment
- Phase II Contaminated Land Risk Assessment
- Planning Statement
- Transport Assessment

CONSULTATIONS

Arboriculturist: Raft system should be used for trees within parking areas. Enough rooting volume should be available for all trees to be planted.

Electricity North West: Informative – substation within site boundary.

Greater Manchester Ecology Unit: No significant issues – conditions and informatives recommended.

Greater Manchester Police – Design for Security: Condition recommended to reflect physical security specifications set out in Crime Impact Statement.

Lead Local Flood Authority: No objection, conditions recommended.

Local Highway Authority: No objection, conditions recommended.

Manchester Ship Canal Company: No response received.

Pollution & Housing (Air Quality): No objection, conditions recommended.

Pollution & Housing (Nuisance): Conditions recommended.

Pollution & Housing (Contaminated Land): Conditions recommended.

Sport England: No objection subject to conditions.

Transport for Greater Manchester: No comments to make from a Metrolink perspective. HFAS are satisfied, detailed comments from UTC referenced in 'Observations' section of report.

United Utilities: Conditions recommended.

REPRESENTATIONS

None received.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

Policy position:

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an **up-to-date** (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version.
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. Policies relating to the town centre uses, the strategic location, design, impact on amenity and heritage are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11 as they control the principle of the development and are relevant to the impact of the proposed development and surrounding area:
 - Policy W2 of the Core Strategy is considered to be generally consistent with the NPPF in supporting the growth of Trafford's town centres and the role they play in local communities.

- Policy SL4 of the Core Strategy is generally in compliance with the NPPF in relation to the regeneration and provision of new sustainable communities. However the references to specific housing numbers and heritage are not consistent with the NPPF. In all other aspects this policy is consistent with the NPPF.
 - Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. Full weight can be afforded to this policy.
 - Policy R6 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it supports culture and tourism uses which can help to support the local economy. Full weight can be afforded to this policy.
 - Policy L4 is considered to be out-of-date in that it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'.
5. Whilst some aspects of relevant development plan policy are out-of-date in relation to this particular application (for example the reference to Policy L4 noted above) and although the overarching policy is still considered 'most important' for decision making purposes, the aspects of these policies which are out-of-date are not determinative in the context of this application. Therefore, when considering the overall basket of 'most important' policies, the development plan is considered to be up-to-date for decision making purposes. The tilted balance in Paragraph 11 of the NPPF is not engaged and the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

Strategic Location:

6. Core Strategy policy SL4 sets out a number of criteria required for development within the Trafford Centre Rectangle Strategic Location to be acceptable. These are as follows:
- Significant improvements to public transport infrastructure including an integrated, frequent public transit system;
 - The provision of the Western Gateway Infrastructure Scheme (WGIS);
 - A Flood Risk Assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and that it will where possible reduce flood risk overall. Uses identified in national guidance as being more vulnerable to flooding such as residential, certain leisure uses, healthcare and educational facilities must be located outside Flood Zone 3;
 - Contribution towards the provision of additional utility capacity, including the reinforcement of the local waste water treatment works;

- Improvements to both the physical and environmental qualities of the Manchester Ship Canal, the Bridgewater Canal and the Barton Bridge Swing Aqueduct;
 - Provision, where appropriate, to maintain, and/or enhance the Manchester Ship Canal and the Bridgewater Canal for leisure and transportation purposes; and
 - The preservation or enhancement of the Barton-upon-Irwell Conservation Area, and its wider setting.
7. Many of the criteria set out in Policy SL4 are not deemed to be of relevance to the current proposal given that these are not necessary to make the development acceptable in planning terms. For example, the development would have no impact upon the use of the Bridgewater or Manchester Ship Canals for leisure and transportation purposes.
 8. Notwithstanding this, the development is considered to be in accordance with those criteria which are of relevance. For example, an appropriate Flood Risk Assessment has been provided and the development would not cause harm to the Barton-upon-Irwell Conservation Area. On this basis, the proposed development is deemed to be in accordance with the aims of policy SL4.

Main town centre use:

9. Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.
10. The proposed development constitutes a 'main town centre use' as defined by the NPPF ('leisure/more intensive sport and recreation uses') and falls within the D2 use class. Core Strategy Policy R6 states that the Council will encourage and continue to support the culture and tourism offer, and related developments where appropriate, that highlight and enhance the cultural heritage of the Borough, in accordance with national guidance and policies within the Development Plan for Trafford, in (amongst others) the Trafford Centre Rectangle Strategic Location. Policy R6 is generally in accordance with the NPPF in promoting and seeking to improve the tourism and culture offer within the borough. It is therefore considered to be up-to-date for the purposes of this application.
11. Whilst the proposed development is not considered to comprise a culture/tourism related use, it is noted that this is intended to replace the existing facility within the Soccer Dome building, providing mitigation for the loss of this facility associated within planning application ref. 98907/FUL/19. In addition, this use would require a large site which it would be unreasonable and unrealistic to expect to be provided in a town centre. On this basis, it is considered that a sequential test is not required for the proposed use on this site.

DESIGN AND APPEARANCE

12. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”*. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF’s emphasis on good design and, together with associated SPDs, the Borough’s design code. It can therefore be given full weight in the decision making process.
13. 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”*.
14. The proposed clubhouse is a single storey building of a functional design with external finishes to include a combination of grey composite cladding and black brickwork walls, grey powder coated aluminium doors and windows and a flat ‘Kingspan’ roof. A canopy is proposed to the main entrance, formed from powder coated aluminium panels on luminous green steel columns. The scale and siting of this building is considered to be acceptable and appropriate for its intended use. Its design is functional and somewhat industrial in character, however this does not raise any particular concerns in this location. A condition should be attached to any consent issued requiring the submission of samples of all materials to be used.
15. The proposal includes 1.2m high rebound boards and 4.5m high netting on all sides of the perimeter of all pitches. A 2.4m high weldmesh fence with gate is proposed to the outer pitch perimeter whilst 28no, 12m-high LED lighting columns surround the pitches. Given the character and nature of the application site and its surroundings, this does not raise any concerns from a design perspective.
16. Sport England has advised it is satisfied with the detailed design of the proposed football pitches and facility as a whole. This is subject to a condition requiring the pitches to be constructed to the stated dimensions and in accordance with the submitted pitch section details. A condition is also recommended requiring the

submission of a management and maintenance scheme for the facility. These should be attached to any consent issued.

17. The applicant advises that the design of the proposed new facility aims to promote access for all users and ensure that all users, including disabled people, older people and young children, can move across the site on equal terms, including from parking areas to the facility itself. All access routes to principal entrances will be well lit and constructed from firm, durable and slip resistant materials and all thresholds to principal entrances will be level, in accordance with Building Regulations Approved Document Part M. However, if a stepped approach is unavoidable this will be designed to suit the needs of people that may be classified as ambulant disabled. It is also noted that separate male and female changing rooms, showers and WCs will be provided in the clubhouse building.
18. Given the above, the proposed development is considered to be acceptable in terms of its design and appearance and in accordance with relevant local and national planning policies.

HIGHWAY MATTERS

19. Policy L4 of the Trafford Core Strategy states that *“when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way”*.
20. Paragraph 109 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out-of-date for the purposes of decision making, albeit the difference between the tests ‘significant adverse’ and ‘severe’ is arguably a moot point.
21. NPPG (Paragraph: 014, Reference ID: 42-014-20140306) states that it is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years). The transport-related impacts of the relocation of EventCity proposed under application ref. 98907/FUL/19 will be considered cumulatively with the development proposed under the present application, given that both are due to be determined at the same Committee meeting. It should also be noted

that the submitted Transport Assessment considers both developments in conjunction.

22. It is noted that an application has been submitted for the development of a wellbeing resort ('Therme') at the existing EventCity site (ref. 99489/FUL/19). Given that this does not constitute a 'committed development' at this stage, there is no requirement for the cumulative impact of this to be considered with the present application. It is noted that should consent be given for this development, the cumulative impact of this, together with the Therme development will be considered under the Therme application.
23. The Local Highway Authority (LHA), Transport for Greater Manchester (TfGM) and Highways England (HE) have been consulted on the application. Clarification and further information on a number of matters was sought within their initial comments, in response to which the applicant's transport consultant has provided further supporting information. Additional comments have been provided from the LHA, TfGM and HE which, for the reasons set out below, indicate that there are no highway grounds on which to refuse the application.

Impact on highway network, including Strategic Road Network:

24. Traffic modelling has been completed using a test case scenario for a busy event based on Trip Rate Information Computer System (TRICS) data, and general data for commercial and leisure trip patterns in the area. The applicant advises that the existing Soccer Dome building was not fully utilised at the time the TA was produced, hence the use of TRICS data. It is also noted that TRICS data was utilised for the earlier application at the site (ref. 93120/FUL/17: conversion of part of the existing building to an indoor adventure centre), granted consent in March 2018. The LHA confirms that this is an acceptable approach.
25. For the existing gym and sports pitches, the modelling results show two-way traffic flows of 66no for the AM peak (08.00-09.00hrs), and two-way traffic flows of 195no for the PM peak (17.00-18.00hrs). For the proposed development (new EventCity and outdoor football pitches), the results predict a minor increase to existing two-way traffic flows of +93no AM (159no total) and +83no PM (278no total). The LHA does not dispute these figures and is satisfied that this increase would not be harmful to the operation of the highway network.
26. The proposed development, together with that proposed under application ref. 98907/FUL/19 is expected to impact the M60, with traffic volumes predicted to increase at Junctions 10 and 11 on event days. The applicant's response to Highways England states that the proposed development would see a net increase of 13 trips per hour at Junction 10 (but only on event days) in comparison to the permitted use (and planning permission ref. 93120/FUL/17). No objections are raised by any consultees on this basis. The proposed development is predicted to result in fewer trips through M60 Junction 9 and

whilst the LHA suggests that cumulative impacts with the proposed 'Therme' development should be considered, this is not deemed to be necessary for the reasons set out above.

27. The developer has also assessed the AM peak traffic flows at Bridgewater Circle. The results confirm that these flows are significantly lower than those recorded for the PM peak (it is noted that the Trafford Centre does not open until 10am). It is also understood that when no events are taking place, the venue would generate very few trips. Bridgewater Circle Sensitivity Testing has been completed for PM peak traffic flows, which confirms that the test flows used in the Transport Assessment are greater than the Sensitivity Test, and therefore provide a more robust assessment. The LHA and Highways England (HE) have been provided with this information and has confirmed acceptance of the data.

28. HE, in its initial response, requested that further information was provided in relation to a number of matters which is summarised as follows:

- Clarification on how the number of car trips per day has been calculated from the footfall figures and comparison of the resultant trip rates with those returned by TRICS
- Further information on the TAs/surveys that have been considered in support of the proposed distribution
- Further information to confirm that Saturday peak traffic flows from and to the Strategic Road Network are lower than weekdays
- Further consideration of how traffic flows across junctions 10 and 11 could impact on their operation

29. The applicant's transport consultant has submitted a statement to seek to address these concerns. This notes, amongst other things, that the TA (para 4.4 and Appendix E) includes the full procedure for the calculation of car trips whilst additional information is also provided in this respect. 'WebTRIS' data for Junction 10 has been reviewed as suggested by HE which confirms that average weekday flows are greater than Saturday flows, whilst it is noted that the absence of Saturday-based destinations in proximity to junction 11 indicates that Saturday activity would be significantly lower here.

30. In response to the additional information provided, HE has advised that it has no objection to the application.

31. TfGM, in its initial consultation response, requested that further information was provided in relation to a number of matters which is summarised as follows:

- Traffic flows from the existing use should be used to predict trips for proposed location, rather than TRICS data
- Traffic flows at the AM peak should be considered as well as those for the PM peak

- Actual use of Salford Western Gateway (WGIS) should be referred to for base flows rather than modelling
 - Bridgewater Circle modelling should use up to date traffic signal timings
32. The applicant's transport consultant has submitted a statement to seek to address these concerns. This notes, amongst other things, that (as stated above), the existing Soccer Dome building was not fully utilised at the time the TA was produced, hence the use of TRICS data. Given that the PM peak is the most sensitive period for traffic implications, consideration of the AM peak is not deemed necessary. With regard to WGIS flows, future year development traffic has been incorporated which is deemed to be a more robust approach than existing use data.
33. In response to the additional information provided, TfGM advises that most of the points raised in its initial response have been addressed but maintains that a sensitivity test should be undertaken and that a CCTV camera should be provided to monitor the network and make traffic signal interventions as appropriate. The applicant has subsequently advised that the provision of a Traffic Management Plan (to be required by condition) would ensure the careful management of traffic flows during busy times and will also be able to take account of the traffic changes associated with the Trafford Park Metrolink line. In addition, it is noted that the development will often result in lower peak period trip generations than the existing site and the applicant considers the provision of a CCTV camera is not therefore appropriate.
34. A final response from TfGM is awaited and this shall be reported within an Additional Information Report to Committee.

