

**ERECTION OF 1 X SEVEN STOREY BUILDING AND 1 X PART FIVE, PART SIX STOREY BUILDING FOR MIXED USE DEVELOPMENT COMPRISING 95 APARTMENTS, 806 SQUARE METRES OF COMMERCIAL OFFICE SPACE (USE CLASS B1) AND 130 SQUARE METRES OF RETAIL SPACE (USE CLASS A1) TOGETHER WITH 143 CAR PARKING SPACES.**

Petrol Station and adjacent land, 499 Chester Road, Old Trafford, Manchester, Trafford M16 9HF

**APPLICANT:** Kempton Homes

**AGENT:** Emery Planning Partnership

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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The application was originally considered at the Planning Development Control Committee of 17<sup>th</sup> September 2008. The Committee resolved that it was minded to grant planning permission subject to a Section 106 Agreement to secure financial contributions towards affordable housing, public open space, off-site tree planting and transport infrastructure and subject to conditions. Following this, the applicant submitted a financial viability appraisal and the application was considered again at the 10<sup>th</sup> December 2009 Committee when the Committee resolved that it was minded to grant planning permission subject to a Section 106 Agreement in respect of reduced contributions and subject to conditions. However, this Section 106 Agreement has never been completed and therefore planning permission has not been granted. As the applicant still wishes the application to be determined, the purpose of this report is to consider the application proposals against current local and national planning policies and against the requirements of the Council's adopted SPD1: Planning Obligations. The application has been brought back to Committee again due to the scale of the development, the fact that there have been significant policy changes and changes to affordable housing requirements and because further objections have been received following the re-notification of neighbours.

**SITE**

The application site is located between Chester Road and Stretford Road with a frontage onto both streets and lies approximately 200m to the east of the junction at which the two roads converge. To the east, the site fronts onto Nuttall Street, which runs between these two more major roads.

The northern part of the site is occupied by a petrol filling station with four pumps, a shop and a cash machine. The southern part of the site is currently occupied by a hand car wash business, with a canopy and portacabins.

To the north-east, the site lies adjacent to the Empress Conservation Area with large two / three storey red brick Victorian properties fronting onto Chester Road. To the north, on the opposite side of Chester Road, is a row of single-storey industrial units. To the west, the site borders onto an existing seven storey multi-storey car park and, beyond this, lies the sixteen storey West Point office block, which is constructed in red / brown brickwork with blue tinted glass. To the south, on the opposite side of Stretford Road, there are three storey residential flats, constructed in red brickwork and cream render with a grass verge and some trees to the front. To the east, on the opposite side of Nuttall Street, lie commercial premises including an MOT garage and a retail warehouse. Beyond this, further to the east and fronting onto Stretford Road, there are new apartment blocks. These buildings are of up to seven storeys in height and are constructed in grey cladding with white / cream render, red rainscreen cladding and red brickwork.

## **PROPOSAL**

The application proposes the erection of two buildings (Block A, which would be seven storeys or 20.6m in height and fronting onto Stretford Road, and Block B, which would be between four and six storeys in height and between 11.5m and 14m in height and fronting onto Chester Road). The buildings would house a mixed use development comprising a total of 95 residential apartments, 806 square metres of commercial office space and 130 square metres of retail space together with 137 car parking spaces.

The building fronting Stretford Road (Block A) would include one retail unit of 130 square metres together with 388.5 square metres of office space on the ground floor. Above this, this building would house 66 flats on six levels. The building fronting Chester Road (Block B) would comprise 439.34 square metres of office space on the ground floor with 29 flats above. The overall breakdown of accommodation across both blocks would comprise of 24 no. one bedroom flats and 71 no. two bedroom flats.

The 137 parking spaces would be formed within two levels of basement parking underneath the two buildings. The ramp to the basement car park would be accessed from a new vehicular access from Nuttall Street in the centre of that frontage. The residential accommodation would have pedestrian entrances from Nuttall Street, which would be separate from the entrances to the commercial space, and would be served by stairs and lifts within two central atriums. The two atriums would also each contain a small courtyard area at ground floor level.

Block A, on the Stretford Road frontage, would be constructed in white render, laminated timber cladding, powder coated aluminium cladding and glazed with aluminium anthracite frames and glass balustrading. Block B, on the Chester Road frontage, would be constructed in red brickwork and anthracite aluminium curtain glazing and frames with render, timber cladding and terracotta cladding on the Nuttall Street elevation. On both buildings, the upper residential floors would project out further than the glazed ground floor housing the commercial space.