Car parking:

35. For a D2 use of this type in this location, the Council's adopted SPD3: Parking Standards and Design seeks to achieve one car parking space per 22sqm of gross floor area. Based on these standards, the proposed development would be expected to provide 15no car parking spaces. The proposed plans indicate that 50no parking spaces would be provided within the car park serving the football pitches, equating to an exceedance of 35no spaces from the adopted standards.
36. The LHA has been consulted and advises that whilst the proposed parking provision exceeds the maximum number of spaces required by SPD3, when taking into account the proposed use and its proximity to other significant leisure amenities (including the proposed relocation of EventCity), it is considered that 50no car parking spaces would be acceptable. It is noted that the car park, including the extended car park proposed under application ref. 98907/FUL/19 would be shared by both the proposed football facility and the relocated EventCity within the current Soccer Dome. Whilst there is an overall shortfall of 355no spaces from the maximum standards when considering both

developments in conjunction, it is noted that visitors to the proposed EventCity will be able to utilise the various Trafford Centre car parks on an informal basis (approximately 15,000 spaces). There is therefore deemed to be an adequate level of parking provision for both developments and the LHA has not raised any objections to either proposal.

37. Three disabled parking spaces are proposed which accord with the Council's parking guidelines. These guidelines seek to achieve a minimum of three disabled bays or 6 per cent of the total car park capacity (whichever is greater). The parking layout is also in accordance with section 9 of SPD3 and is therefore acceptable in this respect.

38. Given the above, Officers are satisfied that the proposed level of car parking provision is acceptable.

Access:

39. Access is proposed to be from Trafford Way (a two-lane dual carriageway road) and is shared with that currently used for the Soccer Dome, which is also proposed to be used for the relocated EventCity (ref. 98907/FUL/19). The proposed football facility would be reached via the extended car park which is to serve the relocated EventCity. Salford Western Gateway, located to the north of the proposed development, and Trafford Way are not currently adopted highway, however both are prospectively maintainable by the LHA. No concerns have been raised to these vehicular access arrangements by the LHA, TfGM or HE and are deemed to be acceptable.

Cycle parking:

40. The cycle parking standards set out in SPD3 cannot be effectively applied to the proposed development given that these refer to the number of seats to be provided as part of a leisure development.

41. The submitted plans indicate that 6no cycle parking spaces would be provided to the rear of the clubhouse building however no details have been submitted to show the design of these facilities. A condition should therefore be attached to any consent issued requiring the submission of these details and the implementation of these facilities. No objection to the number or location of these spaces has been raised by the LHA or TfGM and on this basis, the application is deemed to be acceptable in this respect.

Servicing:

42. With regard to servicing, it is proposed that a Waste Management Strategy would be developed by the building tenant. It is noted that no information has been provided for the proposed servicing arrangements, and it is unclear if it is

intended to use the proposed EventCity service yard access road and waste management strategy (as per application ref. 98907/FUL/19), or utilise the Trafford Way spur road and implement separate servicing arrangements. The LHA recommends that a Waste Management Strategy is submitted to and approved by the Local Planning Authority prior to the proposed development being brought into use. A condition to this effect should be attached to any consent issued and on this basis, the application is considered to be acceptable in terms of servicing arrangements.

Cumulative impacts:

43. As noted above, it is necessary to consider to consider the cumulative transport impacts of the proposed development together with that proposed under application ref. 98907/FUL/19 (relocation of EventCity to existing Soccer Dome). The submitted Transport Assessment considers the impacts of both developments in conjunction, as well as other committed developments in the area, including those at Trafford Waters and Port Salford. The conclusions reached indicate that there are no transport-related reasons to prevent the granting of planning permission. Given that the application has been assessed on this basis and given the lack of objections from the LHA and HE in particular, Officers are satisfied that the application is acceptable in terms of cumulative transport-related impacts.

Summary of highway matters:

44. The proposed development is deemed to be in accordance with local and national planning policy and the 'residual cumulative impacts' of the scheme are not considered to be 'severe' (as set out in NPPF paragraph 109). As such, the proposed development is considered to be acceptable in this respect.

AIR QUALITY

45. Policy L5 of the Trafford Core Strategy states that development that has potential to cause adverse pollution of air will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place. This goes on to say that where development is proposed close to existing sources of pollution, developers will be required to demonstrate that it is sited and designed in such a way as to confine the impact of nuisance from these sources to acceptable levels appropriate to the proposed use concerned.

46. Paragraph 181 of the NPPF seeks to ensure that opportunities to improve air quality or mitigate impacts are identified, with the presence of Air Quality Management Areas being taken into account. Policy L5 is considered to be compliant with the NPPF and therefore up-to-date.

47. The applicant has submitted an Air Quality Assessment to accompany the application. This concludes that, with the implementation of dust management mitigation measures the impact of construction phase dust emissions is 'not significant', in accordance with Institute of Air Quality Management guidance. In terms of air quality impacts on users of the facility during the operational phase of the development, pollutant concentrations were predicted to be below the relevant short term air quality objectives and the site is therefore deemed to be suitable for the proposed use.
48. The Council's Pollution and Housing section has been consulted and advises that they are satisfied with the above conclusions, subject to the imposition of a condition requiring the submission of a Construction Environmental Management Plan.
49. It has also been recommended that a number of electric vehicle charging points are provided as part of the development. This should be conditioned as part of any consent issued and subject to this, the application is considered to be acceptable with regard to air quality matters.

AMENITY

50. Policy L7 of the Trafford Core Strategy states that *"In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance, odour or in any other way"*.
51. It is noted that the nearest residential properties to the site are those on Stroma Gardens, approximately 400m to the south-west, on the opposite side of the M60. Properties on Langdale Drive in Salford to the north are approximately 450m away, on the northern side of the Manchester Ship Canal. Given these significant separation distances, the proposed development is not considered to result in any harm to residential amenity.
52. Notwithstanding the above, the Council's Pollution and Housing section advises that a condition requiring a Construction Method Statement should be attached to any consent issued to manage and mitigate the main environmental effects of the construction phase of the development. Subject to this condition, the application is considered to be acceptable in this respect.

HERITAGE ASSETS

53. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning*

authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

54. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, "*special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area*" in the determination of planning applications.
55. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date and can be given limited weight.
56. Paragraph 193 of the NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The NPPF sets out that harm can either be substantial or less than substantial. There will also be cases where development affects heritage assets but from which no harm arises. Significance is defined in the NPPF as 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.' Setting of a heritage asset is defined in the NPPF as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.
57. The closest listed buildings to the application site are the Grade I Church of All Saints, the Grade II* Barton Bridge, Barton Aqueduct and Control Tower and the Grade II All Saints Presbytery, situated approximately 0.85km to the north-east of the application site. These are within the Barton-upon-Irwell Conservation Area, situated approximately 0.75km to the north-west of the application site at its closest point. The conservation area, including Barton Aqueduct and the Control Tower are highly significant for their industrial and engineering history, constituting a unique example of a surviving swing aqueduct and demonstrating a great feat of Victorian engineering and innovation. The area's ecclesiastical history is also highly important, having formerly contained two churches whilst All Saints Church is of high significance for its design by a well-known architect.

58. Given the nature of the proposed development, its limited scale and the distance to the above heritage assets, together with the presence of intervening buildings, there is not considered to be any harm to the significance of these listed buildings or the Barton-upon-Irwell Conservation Area.
59. Paragraph 197 of the NPPF identifies that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
60. The Manchester Ship Canal, approximately 0.3km to the north-east of the application site, is considered to constitute a non-designated heritage asset. The significance of this is derived from its contribution to the industrial revolution. The scale and nature of the development, together with the presence of intervening buildings is such that there is not considered to be any harm to the significance of this non-designated heritage asset.
61. Given the above, the proposed development is not considered to result in any harm to the significance of any designated or non-designated heritage assets and is therefore acceptable in this respect.

FLOODING AND DRAINAGE

62. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 163 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it.
63. The application site falls within Flood Zone 2 as defined by the Environment Agency, having a medium probability of flooding. The site also falls within a Critical Drainage Area. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to accompany the application. National Planning Practice Guidance classifies outdoor sport and recreation uses as ‘water-compatible’ in flood risk terms and therefore appropriate within Flood Zone 2 in principle.
64. The Lead Local Flood Authority (LLFA) has been consulted on the application and has not raised any objections to the development, subject to the imposition of a planning condition relating to the submission of a scheme to improve the existing surface water drainage system. This would need to be designed in accordance with the submitted Flood Risk Assessment and Drainage Strategy.

65. Given the above, the application is considered to be acceptable in terms of flooding and drainage and compliant with relevant local and national planning policies and guidance, subject to the recommended condition.

TREES AND LANDSCAPING

66. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up-to-date in terms of the NPPF and so full weight can be afforded to them.

67. The Council's Arboriculturist notes that the few trees within the site are scrubby regeneration trees which are not of high value. These are not protected and no objections are raised to the loss of these. Six trees are proposed within the parking area and land to the north of the football pitches, as well as 27m of native hedge, amenity grass and ornamental planting.

68. Officers consider that additional tree planting could and should be provided within the car park which would serve to soften the development as well as providing mitigation for the loss of semi-natural grassland and bird nesting opportunities. As such, a condition is recommended requiring the submission of a detailed landscaping scheme in order to secure this additional planting. This condition will also require the use of a raft system for the trees within the car park, as recommended by the Council's Arboriculturist. On this basis, the application is considered to be acceptable in this respect.

ECOLOGY

69. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 118 of the NPPF states that *"if significant harm resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*. Policy R2 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.

70. The application is accompanied by an Ecological Impact Assessment dated September 2019. This concludes that there would be no significant residual impacts to protected species and habitats if the recommended avoidance and mitigation measures are implemented. These measures include the use of a sensitive lighting scheme, clearance of vegetation outside of the bird nesting season and in a sensitive manner and the retention of certain grassland, scrub

and shrubs within the landscape design. These could be secured through appropriately worded planning conditions should planning permission be granted.

71. The Greater Manchester Ecology Unit (GMEU) has been consulted and advises that issues relating to bats, nesting birds, mammals and landscaping can be resolved via condition or informative. On this basis, the proposed development is considered to be acceptable with regard to matters of ecology.

DEVELOPER CONTRIBUTIONS

72. The proposed development would be liable to a CIL (Community Infrastructure Levy) rate of £10 per sqm, constituting a 'leisure' use. No other developer contributions are required to make the scheme acceptable.

OTHER MATTERS

Security and safety:

73. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety.
74. A Crime Impact Statement has been submitted alongside the application and notes that the proposed scheme is acceptable in principle, however further consideration of certain aspects is recommended. Specifically, this relates to the definition of the site, the detailed design of the changing facilities and the provision of refuse storage and disposal arrangements. It is noted that fencing is provided to the perimeter of the facility whilst details of bin storage can be conditioned.
75. Greater Manchester Police's Design for Security section has been consulted and has recommended that the development is designed and constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement. They also recommend that a condition is imposed requiring the scheme to reflect the physical security specification set out in this statement.
76. On this basis, the proposed development is considered to be acceptable with regard to matters of security and safety subject to the condition requested above.

Contaminated land:

77. The application is accompanied by a 'Phase 1 Desk Study and Preliminary Contaminated Land Risk Assessment' and a 'Phase 2 Contaminated Land Risk Assessment'. The Phase 2 Assessment concludes that in its present state, the ground on this site presents a low risk to end user receptors and can be regarded

as fit for purpose. This goes on to recommend that a watching brief be maintained during site preparation and landscaping and that no further remediation is required. In respect of ground gas, the report confirms that ground gas monitoring is presently ongoing and that a separate ground gas risk assessment report will be produced and submitted on completion.

78. The Council's Pollution and Housing section has been consulted and advises that a condition should be attached to any consent issued requiring the submission of the ground gas risk assessment and a verification report. Subject to the imposition of appropriate conditions to this effect, the application is considered to be acceptable with regard to matters of contaminated land.

External lighting:

79. The application proposes a total of 31no, 12m-high LED floodlights, 28no of which surround the pitches with the remaining 3no columns situated within the car park. The application notes that these are not to be tilted excessively with light being focused onto the required areas and operational impacts at sensitive receptors should be within reasonable margins.

80. The Council's Pollution and Housing section has been consulted and advises that due to the high power and height of the floodlights, a condition should be attached to any consent issued requiring these to be switched off between the hours of 10pm and 9am to avoid any nuisance to potential receptors. Subject to this condition, the proposed development is deemed to be acceptable in this respect.

CUMULATIVE IMPACTS

81. Given that application ref. 98907/FUL/19 (Soccer Dome) is a live planning application in close proximity to the site which is the subject of this proposal, due regard should be given to the cumulative impacts of both developments, particularly in relation to highway and air quality impacts.

82. As has been concluded earlier, the cumulative impact on the highway network is not considered to be so significant as to warrant further assessment or refusal of planning permission on these grounds. The same conclusion has been reached in relation to any other cumulative impacts that might result from the two schemes.

CONCLUSION AND PLANNING BALANCE

83. As the 'most important' policies for determining the application are up-to-date and, for reasons set out in the main body of this report, the proposals are in accordance with the development plan, the development should be approved without delay in accordance with Paragraph 11(c) of the NPPF.

84. All detailed matters have been assessed, including impacts on the highway network, air quality, heritage assets and noise issues. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The proposals are considered to be compliant with the development plan and where this is silent or out-of-date, national planning policy. It also largely complies with relevant adopted local guidance and where it does not the development is considered to be acceptable on its own merits for the reasons set out in the main body of this report. The application is therefore recommended for approval.

RECOMMENDATION

GRANT subject to the following conditions:-

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

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

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

Plan Number	Drawing Title
4329 102 (Rev E)	Landscape Masterplan
4329 102A	Landscape Render
4329 405 (Rev A)	Planting Plan
MH1147-FF-102 (Rev C)	Proposed Site Plan
MH1147-FF-103	Proposed Ground Floor Plan
MH1147-FF-104	Proposed Roof Plan
MH1147-FF-105	Proposed Elevations
MH1147-FF-106	Proposed Typical Site Section
MH1147-FF-108	Proposed Pitch Dimensions
S119/VW/CS0001	Construction Section
AU/1335/008 (Rev P4)	External M&E Infrastructure

Reason: To clarify the permission and to ensure the development is fit for purpose and sustainable, having regard to Policies L7 and R5 of the Trafford Core Strategy and the National Planning Policy Framework.

3. No development shall take place unless and until a scheme to improve the existing surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be produced

in accordance with the outline details provided in the Flood Risk Assessment and Drainage Strategy Report (Ref. PG/MB/9649/FF, Issue 1, dated 03/12/2019). The approved scheme shall be fully implemented in accordance with the approved details.

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

4. No development shall take place unless and until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and shall provide for:
 - (i) the parking of vehicles of site operatives and visitors
 - (ii) the loading and unloading of plant and materials
 - (iii) the storage of plant and materials used in the construction of 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 and pre-construction and procedures to be adopted in response to complaints of fugitive dust emissions
 - (vii) measures to prevent disturbance to adjacent dwellings from noise and vibration
 - (viii) a scheme for recycling/disposing of waste resulting from construction works (prohibiting fires on site)

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to sensitive receptors and users of the highway, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. No development, including earthworks or site clearance shall take place unless and until a Reasonable Avoidance Measures Method Statement for mammals has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved Statement.

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

6. Other than site clearance works, including tree felling, no development shall take place unless and until a ground gas risk assessment (in addition to the Phase 1 and 2 assessments provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include a remedial action plan to detail the measures necessary to mitigate the risk from the ingress of landfill gas.

Reason: 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.

7. The development hereby permitted shall not be brought into use until a verification report demonstrating completion of works set out in the approved remedial action plan required by Condition 6 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 as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure the safe development of the site 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.

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

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

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

08.00-18.00	Monday – Friday
09.00-13.00	Saturday

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

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

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

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

11. The development hereby approved shall not be brought into use unless and until a Phased Traffic Management Plan, including the management of pedestrians and cyclists, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented and adhered to in full.

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

12. The development hereby approved shall not be brought into use unless and until a scheme for secure cycle storage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design of cycle storage facilities and shall be implemented before the development is first brought into use and shall be retained at all times thereafter.

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

13. The development hereby approved shall not be brought into use unless and until a Waste Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Strategy shall be adhered to at all times following the development being brought into use.

Reason: To ensure waste collections from the site can be appropriately managed and in the interests of highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

15. The development hereby approved shall not be brought into use unless and until a scheme for the installation of bird boxes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and retained thereafter.

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

16. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be brought into use unless and until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials (including areas of the site designated for car parking), planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants/trees to be retained and a scheme for the timing/phasing of implementation works. These details shall also include a raft system to be used for trees planted within areas of hard surfacing. The raft system details shall include technical drawings of the type of system to be used, the area that the system will cover and the type and volume of soil to be used (structural soils will not be acceptable).

(b) The landscaping works approved under part (a) of this condition 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. All tree planting within areas of hard surfacing shall be implemented in accordance with the details approved under part (a) of this condition.

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

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

17. The development hereby approved shall not be brought into use unless and until a schedule of landscape maintenance for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance 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 L5, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

18. The development hereby approved shall not be brought into use unless and until a Management and Maintenance Scheme for the facility including management responsibilities and a maintenance schedule has been submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the artificial grass pitches and clubhouse.

Reason: To ensure that new facilities are capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Trafford Core Strategy Policies L7 and R5 and Paragraph 97 of the National Planning Policy Framework.

19. The development hereby approved shall not be brought into use unless and until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved charging points shall be installed and made available for use prior to the development being brought into use and shall be retained thereafter.

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

20. The development hereby approved shall not be brought into use unless and until a Full Travel Plan (in accordance with the principles set out in the submitted 'Framework Travel Plan', ref. M19025-09 TP, dated January 2019) which should include measurable targets for reducing car travel, has been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

21. The development hereby approved shall not be brought into use unless and until the means of access and the areas for the movement, loading, unloading and parking of vehicles and bicycles have been provided, constructed and surfaced in complete accordance with the submitted plans. These areas shall thereafter be retained and not be put to any other use than their intended purpose.

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

22. The site shall only be lit in accordance with the scheme for external lighting shown on drawing number AU/1335/008 (Rev P4).

All floodlights serving the football pitches hereby approved shall not be turned on other than between the hours of 09.00 and 22.00 on any day.

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

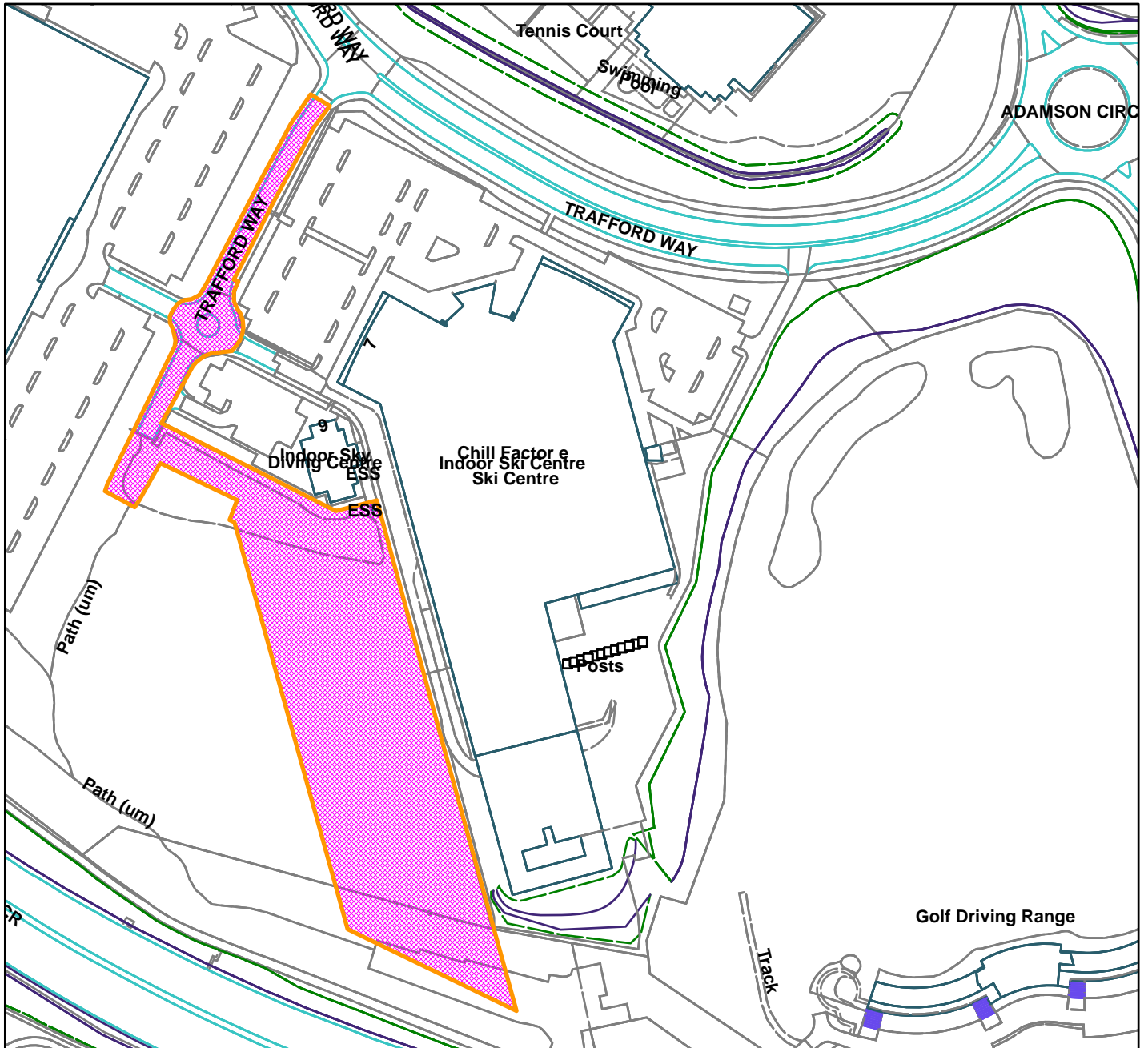
23. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 and the physical security specification within section 4 of the submitted Crime Impact Statement dated 06/09/2019 (URN:2019/0360/CIS/01) and retained thereafter.

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

JD



Land adjacent to Soccer Dome, Trafford Way, Trafford Park (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/02/20
Date	03/02/2020
MSA Number	100023172 (2012)

WARD: Davyhulme East

98907/FUL/19

DEPARTURE: No

Change of use of existing Soccer Dome building from D2 to D1 use, erection of extensions for D1 use, formation of service yard, extension to existing parking areas, external alterations including new entrance feature, demolition of external sports pitches, landscaping and associated works

Soccer Dome, Trafford Way, Trafford Park, M17 8DD

APPLICANT: Peel Investments (North) Ltd and Peel Investment Properties Ltd

AGENT: Mr James Warrington, WSP – Indigo Planning

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee at the request of Councillor Walsh.

SITE

The application relates to the existing DW Sports and Fitness Centre/Fives Soccer Centre and associated car park located to the south of Trafford Way and the north of the M60 within the area known as Trafford City. The centre is currently in use for a variety of D2 uses, including indoor and outdoor football pitches, a gymnasium and ancillary facilities. The proposed development site also includes the area to the rear of the building which contains 4no outdoor football pitches. The application site measures a total of 6.2 hectares.

The existing building was constructed in the 1990s and is a two storey steel framed building with cream and green metal cladding and a buff block plinth. The existing building has a ground floor to ridge height of 9.4 metres. The existing car park serving the site accommodates 486no vehicles, 6no of which are disabled bays.

The application site is bound to the north and east by Trafford Way, with the Manchester Ship Canal further to the north. To the south east of the site is the Beyond Chill Factore indoor skiing and snowboarding centre and the iFly indoor skydiving centre. David Lloyd gym and a Travelodge hotel are located to the north-east of the site.

PROPOSAL

Planning permission is sought for the change of use of the building from D2 (assembly and leisure) to D1 (non-residential institutions) purposes. This is to enable the building to accommodate the relocated EventCity facility, a conference and exhibition centre which is currently situated to the south-east of Barton Square on Barton Dock Road. The proposal also includes the erection of extensions to the north-west and south-west

elevations and external alterations to the building itself, including a new entrance feature to the south-east elevation.

Planning permission is also sought for alterations within the site boundary. These include the formation of a service yard to the north-west of the building, the extension of the existing parking area, the demolition/removal of external sports pitches along with associated landscaping and access works.

The 'Fives' football facility which is currently housed within the Soccer Dome building is proposed to be relocated to land to the south-east of the application site. This does not form part of this application but is subject to a separate application for planning permission (ref. 98906/FUL/19) elsewhere on this agenda.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

SL4 – Trafford Centre Rectangle
L4 – Sustainable Transport and Accessibility
L5 – Climate Change
L7 – Design
W1 – Economy
W2 – Town Centres & Retail
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation
R6 – Culture and Tourism

SUPPLEMENTARY PLANNING DOCUMENTS

Revised SPD1 – Planning Obligations
SPD3 – Parking Standards & Design

PROPOSALS MAP NOTATION

Strategic Location – Trafford Centre Rectangle
Trafford Centre and its Vicinity
Regional Sports Complex

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV9 – Sites of Importance for Nature Conservation

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The MHCLG published revised National Planning Practice Guidance (NPPG) on 29 November 2016, which was last updated on 01 October 2019. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

The MHCLG published the National Design Guide in October 2019. This will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

98906/FUL/19: Erection of 8no. floodlit outdoor all-weather football pitches, clubhouse comprising changing rooms, bathroom facilities, clubroom, office, store and plant room, parking and associated works – Pending consideration.

93120/FUL/17: Conversion of part of the existing building from use as indoor football pitches to a 'Project Canyon' branded indoor adventure centre, including the erection of a rear extension, external alterations, landscaping and other associated works – Approved with conditions 08/03/2018.