Amended plans have been submitted during the course of the application showing a revised basement car parking layout and revisions to the design of the elevations to Chester Road and Nuttall Street.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012. On the 13th March 2013, the Council resolved that the Minerals Plan, together with consequential changes to the Trafford Policies Map, be adopted and it came into force on the 26th April 2013. The GM Joint Minerals Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes

L2 – Meeting Housing Needs

L3 – Regeneration and Reducing Inequalities

L7 – Design

L8 – Planning Obligations

W1 – Economy

W2 – Town Centres and Retail

## **PROPOSALS MAP NOTATION**

Old Trafford Priority Regeneration Area

Old Trafford Gateway Development Framework

Adjacent to Empress Conservation Area

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

H10 – Priority Regeneration Area: Old Trafford

ENV21 – Conservation Areas

S11 – Development outside Established Centres

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaces 44 documents including Planning Policy Statements; Planning Policy Guidance; Minerals Policy Statements; Minerals Policy Guidance; Circular 05/2005:Planning Obligations; and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### This Site

H/69578 - Change of use to hand car wash and vehicle valeting for temporary period of four years (retrospective). Retention of canopy and site cabin – Approved

### Nearby Sites

H/67946 – Redevelopment for mixed use purposes comprising 195 residential units, 2000 sq. m. of commercial floorspace, 1100 sq.m. of leisure floorspace and associated car parking Land at Northumberland Road, East Union Street and Blackley Street – Approved

H/64695 – Partial demolition of Trafford Press buildings, partial conversion and erection of three new buildings to provide 116 residential units, 579 sq.m. of commercial floorspace and 117 car parking spaces – Approved 13<sup>th</sup> March 2008

H/62816 – Demolition of existing buildings and erection of mixed use scheme incorporating 151 apartments and 547 sq.m. of commercial floorspace, car parking and landscaping – Land at Northumberland Road, Stretford Road, Manchester Street and Chorlton Street - Approved 14<sup>th</sup> May 2007

## **CONSULTATIONS**

**Strategic Planning & Development:** Comments incorporated into the Observation Section of the Report

**LHA:** The application includes 137 car parking spaces, 95 of which are allocated to the residential element of the development. In addition the provision of 12 motorcycle storage bays and 40 cycle storage bays are proposed.

The proposed residential units are all one and two bedroom apartments and therefore, to meet the Councils parking standards the provision of 134 car parking spaces should be made overall.

There are no objections to the development, subject to the alterations to the basement parking areas shown on the amended plans.

The development overhangs the public highway which requires an oversailing license.

It is noted that existing accesses will need to be removed and a new access installed therefore there will be a need to gain further approval from Trafford Councils Streetworks Section for the construction, removal or amendment of a pavement crossing under the provision of section 184 of the Highways Act 1980.

In addition the number of residential units proposed warrants the provision of a travel plan based on the Department for Transport's Guidance on Transport Assessment.

**Built Environment:** No objections

**Renewal and Environmental Protection:** No comments received to date

**Environment Agency:** No objections, subject to conditions. All surface water drainage to be passed through an oil interceptor. Details of the storage, use and disposal of any substance, which is polluting to the wider environment or is persistent, to be approved.

**Housing Strategy:** The redevelopment of the existing site offers the potential for economic development through the creation of office and retail space. There are a considerable number of apartment developments in Manchester that remain under-occupied and there has to be some concern about the ability of this site to meet local housing needs. Unfortunately, although the Planning Statement makes reference to affordable homes, it does not provide any details of how mixed tenure affordable homes would be delivered and how local housing needs would be met.

A further comment has been received from Housing Strategy (in response to information provided by the applicant's consultants) stating that it is agreed that it would be difficult to provide genuinely affordable housing within this particular development and that, if the provision cannot be made on another site, then a commuted sum payment would need to be considered.

**GM Police:** No objections but the development should be built to Secured by Design standards. All main entrances to the building should be controlled by a video entry phone system, linked to each individual office unit, so that, in the absence of the receptionist / concierge, staff / residents can vet callers to the building before allowing them access. There should also be access controls to the entrances taken off the parking area, so that, if a criminal does access this area, further access into the building is prevented. A suitable intruder alarm system should be installed. A suitable lighting scheme should be provided for the entrances and internal courtyard area.

**GMPTE:** It is assumed that the Council will be collecting developer contributions towards public transport in accordance with SPD1. This funding could be used to encourage future occupants to use public transport. GMPTE has agreed to produce tailor-made Travel Packs and these will be on sale to developers.

## **REPRESENTATIONS**

At the time that the application was originally considered, one letter of objection was received, making the following comments: -

- Another similar development is already underway in the immediate area. The area cannot handle a further development without having a serious impact on local businesses and the environment.
- Given the downturn in the property market, it is surprising to see more apartments being proposed. The current development hasn't been finished as the funding has been pulled.
- There are sufficient apartments in the area and no more are required.
- Work has been on-going on the other development since the date of the application in 2003. The noise and coming and going of construction vehicles and delivery trucks is constant.