H45212: Erection of a regional sports complex (approval of reserved matters relating to a multi-purpose sports hall) pursuant to condition (i) of planning permission H/UDC/41035 (TPA 1095) – Approved with conditions 26/02/1998.

H43896: Erection of a regional sports complex (part approval of reserved matters relating to playing pitches, seating and associated parking, access and canal side works (siting, design, external appearance; means of access and landscaping)) pursuant to condition (1) of planning permission H/UDC/41035 (TPA 1095) – Approved with conditions 25/09/1997.

APPLICANT'S SUBMISSION

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

- Air Quality Assessment
- Arboricultural Statement
- Crime Impact Statement
- Design and Access Statement
- Ecological Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Framework Travel Plan
- Landscape Strategy
- Noise Impact Assessment
- Phase 1 Desk Study and Preliminary Contaminated Land Risk Assessment
- Planning Statement
- Transport Assessment

CONSULTATIONS

Arboriculturist: Raft system should be used for trees within parking areas. Enough rooting volume should be available for all trees to be planted.

Greater Manchester Ecology Unit: No significant issues – conditions and informatives recommended.

Greater Manchester Police – Design for Security: Condition recommended to reflect physical security specifications set out in Crime Impact Statement.

Highways England: No objection.

Lead Local Flood Authority: No objection, condition recommended.

Local Highway Authority: No objection, conditions recommended.

Manchester Ship Canal Company: No response received.

Pollution & Housing (Air Quality): No objection subject to conditions.

Pollution & Housing (Nuisance): Further noise investigation required, conditions recommended.

Pollution & Licensing (Contaminated Land): Conditions recommended.

Salford City Council: No objection.

Sport England: No objection, conditions recommended.

Transport for Greater Manchester: No comments to make from a Metrolink perspective. HFAS are satisfied, detailed comments from UTC referenced in 'Observations' section of report.

United Utilities: Conditions recommended.

Waste Management: No response received.

REPRESENTATIONS

None

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

Policy position:

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an ***up-to-date*** (emphasis added) development plan, permission should not normally be granted.

2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version.
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. Policies relating to the town centre uses, the strategic location, design, impact on amenity and heritage are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11 as they control the principle of the development and are relevant to the impact of the proposed development and surrounding area:
 - Policy W2 of the Core Strategy is considered to be generally consistent with the NPPF in supporting the growth of Trafford's town centres and the role they play in local communities.
 - Policy SL4 of the Core Strategy is generally in compliance with the NPPF in relation to the regeneration and provision of new sustainable communities. However the references to specific housing numbers and heritage are not consistent with the NPPF. In all other aspects this policy is consistent with the NPPF.
 - Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. Full weight can be afforded to this policy.
 - Policy R6 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it supports culture and tourism uses which can help to support the local economy. Full weight can be afforded to this policy.
 - Policy L4 is considered to be out-of-date in that it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'.
5. Whilst some aspects of relevant development plan policy are out-of-date in relation to this particular application (for example the reference to Policy L4 noted above) and although the overarching policy is still considered 'most important' for decision making purposes, the aspects of these policies which are out-of-date are not determinative in the context of this application. Therefore, when considering the overall basket of 'most important' policies, the development plan is considered to be up-to-date for decision making purposes. The tilted balance in Paragraph 11 of the NPPF is not engaged and the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

Strategic Location:

6. Core Strategy policy SL4 sets out a number of criteria required for development within the Trafford Centre Rectangle Strategic Location to be acceptable. These are as follows:
 - Significant improvements to public transport infrastructure including an integrated, frequent public transit system;
 - The provision of the Western Gateway Infrastructure Scheme (WGIS);
 - A Flood Risk Assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and that it will where possible reduce flood risk overall. Uses identified in national guidance as being more vulnerable to flooding such as residential, certain leisure uses, healthcare and educational facilities must be located outside Flood Zone 3;
 - Contribution towards the provision of additional utility capacity, including the reinforcement of the local waste water treatment works;
 - Improvements to both the physical and environmental qualities of the Manchester Ship Canal, the Bridgewater Canal and the Barton Bridge Swing Aqueduct;
 - Provision, where appropriate, to maintain, and/or enhance the Manchester Ship Canal and the Bridgewater Canal for leisure and transportation purposes; and
 - The preservation or enhancement of the Barton-upon-Irwell Conservation Area, and its wider setting.
7. Many of the criteria set out in Policy SL4 are not deemed to be of relevance to the current proposal given that these are not necessary to make the development acceptable in planning terms. For example, the development would have no impact upon the use of the Bridgewater or Manchester Ship Canals for leisure and transportation purposes.
8. Notwithstanding this, the development is considered to be in accordance with those criteria which are of relevance. For example, an appropriate Flood Risk Assessment has been provided and the development would not cause harm to the Barton-upon-Irwell Conservation Area. On this basis, the proposed development is deemed to be in accordance with the aims of policy SL4.

Main town centre use:

9. Core Strategy Policy R6 states that the Council will encourage and continue to support the culture and tourism offer, and related developments where appropriate, that highlight and enhance the cultural heritage of the Borough, in accordance with national guidance and policies within the Development Plan for Trafford, in (amongst others) the Trafford Centre Rectangle Strategic Location. Policy R6 is generally in accordance with the NPPF in promoting and seeking to

improve the tourism and culture offer within the borough. It is therefore considered to be up-to-date for the purposes of this application.

10. Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.
11. The proposed development constitutes a 'main town centre use' as defined by the NPPF (culture and tourism development (including...conference facilities)) and falls within the D1 use class. The specific proposed use is deemed to comprise a tourism use which Core Strategy Policy R6 states is appropriate in this location. On this basis, the proposed development is considered to be in accordance with the Development Plan and a sequential test is not therefore required.

Loss of football pitches/gym:

12. Policy R5 of the Core Strategy states that developers will be required as appropriate to demonstrate how their development will protect, and encourage the use of Trafford's open space and sports/recreation facilities. Development which results in an unacceptable loss of quantity of open space, sport or recreation facilities, or does not preserve the quality of such facilities will not be permitted. This policy is considered to be largely up-to-date, although the NPPF is more flexible in relation to this issue. Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
13. The football pitches within and outside of the existing building are deemed to be 'playing fields' for the purposes of the NPPF. As a result, one of the above exceptions will need to be met for the development to be considered acceptable in this respect. Sport England has been consulted on this basis.
14. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of all/part of a playing field unless one or more of five stated exceptions apply. The most

relevant of these for the purposes of this application is exception E4, which states:

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- *of equivalent or better quality, and*
- *of equivalent or greater quantity, and*
- *in a suitable location, and*
- *subject to equivalent or better accessibility and management arrangements.*

15. Sport England, in its initial consultation response, raised an objection to the proposed development on the grounds that none of its stated exceptions would be met. In response to this, the applicant provided a statement and additional information which sought to address the concerns raised and demonstrate that the development would accord with Sport England's overall aims. Specifically, the applicant has highlighted the following:

- The use of the Soccer Dome facility for sports pitches is not commercially viable
- The proposed new football facility will result in a net gain in total pitch space provided when compared with loss of the existing pitches
- The design and specifications of the new football facility has been deemed acceptable by the Football Foundation
- The loss of existing sports pitches at the Soccer Dome has already been established under earlier planning consents
- The Soccer Dome could be converted to another Class D2 use without the need for planning permission

16. In response to this additional information, Sport England advises that it withdraws the previously lodged objections to the application as it is considered to broadly meet Exception 4 of its policy relating to the loss of playing fields. This is subject to a condition requiring at least 8no of the existing pitches to be retained for use until the replacement facilities proposed by application ref. 98906/FUL/19 are made available.

17. On this basis, Officers are satisfied that the proposed development would be in accordance with Core Strategy Policy R5 and Paragraph 97 of the NPPF.

18. With regard to the gym, the submitted Planning Statement notes that there is a range of similar alternative facilities in proximity to the site, including David Lloyd in Trafford City and gyms at the AJ Bell Stadium in Salford. It is also noted that Sport England has not objected to the loss of this facility. On this basis, it is considered that the application is acceptable in this respect.

DESIGN AND APPEARANCE

19. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”*. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF’s emphasis on good design and, together with associated SPDs, the Borough’s design code. It can therefore be given full weight in the decision making process.
20. 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”*.
21. The proposed development includes the erection of two extensions to the north-west and south-west elevations of the building. The extension to the north-west has a gross external floor area of 571sqm with a monopitched roof, and is intended to accommodate kitchen facilities. The extension to the south-west has a gross external floor area of 1,314sqm with a pitched roof to match the existing building and is intended to accommodate additional exhibition space. The scale and siting of these extensions is considered to be appropriate, whilst their external appearance would generally be in keeping with the existing building, once refurbished.
22. New entrance features are proposed to two main entrance points to the south-east elevation of the building. These project forward of the existing building line with materiality comprising exposed steelwork, timber fins and uPVC cladding. These features are considered to represent an improvement to what is the principal elevation of the building, adding interest and a clearly defined arrival point.
23. The existing external blockwork walls are proposed to be repaired and repainted in two shades of grey. Existing cladded sections are to be over clad with composite metal panels in a variety of colours whilst the roof is also proposed to be over clad with grey PVC cladding. These alterations will serve to modernise and refresh the appearance of the building and are considered to be acceptable in design terms.

24. The boundary to the rear of the building will be strengthened through the use of additional planting and fencing. A detailed landscaping scheme should be required by condition, however the submitted plans indicate that the proposed fence in this location will be screened from surrounding land by hedging, outside the fence line. In addition, a number of trees are to be planted within the existing and proposed parking areas, which will serve to soften the appearance of these to some extent. A revised landscaping scheme to include additional tree planting within the parking area and to the rear of the service yard should be required by condition (as discussed within the 'Trees and landscaping' section of this report).
25. The applicant advises that the design of the proposed new facility aims to promote access for all users and ensure that all users, including disabled people, older people and young children, can move across the site on equal terms, including from parking areas to the facility itself. In addition to numerous staircases, a lift will facilitate access between the ground and upper levels for those in need. All access routes to principal entrances will be well lit and constructed from firm, durable and slip resistant materials and all thresholds to principal entrances will be level, in accordance with Building Regulations Approved Document Part M. However, if a stepped approach is unavoidable this will be designed to suit the needs of people that may be classified as ambulant disabled. It is also noted that Separate male, female and disabled WCs will be provided in the converted building whilst baby changing and feeding facilities will be available in selected WCs.
26. Given the above, the proposed development is considered to be acceptable in terms of its design, appearance and impact on the character of its surroundings.

HIGHWAY MATTERS

27. Policy L4 of the Trafford Core Strategy states that *“when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way”*.
28. Paragraph 109 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out-of-date for the purposes of decision making, albeit the difference between the tests 'significant adverse' and 'severe', is arguably a moot point.

29. NPPG (Paragraph: 014, Reference ID: 42-014-20140306) states that it is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years). The transport-related impacts of the football facility proposed under application ref. 98906/FUL/19 will be considered cumulatively with the development proposed under the present application, given that both are due to be determined at the same Committee meeting. It should also be noted that the submitted Transport Assessment considers both developments in conjunction.
30. It is noted that an application has been submitted for the development of a wellbeing resort ('Therme') at the existing EventCity site (ref. 99489/FUL/19). Given that this does not constitute a 'committed development' at this stage, there is no requirement for the cumulative impact of this to be considered with the present application. It is noted that should consent be given for this development, the cumulative impact of this, together with the Therme development will be considered under the Therme application.
31. The Local Highway Authority (LHA), Transport for Greater Manchester (TfGM) and Highways England (HE) have been consulted on the application. Clarification and further information on a number of matters was sought within their initial comments, in response to which the applicant's transport consultant has provided further supporting information. Additional comments have been provided from the LHA, TfGM and HE which, for the reasons set out below, indicate that the highways impacts of the proposal are acceptable.

Impact on the highway network, including Strategic Road Network:

32. The existing EventCity facility is located adjacent to Barton Dock Road, approximately 1.5 miles east of the application site. It is understood from the Transport Assessment (TA) that for the existing building, between May 2018 and May 2019 events took place on 60no weekdays, 21no Saturdays and 18no Sundays which represents 27 per cent of days in the year. Recorded footfall for these events ranged between 40 and 70,000.
33. Traffic modelling has been completed using a test case scenario for a busy event based on Trip Rate Information Computer System (TRICS) data, and general data for commercial and leisure trip patterns in the area. The applicant advises that the existing Soccer Dome building was not fully utilised at the time the TA was produced, hence the use of TRICS data. It is also noted that TRICS data was utilised for the earlier application at the site (ref. 93120/FUL/17: conversion of part of the existing building to an indoor adventure centre), granted consent in March 2018. The LHA confirms that this is an acceptable approach.
34. For the existing gym and sports pitches, the modelling results show two-way traffic flows of 66no for the AM peak (08.00-09.00hrs), and two-way traffic flows

of 195no for the PM peak (17.00-18.00hrs). For the proposed development, the results predict an increase to existing two-way traffic flows of +93no AM (159no total) and +83no PM (278no total). The LHA does not dispute these figures and is satisfied that this increase would not be harmful to the operation of the highway network.

35. The proposed development, together with that proposed under application ref. 98906/FUL/19 is expected to impact the M60, with traffic volumes predicted to increase at Junctions 10 and 11 on event days. The applicant's response to Highways England states that the proposed development would see a net increase of 13 trips per hour at Junction 10 (but only on event days) in comparison to the permitted use (and planning permission ref. 93120/FUL/17). No objections are raised by any consultees on this basis. The proposed development is predicted to result in fewer trips through M60 Junction 9 and whilst the LHA suggests that cumulative impacts with the proposed 'Therme' development should be considered, this is not deemed to be necessary for the consideration of this application for the reasons set out above.

36. The developer has also assessed the AM peak traffic flows at Bridgewater Circle. The results confirm that these flows are significantly lower than those recorded for the PM peak (it is noted that the Trafford Centre does not open until 10am). It is also understood that when no events are taking place, the venue would generate very few trips. Bridgewater Circle Sensitivity Testing has been completed for PM peak traffic flows, which confirms that the test flows used in the Transport Assessment are greater than the Sensitivity Test, and therefore provide a more robust assessment. The LHA and Highways England (HE) have been provided with this information and has confirmed acceptance of the data.

37. HE, in its initial response, requested that further information was provided in relation to a number of matters which is summarised as follows:

- Clarification on how the number of car trips per day has been calculated from the footfall figures and comparison of the resultant trip rates with those returned by TRICS
- Further information on the TAs/surveys that have been considered in support of the proposed distribution
- Further information to confirm that Saturday peak traffic flows from and to the Strategic Road Network are lower than weekdays
- Further consideration of how traffic flows across junctions 10 and 11 could impact on their operation

38. The applicant's transport consultant has submitted a statement to seek to address these concerns. This notes, amongst other things, that the TA (para 4.4 and Appendix E) includes the full procedure for the calculation of car trips whilst additional information is also provided in this respect. 'WebTRIS' data for Junction 10 has been reviewed as suggested by HE which confirms that average

weekday flows are greater than Saturday flows, whilst it is noted that the absence of Saturday-based destinations in proximity to junction 11 indicates that Saturday activity would be significantly lower here.

39. In response to the additional information provided, HE has advised that it has no objection to the application.

40. TfGM, in its initial consultation response, requested that further information was provided in relation to a number of matters which is summarised as follows:

- Traffic flows from the existing use should be used to predict trips for proposed location
- Traffic flows at the AM peak should be considered as well as those for the PM peak
- Actual use of Salford Western Gateway (WGIS) should be referred to for base flows rather than modelling
- Bridgewater Circle modelling should use up to date traffic signal timings

41. The applicant's transport consultant has submitted a statement to seek to address these concerns. This notes, amongst other things, that (as stated above), the existing Soccer Dome building was not fully utilised at the time the TA was produced, hence the use of TRICS data. Given that the PM peak is the most sensitive period for traffic implications, consideration of the AM peak is not deemed necessary. With regard to WGIS flows, future year development traffic has been incorporated which is deemed to be a more robust approach than existing use data.

42. In response to the additional information provided, TfGM advises that most of the points raised in its initial response have been addressed but maintains that a sensitivity test should be undertaken and that a CCTV camera should be provided to monitor the network and make traffic signal interventions as appropriate. The applicant has subsequently advised that the provision of a Traffic Management Plan (to be required by condition) would ensure the careful management of traffic flows during busy times and will also be able to take account of the traffic changes associated with the Trafford Park Metrolink line. In addition, it is noted that the development will often result in lower peak period trip generations than the existing site and the applicant considers the provision of a CCTV camera is not therefore appropriate.

43. A final response from TfGM is awaited and this shall be reported within an Additional Information Report to Committee.

Car parking:

44. The Council's adopted SPD3: Parking Standards and Design seeks to achieve a maximum of one car parking space per 20sqm of gross floor area in respect of

the proposed D1 use in this location. Based on these standards, the proposed development would be expected to provide a maximum of 1,196no car parking spaces.

45. The existing lawful use of the Soccer Dome building has an SPD3 requirement of 1,000no car parking spaces. It is also noted that approximately 2,000no spaces are provided for the existing EventCity facility which has an SPD3 requirement of 1,700no spaces. The proposed plans indicate that the existing car park at the application site is to be retained and extended, with the total number of car parking spaces increasing from 488no to 806no. This equates to a shortfall of 390no spaces from the maximum standards (a shortfall of approximately 32 per cent). It is noted however that there is an overprovision of 35no spaces associated with the football facility proposed under application ref. 98906/FUL/19, and given that the car park as a whole will in reality be shared between the two uses, the shortfall from the maximum standards can reasonably be deemed to be 355no spaces.
46. Whilst allocated overflow car parking is not provided for EventCity at the Trafford Centre, visitors to the existing EventCity are able to utilise the various Trafford Centre car parks on an informal basis. As such, visitors to EventCity currently have access to approximately 15,000 car parking spaces. This is deemed to provide an adequate level of parking provision for the proposed facility, which will operate in a similar manner to the existing EventCity, i.e. visitors to EventCity will be able to use the Trafford Centre car parks as overspill parking if and when necessary. The LHA and TfGM request that a condition requiring the submission of a phased traffic management plan is attached to any consent issued to ensure the development operates effectively in this respect.
47. Highways England (HE), in its initial response, requested that a parking accumulation exercise is submitted in order to provide clarity on the appropriateness of the proposed parking allocation and to indicate the likelihood of the overspill arrangement being utilised. The applicant's response to this advises that at peak accumulation, there would still be just over 20 per cent capacity remaining in the proposed car park. HE has subsequently confirmed that it has no objection to the application.
48. A total of 38no disabled parking spaces are proposed which accords with the Council's SPD3 guidelines. These guidelines seek to achieve a minimum of four disabled bays plus 4 per cent of the total car park capacity. The parking layout is also in accordance with section 9 of SPD3 and is therefore acceptable in this respect.
49. The LHA, TfGM and HE request that a Travel Plan is submitted to encourage the use of sustainable methods of transport to the proposed development site. This should be conditioned as part of any consent issued.

50. Subject to the above conditions, the LHA does not raise any objections on car parking grounds and the application is considered to be acceptable in this respect.

Access:

51. It is not proposed to amend the existing site access arrangements, with access being from Trafford Way (a two-lane dual carriageway road). Salford Western Gateway, located to the north of the proposed development, and Trafford Way are not currently adopted highway, however both are prospectively maintainable by the LHA. No concerns have been raised to these vehicular access arrangements by the LHA, TfGM or HE and are deemed to be acceptable.

52. The proposals include the retention of the existing pedestrian entrance, and the construction of a second, smaller pedestrian entrance on the southern façade. It is proposed to provide a network of pedestrian footways/walkways within the car park to allow safe pedestrian access and egress to the entrances. The submitted plans confirm that where required, pedestrian routes would be increased to a minimum width of 2m. Uncontrolled crossings comprising dropped kerbs and tactile paving would be provided within the application site. The LHA recommends that a condition requiring the submission of a pedestrian signage strategy is attached to any consent issued.

53. The LHA has suggested that a section of existing hedging is removed to avoid the need for pedestrians to cross a section of road within the car park twice within a short length. Given that this route is not likely to be used particularly frequently due to its location, together with the softening impact this hedge has on the appearance of the car park, on balance Officers do not consider it necessary for this to be removed. The pedestrian signage strategy referred to above will also serve to improve the safety of pedestrians using the car park.

54. Given the above, the proposed development is considered to be acceptable in terms of access arrangements.

Cycle parking:

55. SPD3 seeks to achieve one cycle parking space per 200sqm for visitors for the proposed use, equating to a requirement for 119no spaces. The proposed plans indicate that 22no employee spaces and 60no public spaces are to be provided, which relates to a shortfall of 37no spaces from the SPD3 standards.

56. The applicant indicates that the proposed number of cycle parking spaces is expected to meet demand and should the development go ahead, it is proposed to monitor the demand for cycle parking and if required, the number of spaces would be increased accordingly. This is on the basis that the building when operational will rarely make use of its total floor area and it is not expected that

the larger events would generate a proportionate increase in cycle parking demand. The cycle parking provision proposed represents approximately 70 per cent of the total floor area. This is expected to be sufficient for the busy event demand, and will significantly exceed demand for the smaller events. The LHA is satisfied with this arrangement subject to the imposition of a condition requiring the submission and approval of the location and design of cycle storage facilities. A condition requiring the submission of a Travel Plan should also be attached to any consent issued, and this will include a requirement for the applicant to monitor the use of these facilities and increase provision if necessary. In addition, TfGM advises that cycle parking should be provided in accordance with Trafford Council's standards and the cycle store should be secure and covered, situated in a central accessible location.

57. Subject to a suitably worded condition, the application is considered to be acceptable in this respect.

Servicing:

58. It is proposed that the service yard to the rear of the building would be increased in size to accommodate the proposed extensions and exhibitor access. This would be accessed from the existing unadopted access road from the Salford Western Gateway (WGIS), which would be separate to primary visitor/public access. The private access road would be extended to link with the car park, and a gate/barrier provided to accommodate managed vehicle access and egress to the car park, for example during larger events. The applicant has confirmed that any egress from the proposed service yard would be designed relative to the final approved WGIS extension layout, and details of the operation of this proposed egress shall be required within the conditioned traffic management plan.

59. It is proposed to implement a site-wide Waste Management Strategy which would comprise the use of a private waste management contractor. It is stipulated that for the most part, transit van type vehicles would be used for servicing the proposed development; however, it is expected that HGVs would also be used on occasion. Submitted drawings provide vehicle swept path analyses for the service yard for an articulated HGV, showing that the vehicle would be able to navigate within, and access and egress the proposed service yard and private access road. The LHA requests that a condition is attached to any consent issued requiring the submission of the Waste Management Strategy prior to the development being brought into use.

60. Subject to the above conditions, the proposed servicing arrangements are considered to be acceptable.

Cumulative impacts:

61. As noted above, it is necessary to consider the cumulative transport impacts of the proposed development together with that proposed under application ref. 98906/FUL/19 (football facility at land adjacent to Soccer Dome). The submitted Transport Assessment considers the impacts of both developments in conjunction and the conclusions reached indicate that there are no transport-related reasons to prevent the granting of planning permission. Given that the application has been assessed on this basis and given the lack of objections from the LHA, TfGM and HE, Officers are satisfied that the application is acceptable in terms of cumulative transport-related impacts.

Summary of highway matters:

62. The proposed development is deemed to be in accordance with local and national planning policy and the 'residual cumulative impacts' of the scheme are not considered to be 'severe' (as set out in NPPF paragraph 109). As such, the proposed development is considered to be acceptable in this respect.

HERITAGE ASSETS

63. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

64. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay, *"special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area"* in the determination of planning applications.

65. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of 'substantial' and 'less than substantial harm' in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date and can be given limited weight.

66. Paragraph 193 of the NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great

weight should be given to the asset's conservation. The NPPF sets out that harm can either be substantial or less than substantial. There will also be cases where development affects heritage assets but from which no harm arises. Significance is defined in the NPPF as 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.' Setting of a heritage asset is defined in the NPPF as 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.

67. The closest listed buildings to the application site are the Grade I Church of All Saints, the Grade II* Barton Bridge, Barton Aqueduct and Control Tower and the Grade II All Saints Presbytery, situated approximately 0.75km to the north-east of the application site. These are within the Barton-upon-Irwell Conservation Area, situated approximately 0.65km to the north-west of the application site at its closest point. The conservation area, including Barton Aqueduct and the Control Tower are highly significant for their industrial and engineering history, constituting a unique example of a surviving swing aqueduct and demonstrating a great feat of Victorian engineering and innovation. The area's ecclesiastical history is also highly important, having formerly contained two churches whilst All Saints Church is of high significance for its design by a well-known architect.
68. Given the nature of the proposed development and the distance to the above heritage assets, there is not considered to be any harm to the significance of these listed buildings or the Barton-upon-Irwell Conservation Area.
69. Paragraph 197 of the NPPF identifies that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
70. The Manchester Ship Canal, situated just to the north of the application site, is considered to constitute a non-designated heritage asset. The significance of this is derived from its contribution to the industrial revolution. The scale and nature of the development is such that there is not considered to be any harm to the significance of this non-designated heritage asset, particularly given that this involves alterations to an existing building.
71. Given the above, the proposed development is not considered to result in any harm to the significance of any designated or non-designated heritage assets and is therefore acceptable in this respect.

NOISE

72. Policy L7 of the Trafford Core Strategy states that *“In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of...noise and / or disturbance...or in any other way”*.
73. The application is accompanied by a Noise Impact Assessment which considers the effect of amplified music events on noise sensitive receptors. This incorporates a baseline noise survey to establish the current noise climate at the nearest noise sensitive receptors and measurements of a music event within EventCity’s current premises on Barton Dock Road. Calculations have been undertaken to estimate the noise breakout assuming the same event had taken place within the Soccer Dome building, which is the subject of this application.
74. The guidance of BS 8233:2014 ‘Guidance on sound insulation and noise reduction for buildings’ and the former Noise Council’s ‘Code of Practice on Environmental Noise Control at Concerts’ has been used to form a conclusion that a low impact of noise should occur from a music event taking place within the Soccer Dome building up to 02.00hrs.
75. The Council’s Pollution and Housing section has been consulted and advises that the sound levels that were monitored within EventCity’s current premises related to a live and recorded music event. However, the obtained data may not be representative of an electronic dance music event, especially in the low frequency range, where significantly higher noise levels could be expected.
76. The obtained noise data could therefore be considered as a ‘snapshot’ of one event to form an indicative assessment. It is acknowledged that EventCity has not operated a regular dance music event at its current premises, although the conditions of the current Premises Licence would permit such events up to 02:00 on any day and unrestricted in terms of scheduling and event numbers.
77. Noise breakout from the Soccer Dome site, based on the internal measured event sound levels, has been predicted to be ‘just audible’ outside nearest receptors. In addition, the low frequency components of the noise breakout have been found to be below the maximum levels recommended by the aforementioned Code of Practice.
78. The NIA acknowledges that the definition of ‘audibility’ can be open to interpretation and that no precise guidelines are available. Pollution and Licensing advises that the assessment of noise breakout from any premises holding musical entertainment will be largely subjective and dependent on the nature and character of the received noise in addition to the overall level. In

addition, there is likely to be considerable variability in such factors from event to event. It is possible that some types of events would take place without too much impact, but others such as those offering electronic dance music may pose a higher risk of complaints.

79. The internal music level within the application building must therefore be controlled appropriately, taking account of the relatively poor sound insulation properties of the building structure. More information and assessments are required before the typical impact of events and the required noise control procedures can be known with sufficient certainty. A condition is therefore recommended requiring such work to be undertaken in order to inform an appropriate plan for the control of sound levels on an ongoing basis. This is in order to ensure that the wide variation in the frequency components of different types of music has been considered.
80. Pollution and Housing also request that a condition requiring the submission of an assessment of noise from external plant and equipment is attached to any consent issued. Subject to these recommended conditions, the proposed development is considered to be acceptable in terms of noise impacts.

AIR QUALITY

81. Policy L5 of the Trafford Core Strategy states that development that has potential to cause adverse pollution of air will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place. This goes on to say that where development is proposed close to existing sources of pollution, developers will be required to demonstrate that it is sited and designed in such a way as to confine the impact of nuisance from these sources to acceptable levels appropriate to the proposed use concerned.
82. Paragraph 181 of the NPPF seeks to ensure that opportunities to improve air quality or mitigate impacts are identified, with the presence of Air Quality Management Areas being taken into account. Policy L5 is considered to be compliant with the NPPF and therefore up-to-date.
83. The applicant has submitted an Air Quality Assessment to accompany the application. This concludes that, with the implementation of dust management mitigation measures the impact of construction phase dust emissions is 'not significant', in accordance with Institute of Air Quality Management guidance. In terms of air quality impacts on users of the facility during the operational phase of the development, it is concluded that there will be no significant impact on air quality due to the change of use of the Soccer Dome building to event space and the creation of the new football pitches (application 98906/FUL/19).
84. The Council's Pollution and Housing section has been consulted and advises that they are satisfied with the above conclusions, subject to the imposition of a

condition requiring the submission of a Construction Environmental Management Plan.

85. It has also been recommended that a number of electric vehicle charging points are provided as part of the development, in accordance with guidance produced by IAQM (Institute of Air Quality Management). This suggests that one space per 1000sqm is appropriate and a scheme for electric vehicle charging points should be conditioned as part of any consent issued. Subject to this condition, the application is considered to be acceptable with regard to air quality matters.

FLOODING AND DRAINAGE

86. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 163 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it.
87. The application site falls within Flood Zone 2 as defined by the Environment Agency, having a medium probability of river flooding. The site also falls within a Critical Drainage Area. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to accompany the application. The proposed use is considered to constitute a ‘more vulnerable’ use in flood risk terms, as defined by the NPPG. The flood risk vulnerability and flood zone compatibility table contained within NPPG identifies this form of development as being ‘appropriate’ in this location.
88. The Lead Local Flood Authority (LLFA) has been consulted on the application and has not raised any objections to the development, subject to the imposition of a planning condition relating to the submission of a scheme to improve the existing surface water drainage system. This would need to be designed in accordance with the submitted Flood Risk Assessment and Drainage Strategy.
89. Given the above, the application is considered to be acceptable in terms of flooding and drainage and compliant with relevant local and national planning policies and guidance, subject to the recommended condition.

TREES AND LANDSCAPING

90. Policy R3 of the Core Strategy seeks to protect and enhance the Borough’s green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up-to-date in terms of the NPPF and so full weight can be afforded to them.

91. The submitted Arboricultural Statement states that a number of category B and C trees and groups, along with some hedges and shrubs are to be removed to facilitate the proposed development. The Statement concludes that all of the visually important boundary groups and higher quality B category trees and groups can be retained and protected, along with some C category trees, shrubs and hedges. This goes on to say that any impacts on wider amenity associated with tree, shrub and hedge removal can be mitigated by the provision of new trees and landscaping. Recommendations set out in this Statement include compliance with relevant British Standards, the protection of wildlife, the provision of an Arboricultural Method Statement and a landscaping scheme.
92. The application is accompanied by planting plans to show the provision of new trees, shrubs, grass and other vegetation within the enlarged parking area and adjacent to site boundaries. Officers consider that additional tree planting could and should be provided within the car park and to the rear of the service yard which would serve to soften the development as well as providing mitigation for the loss of semi-natural grassland and bird nesting opportunities, as recommended by the Greater Manchester Ecology Unit (GMEU). As such, a condition is recommended requiring the submission of a detailed landscaping scheme in order to secure this additional planting.
93. The Council's Arboriculturist has been consulted and does not raise any objections to the development, however advises that suitable construction techniques (such as a 'raft system') should be used for trees proposed to be planted within the car park. This is in order to ensure that enough rooting volume, soil volume and soil quality is provided, enabling the trees to survive longer than would otherwise be expected. A condition is therefore recommended to require the submission of technical details of the type of system to be used for these trees, the area the system will cover and the type and volume of soil to be used.
94. Subject to the above conditions, the proposed development is considered to be acceptable in this respect.

ECOLOGY

95. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. In addition, Paragraph 118 of the NPPF states that "*if significant harm resulting from a development cannot be avoided...adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*". Policy R2 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.

96. The application is accompanied by an Ecological Impact Assessment dated September 2019. This concludes that the scheme would result in minor ecological impacts if the recommended mitigation measures are implemented. These measures include the use of a sensitive lighting scheme, clearance of vegetation outside of the bird nesting season and in a sensitive manner and the retention of some grassland, scrub and shrubs. These could be secured through appropriately worded planning conditions should planning permission be granted.
97. The Greater Manchester Ecology Unit (GMEU) has been consulted and advises that issues relating to bats, nesting birds and landscaping can be resolved via condition or informative. Recommended conditions relate to the submission of a reasonable avoidance measures method statement in relation to mammals, a restriction on vegetation clearance within the bird nesting season and mitigation for the loss of bird nesting habitat.
98. On this basis, the proposed development is considered to be in accordance with Policy R2 of the Core Strategy and the NPPF and therefore acceptable with regard to matters of ecology.

DEVELOPER CONTRIBUTIONS

99. The proposed development would be liable to a CIL (Community Infrastructure Levy) rate of £0 per sqm. No other developer contributions are necessary to make the development acceptable in planning terms.

OTHER MATTERS

Security and safety:

100. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety.
101. A Crime Impact Statement has been submitted alongside the application and notes that the proposed scheme is acceptable in terms of security and safety, subject to a number of recommendations being implemented. Specifically, these relate to the enclosure of the service yard and details associated with circulation routes and cycle parking.
102. Greater Manchester Police's Design for Security section has been consulted and has recommended that a condition is imposed requiring the scheme to reflect the physical security specification set out in the submitted Crime Impact Statement. On this basis, the proposed development is considered to be acceptable with regard to matters of security and safety subject to the condition requested above.

Contaminated land:

103. The application is accompanied by a 'Phase 1 Desk Study and Preliminary Contaminated Land Risk Assessment' and a 'Phase 2 Contaminated Land Risk Assessment'. The Phase 2 Assessment concludes that in its present state, the ground on this site presents a low risk to end user receptors and can be regarded as fit for purpose. This goes on to recommend that a watching brief be maintained during site preparation and landscaping and that no further remediation is required. In respect of ground gas, the report confirms that ground gas monitoring is presently ongoing and that a separate ground gas risk assessment report will be produced and submitted on completion.
104. The Council's Pollution and Housing section has been consulted and advises that a condition should be attached to any consent issued requiring the submission of the ground gas risk assessment and a verification report. Subject to the imposition of appropriate conditions to this effect, the application is considered to be acceptable with regard to matters of contaminated land.

External lighting:

105. The application is accompanied by a plan showing details of the location and type of external lighting to be used within the site. This includes a number of luminaires mounted on 12m high columns within the service yard and parking area. The Council's Pollution and Housing section has been consulted and does not raise any concerns to this aspect of the scheme, subject to the scheme being implemented as proposed with luminaires not being tilted excessively. On this basis, the proposed development is deemed to be acceptable in this respect.

CUMULATIVE IMPACTS

106. Given that application ref. 98906/FUL/19 (land adjacent to the Soccer Dome) is a live planning application in close proximity to the site which is the subject of this proposal, due regard should be given to the cumulative impacts of both developments, particularly in relation to highway and air quality impacts.
107. As has been concluded earlier, this cumulative impact on the highway network is not considered to be so significant as to warrant further assessment or refusal of planning permission on these grounds. The same conclusion has been reached in relation to any other cumulative impacts that might result from the two schemes.

CONCLUSION AND PLANNING BALANCE

108. As the 'most important' policies for determining the application are up-to-date and, for reasons set out in the main body of this report, the proposals are in

accordance with the development plan, the development should be approved without delay in accordance with Paragraph 11(c) of the NPPF.

109. All detailed matters have been assessed, including impacts on the highway network, air quality, heritage assets and noise issues. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning issues have been considered and consultation responses taken into account in concluding that the proposals comprise an appropriate form of development for the site. The proposals are considered to be compliant with the development plan and where this is silent or out-of-date, national planning policy. It also largely complies with relevant adopted local guidance and where it does not the development is considered to be acceptable on its own merits for the reasons set out in the main body of this report. The application is therefore recommended for approval.

RECOMMENDATION

GRANT subject to the following conditions:-

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

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

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

Plan Number	Drawing Title
MH1147-EC-107 (Rev G)	Proposed Site Plan
MH1147-EC-108	Proposed Ground Floor Plan
MH1147-EC-109	Proposed First Floor Plan
MH1147-EC-110 (Rev A)	Proposed Roof Plan
MH1147-EC-111 (Rev B)	Proposed Elevations
MH1147-EC-112 (Rev A)	Proposed Sections
4329 101 (Rev H)	Landscape Masterplan
4329 401 (Rev E)	Planting Plan – Sheet 01
4329 402 (Rev E)	Planting Plan – Sheet 02
4329 403 (Rev E)	Planting Plan – Sheet 03
4329 404 (Rev E)	Planting Plan – Sheet 04
AU/1335/008 (Rev P4)	External M&E Infrastructure

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

3. A minimum of 8no sports pitches within the application site shall be maintained and kept available for use until the replacement sports facilities permitted by planning permission ref. 98906/FUL/19 have been completed and made available for use.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory playing pitch provision which secures a continuity of use and to accord with Trafford Core Strategy Policy R5 and Paragraph 97 of the NPPF.

4. No development shall take place unless and until a scheme to improve the existing surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be produced in accordance with the outline details provided in the Flood Risk Assessment and Drainage Strategy Report (Ref. PG/MB/9649/EC, Issue 4, dated 16/01/2020). The approved scheme shall be fully implemented in accordance with the approved details.

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

5. No development shall take place unless and until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and shall provide for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) the loading and unloading of plant and materials
- (iii) the storage of plant and materials used in the construction of 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 and pre-construction and procedures to be adopted in response to complaints of fugitive dust emissions
- (vii) measures to prevent disturbance to adjacent dwellings from noise and vibration
- (viii) a scheme for recycling/disposing of waste resulting from construction works (prohibiting fires on site)

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to sensitive receptors and users of the

highway, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

6. No development, including earthworks or site clearance shall take place unless and until a Reasonable Avoidance Measures Method Statement for mammals has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved Statement.

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

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

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

8. Other than site clearance works, including tree felling, no development shall take place unless and until a ground gas risk assessment (in addition to the Phase 1 and 2 assessments provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include a remedial action plan to detail the measures necessary to mitigate the risk from the ingress of landfill gas.

Reason: 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.

9. The development hereby permitted shall not be brought into use until a verification report demonstrating completion of works set out in the approved remedial action plan required by condition 8 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 as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure the safe development of the site 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.

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

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

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

08.00-18.00	Monday – Friday
09.00-13.00	Saturday

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

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

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

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

13. The proposed egress onto the extended WGIS road shall not be constructed unless and until a Traffic Management Plan for the operation of this egress onto the new road has been submitted to and approved in writing by the Local

Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full.

Reason: To ensure that satisfactory provision is made for the egress and management of vehicles associated with the proposed development, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

14. The development hereby approved shall not be brought into use unless and until a Phased Traffic Management Plan, including the management of pedestrians and cyclists, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented and adhered to in full.

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

15. The development hereby approved shall not be brought into use unless and until a Pedestrian Signing Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall relate to the route between the Trafford Centre car parks and the application site and shall be implemented before the development is brought into use and retained thereafter.

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

16. The development hereby approved shall not be brought into use unless and until a scheme for secure cycle storage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location and design of cycle storage facilities and shall be implemented before the development is first brought into use and shall be retained at all times thereafter.

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

17. The development hereby approved shall not be brought into use unless and until a Waste Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Strategy shall be adhered to at all times following the development being brought into use.

Reason: To ensure waste collections from the site can be appropriately managed and in the interests of highway safety, having regard to Policies L4 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

18. The development hereby approved shall not be brought into use unless and until a scheme for the installation of bird boxes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and retained thereafter.

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

19. The development hereby approved shall not be brought into use unless and until details of the appearance of all external fixed plant and equipment and an assessment of noise from all external fixed plant and equipment have been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the L_{Aeq} noise level from the operation of all external fixed plant and equipment, when rated and assessed in accordance with BS 4142: 2014, does not exceed the L_{A90} background noise level without such plant operating, at the most exposed noise-sensitive receptor.

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

20. (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be brought into use unless and until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials (including areas of the site designated for car parking), planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants/trees to be retained and a scheme for the timing/phasing of implementation works. These details shall also include a raft system to be used for trees planted within areas of hard surfacing. The raft system details shall include technical drawings of the type of system to be used, the area that the system will cover and the type and volume of soil to be used (structural soils will not be acceptable).

(b) The landscaping works approved under part (a) of this condition 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. All tree planting

within areas of hard surfacing shall be implemented in accordance with the details approved under part (a) of this condition.

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

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

21. The development hereby approved shall not be brought into use unless and until a schedule of landscape maintenance for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance 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 L5, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

22. The development hereby approved shall not be brought into use unless and until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved charging points shall be installed and made available for use prior to the development being brought into use and shall be retained thereafter.

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

23. The development hereby approved shall not be brought into use unless and until a Full Travel Plan (in accordance with the principles set out in the submitted 'Framework Travel Plan', ref. M19025-09 TP, dated January 2019), which shall include measurable targets for reducing car travel, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall also include measures for monitoring the use of cycle parking facilities with mechanisms for increasing the level of cycle parking provision where necessary. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

24. The development hereby approved shall not be brought into use unless and until the means of access and the areas for the movement, loading, unloading and parking of vehicles and bicycles have been provided, constructed and surfaced in complete accordance with the submitted plans. These areas shall thereafter be retained and not be put to any other use than their intended purpose.

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

25. No events with the primary purpose of providing amplified musical entertainment and continuing beyond 23.00hrs (hereafter referred to as 'music events') shall be held at the premises unless and until a protocol has been submitted to and approved in writing by the Local Planning Authority. This shall detail the way in which the music noise levels from the first three music events to be held on the premises will be monitored and controlled internally and at agreed receptor locations by a suitably qualified acoustic consultant.

In addition, the protocol shall detail a strategy for minimising music noise levels at agreed noise sensitive receptors, including the provision of information to these receptors, with details of a dedicated contact telephone number that will be responded to during the event in case of the need for a complaint to be made.

The outcome of the monitoring and assessments will be used to inform a Noise Management Plan (NMP) that shall be submitted to and approved in writing by the Local Planning Authority before any further music events are held on the premises. The approved NMP shall be adhered to thereafter.

The NMP shall, as a minimum, detail the outcome of noise monitoring and assessments, a strategy for the ongoing monitoring and control of sound levels and details of the Music Noise Limits (MNL) to be set internally and externally at agreed receptor locations. The NMP shall also detail a procedure for liaison with the local authority including the timely provision of information with regards to the scheduling of music events on an ongoing basis.

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

26. The site shall only be lit in accordance with the scheme for external lighting shown on drawing number AU/1335/008 (Rev P4).

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

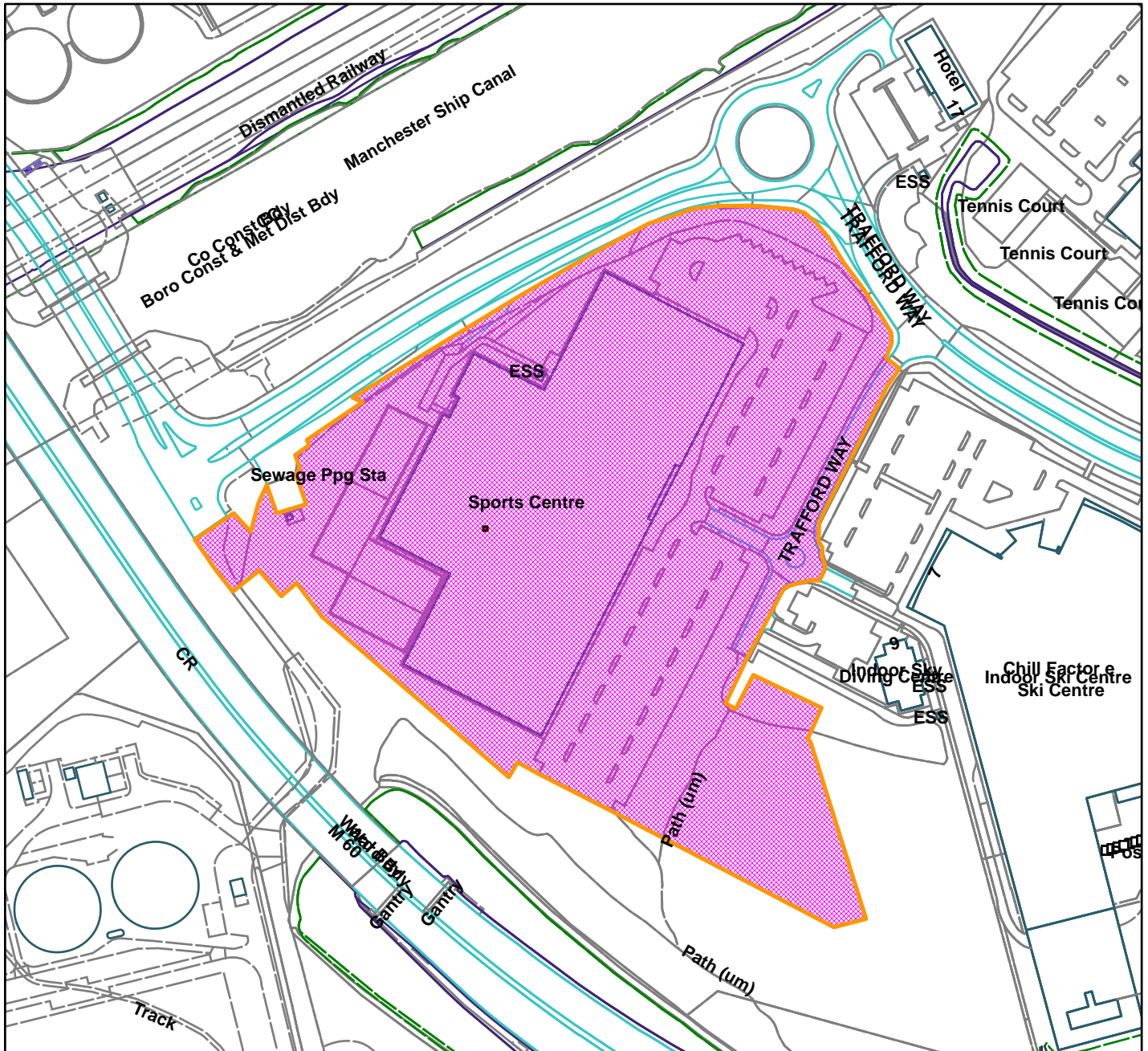
27. The development hereby approved shall be designed and constructed in accordance with the recommendations contained within section 3.3 and the physical security specification within section 4 of the submitted Crime Impact Statement dated 06/09/2019 (URN:2019/0359/CIS/01) and retained thereafter.

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

JD



Soccer Dome, Trafford Way, Trafford Park (site hatched on plan)



Scale: 1:2,900

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 13/02/20
Date	03/02/2020
MSA Number	100023172 (2012)

Erection of a two storey side and single storey rear extension.

2 Ellaston Drive, Urmston, M41 0XB

APPLICANT: Mr Patel

AGENT: Cube Design Solutions

RECOMMENDATION: GRANT

This application is being reported to Committee as the applicant is an Elected Member.

SITE

The application property is a detached two storey property with a full height box bay window within its principal elevation as its main design feature. The site is close to the Ellaston Drive and Greenfield Avenue junction and is of irregular configuration. Both east and west boundaries of the site splay outwards towards the northern boundary as a result of the property's relationship to neighbouring properties within the cul de sac, which is staggered and curved around a central landscape feature. The northern (rear) boundary is a low level 1.4m high fence across the entire depth of 13 Greenfield Avenue's rear garden, with that property having a single storey rear extension, a rear dormer and two storey side extension directly adjacent to its southern boundary. These extensions are in very close proximity to both the application property and No.11 Greenfield Avenue that is sited directly at the junction of Ellaston Drive and Greenfield Avenue.

The application property itself has not been extended, but has a single storey kitchen outrigger projecting 2.4m with a width of 2.9m with a monopitched roof adjacent to the eastern boundary. French doors from an open plan lounge and dining area currently back onto the rear boundary. The driveway is open and fully paved to provide 2no. off street car parking spaces.

The site is located within an area directly to the north of Urmston town centre with its various amenities, with the domestic character being of both detached and semi-detached two storey properties with a variety of designs. No.11 Greenfield Avenue has its rear facing windows overlooking the front driveway of the application site, and a kitchen and dining room with northern facing windows facing the southern elevation of No.13 Greenfield Avenue to the east of the application site. No.4 Ellaston Drive is to the west and is rendered, but with a first floor flat roof extension and conservatory towards its rear. A secondary kitchen window within the eastern elevation of No.4 faces the application property at ground floor level.

PROPOSAL

The proposal comprises the erection of a two storey side and single storey rear extension. A fourth bedroom is proposed at first floor level to the western side of the existing property with internal reconfiguration of an existing bedroom at the front of the property to accommodate an access corridor. The bedroom would sit partly above an external store, with its front elevation being recessed back from the property's main front corner by 2m with a width of 1.9m before a further recess of 1.3m and extending outwards towards the western boundary by a further 1m. The main side wall of the proposed first floor side extension would have a depth of 3m, with a separation distance of 0.8m being provided between both corners and the western boundary shared with No.4 Ellaston Drive. The first floor rear elevation would align with the rear elevation of the existing property with a blank gable. No windows are proposed within the western side elevation facing No.4.

At ground floor level, an open plan kitchen/morning room is proposed predominantly to the rear of the property, with a rear projection of 2.9m and width of 9.3m across the width of the existing property and the proposed two storey side element. The extension would have a kitchen window and bi-folding doors and a mono-pitched roof with 3no. roof lights within its elevation facing the boundary with No. 13 Greenfield Avenue. This rear projection would provide a separation distance of 3.4m at its closest point to the northern boundary (closest to the rear extension of No.13 Greenfield Ave), increasing in depth to a maximum of 4m due to the splayed boundary. An existing window within the eastern side elevation is to be removed and a smaller window relating to a shower room is proposed within a similar position.

The development would be constructed in similar materials to the existing dwelling. The increase in floor space of the proposed development would be 47.5m².

ADDED VALUE

Amended plans have removed the originally proposed first floor rear projection in order to safeguard the amenity of the neighbouring dwelling at No. 13 Greenfield Avenue and a blank gable is proposed to the rear first floor elevation of the extension to ensure there is no undue loss of privacy to the occupiers of that same property.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7 - Design

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

OTHER POLICY DOCUMENTS

SPD4 – A Guide for Designing House Extensions & Alterations (February 2012).

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

GREATER MANCHESTER SPATIAL FRAMEWORK

The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and a further period of consultation on the revised draft ended on 18 March 2019. A Draft Plan will be published for consultation in Summer 2020 before it is submitted to the Secretary of State for independent examination. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014 and was last updated on 01 October 2019.. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

11 Greenfield Avenue

98301/HHA/19 - Erection of two storey side extension. Approved September 2019. (Not implemented at the time of site visit).

13 Greenfield Avenue

H/69612 - Erection of a two storey side extension, single storey rear extension and rear dormer window to form additional living accommodation, following the demolition of the existing two storey side extension. Approved July 2008. (PD rights withdrawn – no windows or dormer windows).

4 Ellaston Drive

Erection of single storey side extension. Approved March 2015.

APPLICANT'S SUBMISSION

None.

CONSULTATIONS

None

REPRESENTATIONS

The application was advertised by way of neighbour notification letters. No comments have been received.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The proposal is for an extension to an existing residential property and therefore extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas. The proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy.

DESIGN AND APPEARANCE

2. Paragraph 124 of the NPPF states that *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* Paragraph 130 of the NPPF states that *"Permission should be refused for development of poor design that fails to take the opportunities*

available for improving the character and quality of an area and the way it functions.”

3. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
4. SPD 4: A Guide for Designing House Extensions and Alterations requires extensions to reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing and the SPD sets out specific guidance relating to these areas as detailed below.
5. Section 2.2 provides guidance on reflecting the existing character of the property and states under 2.2.1 that: *“It is important that extensions should reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing. Ill-designed or excessively large extensions can spoil the appearance of your property. Careful consideration should be given to the individual details of the original property in designing any extension to help maintain and reinforce the style of the main dwelling and help an extension to blend in with the street scene.”*
6. Section 2.3 provides guidance on scale and advises under 2.3.1 that: *“Any extension should respect the scale and proportion of the original dwelling and should not dominate through excessive size and/or prominent siting. Extensions should be in proportion in their own right and in relation to the size of the original dwelling. Overlarge extensions can dominate the appearance of a property, unbalance its design and compete with the original dwelling to the detriment of the appearance of the house. Extensions that dominate the house or appear over-dominant in the surrounding area will not be acceptable.”*
7. The proposed development would sit behind the principal elevation of the property by 2m and provide a minimum distance of 0.8m between it and the western boundary in common with No.4 Ellaston Drive. Although the development is sited less than the recommended 1m from the side boundary, the recessed position would allow the development not to be visually intrusive to the streetscene and it is considered that the proposed extension would not have an unacceptable impact on the spaciousness of the surrounding area. The single storey rear projection of 2.9m would retain adequate space for outdoor recreation and would not be out of character with the surrounding area.

8. The proposal would be erected using matching materials and have its fenestration aligned horizontally with the existing dwelling. The proposed rear facing bi-folding doors and kitchen window are also considered to be sited within appropriate positions without being over dominant as a design feature. The eaves and roof design of the two storey side element, although having a staggered appearance within the southern and western elevations, would align with the existing property and would not appear incongruous to the main property.
9. The front elevation of the two storey side extension would look better if it were to include a ground floor window, but as this part of the extension forms an external store, a window is not required. As the extension is set back from the main elevation, and given the oblique relationship with 4 Ellaston Drive, the design is considered to be acceptable.
10. It is therefore considered that the proposal would be acceptable in terms of design and visual amenity and would comply with Policy L7 of the adopted Core Strategy and guidance in the NPPF in terms of its design and general appearance.

RESIDENTIAL AMENITY

11. Policy L7 of the Core Strategy states that in relation to matters of amenity development must be compatible with the surrounding area; and not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
12. Guidance contained within SPD4 states it is important that extensions or alterations:
 - *Do not adversely overlook neighbouring windows and/or private gardens areas.*
 - *Do not cause a significant loss of light to windows in neighbouring properties and/or their patio and garden areas.*
 - *Are not sited so as to have an overbearing impact on neighbouring amenity.*

Impact upon 13 Greenfield Avenue

13. The proposed development would comprise of a ground floor extension that would project 2.9m from the main rear wall of the property and extend 9.3m in width to extend across the existing house and the proposed two storey side extension. A separation distance of between 3.4m and 4m would be provided between this single storey element and the northern boundary which is a low level 1.4m high fence and is perpendicular to the rear west facing elevation of

No.13 Greenfield Avenue. As this is less than what may be allowable under permitted development rights whereby a maximum 4m single storey projection could be constructed, this element is considered to be acceptable, but due to how close the proposal is to the common boundary, it is recommended that a condition ensuring the erection of a 1.8m fence along the entire northern boundary is attached to maintain privacy for both the applicants and the occupiers of No.13 Greenfield Avenue.

14. The proposed first floor element would have a blank brick wall to its northern and rear elevation and therefore no overlooking would occur to the detriment of the occupiers of No.13 Greenfield Avenue. It is recommended that a condition is attached removing permitted development rights for first floor windows in the rear elevation. In terms of its size, scale and massing, the location of this part of the extension would be at the far side of the curtilage of the application site from the rear elevation of No. 13 Greenfield Avenue. It would be sited 6.7m away from the common boundary at its closest point and set away from the neighbouring single storey rear extension by approximately 9m at its closest point. As such, it is considered that this element would be positioned sufficient far away and at such an angle not to create an over dominant or visually intrusive form of development to the occupiers of that property. Regarding the orientation of the proposed development with relation to No.13, the main property is due south of the common boundary already and therefore it is considered that the extension would not cause significant additional overshadowing impact over and above the impact of the existing dwelling.

Impact upon 11 Greenfield Avenue

1. In terms of the impact on No. 11, the adjacent property to the east, this dwelling has its principal elevation facing east onto Greenfield Avenue, with a single storey side extension adjacent to the common boundary with the application property, with an access door within its southern elevation and a kitchen window within the northern elevation. This room is partially enclosed but with an opening to a connecting dining room and associated French doors within the northern elevation facing 13 Greenfield Avenue.
2. The proposed single storey rear extension would be 1m from the common boundary and would project 2.9m further than the main rear wall of the application property and approximately 4.5m further than the north facing rear kitchen window at No.11. This would be in excess of the standard guidelines that would allow for a 3m projection in addition to the separation distance to the boundary. However, the property could extend up to 4m at ground floor level adjacent to the boundary under permitted development rights and the extension only projects approximately 0.6m than the existing outrigger in this position. It is therefore considered to be an acceptable projection that would not unduly harm the amenity of the occupiers of that property. The alteration of a ground floor

window to an obscure glazed window facing the common boundary with No.11 is also considered not to cause disamenity.

3. It is highlighted that a recent planning application (98301/HHA/19) has been granted in September 2019 for a two storey side extension at No. 11. However, this was not implemented at the time of the officer's site visit and, as the extension would be on the north side of No. 11 and not projecting further to the rear than the existing dwelling, it is considered that this would not make any significant difference to the assessment of the impact on this property.

Impact upon 4 Ellaston Drive

4. The application property is sited forward of and at an angle to this neighbouring property which is on its western boundary. The neighbouring dwelling has been significantly extended by way of 2no. single storey side extensions on the eastern side of the property, a two storey flat roof rear extension and a conservatory to the rear of the two storey element. Facing the application site along the eastern elevation is a secondary kitchen window, with a 1m high boundary fence increasing in height to 1.8m towards the rear of the property.
5. As the proposed ground floor element would retain 4m to the common boundary at its extremity from the main rear wall, and the first floor would provide 2m to the boundary at its rear corner also, in addition to not being further than the rear elevation of No. 4 at either ground or first floor level, the development would comply with the guidance within SPD4. It is therefore considered that the proposal would not cause undue over dominance, overlooking or loss of privacy to the rear garden area of No. 4 due to the juxtaposition of the adjacent properties.
6. As such, it is considered that the proposal would not have an unacceptable detrimental impact on the amenity of any neighbouring dwellings and would be acceptable in terms of Policy L7 of the Core Strategy in this respect.

PARKING PROVISION

7. The proposal would increase the number of bedrooms at the property from three to four and would retain the existing two off-street parking spaces. Although this would not strictly comply with the maximum requirement of 3no. spaces within SPD3, it is considered that there is some scope for on street car parking in addition to this in the vicinity. Therefore, this level of parking provision is acceptable.

DEVELOPER CONTRIBUTIONS

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

PLANNING BALANCE AND CONCLUSION

9. The proposed two storey extension would be set back from the principal elevation sufficiently to mitigate the shortfall of 0.2m as a separation distance between it and the side boundary at its closest point and therefore would not be detrimental to the character and spaciousness of the streetscene. The design and appearance is considered to be acceptable and it is considered that the proposal would not result in any unacceptable harm to the amenity of neighbouring dwellings.
10. As such, the proposal would comply with Policy L7 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 4: A Guide for Designing House Extensions and Alterations as well as guidance in the NPPF regarding good design.

RECOMMENDATION: GRANT subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 695-01, 695-03, 695-04, 695-05, 695-06 and 695-07 which were amended and received by email by the Council on 8th January 2020.

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as subsequently be amended or re-enacted), no door, window, or other opening shall be formed in the north elevation of the extension, other than those shown on the approved plans, unless a further

planning permission has first been approved on application to the Local Planning Authority.

Reason: In the interests of privacy and in accordance with Policy L7 of the Trafford Core Strategy and associated supplementary planning guidance.

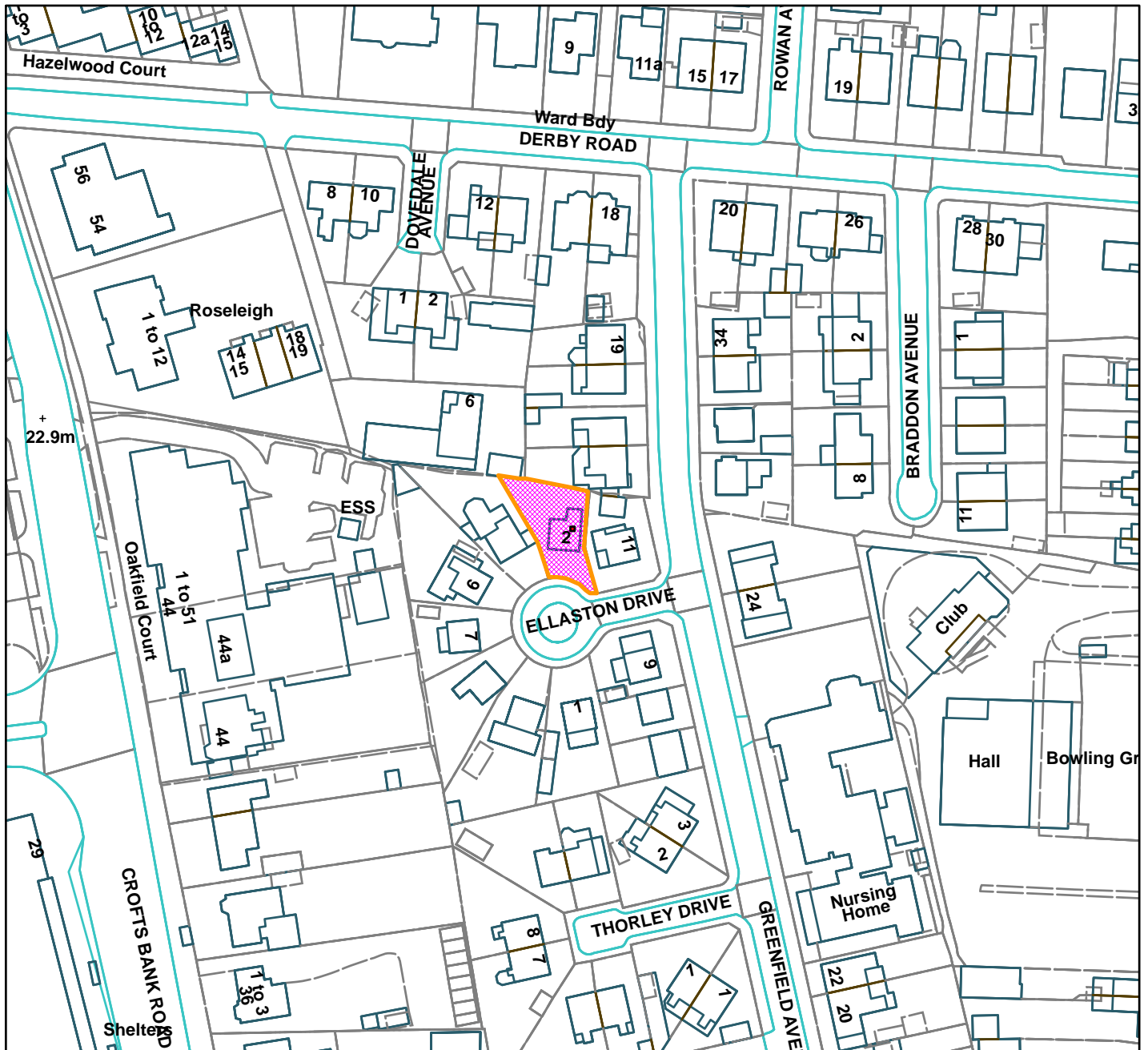
5. The rear ground floor extension hereby approved shall not be occupied unless and until a 1.8m high fence, to replace the existing boundary fence along the common boundary with No.13 Greenfield Avenue, has been erected in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the fence shall be retained at 1.8m in height.

Reason: In the interests of privacy and in accordance with Policy L7 of the Trafford Core Strategy and associated supplementary planning guidance.

GD



2 Ellaston Drive, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
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