Neighbours have been recently re-notified. One letter of objections has been received, raising the following concerns: -

- Loss of sunlight
- Loss of privacy
- Traffic Impacts
- TV Reception

One petition of 21 names has also been received, objecting to the development and raising the following concerns: -

- Overlooking and loss of privacy
- Loss of natural light
- Inadequate parking provision – surrounding streets are already congested

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. This application has been considered at Planning and Development Control Committee on two previous occasions (17<sup>th</sup> September 2008 and 10<sup>th</sup> December 2009). In December 2009 it was resolved that planning permission should be granted, subject to a legal agreement and subject to conditions. However as the legal agreement has never been completed, planning permission has never been granted. This application is now under consideration in order to assess whether there any material changes in circumstances since this date that should be taken into account in the assessment of the application.
2. The application site lies within the Old Trafford Priority Regeneration Area as defined by the Unitary Development Plan Proposals map. The Trafford Local Plan: Core Strategy was adopted on 25<sup>th</sup> January 2012 and therefore the application should now be considered in light of the policies contained within the Adopted Core Strategy.
3. Policy L1 of the 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 despite maintaining a five year housing land supply in accordance with government guidance, the actual 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. It is considered that this proposal will make a positive contribution to the Council's housing land supply and in addition the proposal will contribute to meeting targets for the development of brownfield land (Policy L1.7).

4. Policy L2.6 of the Core Strategy seeks to ensure that proposals contribute to meeting the housing needs of the Borough. The current scheme will comprise of 24 no. 1 bedroom flats and 71 no. two bedroom flats. It is considered that the proposal will make a positive contribution to meeting housing needs in this highly sustainable Inner Area location.
5. In terms of affordable housing, it is noted that a reduced contribution towards affordable housing was previously accepted on viability grounds. As the Core Strategy was adopted in January 2012 it is now necessary to assess the application against Core Strategy Policy L2. The application site is located in Old Trafford and therefore is classed as a "Cold" market location therefore under normal market conditions a 5% contribution towards affordable housing should be sought.
6. However Policy L2 (Paragraph 11.17) recognises that under poor market conditions a 5% contribution could inhibit development in 'cold' market locations and therefore applications for development in such locations will not trigger a requirement to make a contribution towards affordable housing. Recent viability work suggests that currently Trafford is still in a 'poor' market and therefore in accordance with Policy L2 there should be no affordable housing requirement. However, as market conditions may improve in the future to a 'normal' market, it is considered that any legal agreement should be subject to an overage clause.
7. In accordance with Policy L3 the application site lies within the Old Trafford Regeneration Area. Within Regeneration Areas the Council will support appropriate developments which will reduce inequalities and secure regeneration benefits, create truly sustainable communities; and make a positive contribution(s) to achieving the Plan's Strategic Objectives and relevant Place Objectives. It is considered that the proposal is consistent with the Regeneration framework of the Core Strategy and specifically will make a contribution to the following Strategic Objectives:

SO1 – Meeting Housing Needs

SO2 – Regenerate

SO3 – Meet employment need

SO6 – Reduce the need to travel

8. More specifically the proposal will contribute towards the following Place Objectives:

OTO1 – To improve the quality, mix and type of residential offer

OTO2 – To maximize the re-use and redevelopment of unused, under used or derelict land

9. Policy W1.3 outlines the places which the Council will seek to focus employment uses. The application site does not fall within one of these areas and therefore Policy W1.11 will apply which states that outside of these places the Council will only permit employment uses provided that it is in accordance with other policies in the development plan and that it will contribute significantly to the Plan's overall

objectives, including the economic growth of the City Region and it will contribute significantly to the achievement of the regeneration priorities set out in Policy L3. As the site is located within the Old Trafford Regeneration Area and the proposal is for 6 small business units as per the previous application it is considered that the proposal is acceptable in this regard.

10. The application site is not located within any of the town, district, local or neighbourhood shopping centres. Policy W2.12 states that outside of these centres there will be a presumption against the development of retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance. The retail unit proposed as part of the development is of a modest scale and is the same size as the retail unit as part of the existing petrol station. It is therefore considered that the retail element of the proposal would not have an adverse effect on the vitality or the viability on any nearby shopping centre.

#### DESIGN AND VISUAL AMENITY AND IMPACT ON SETTING OF CONSERVATION AREA

11. At the time of the previous consideration of the application by the Committee, it was considered that the proposed development would be acceptable in design terms and in terms of impact on the setting of the Conservation Area. Since that time, the National Planning Policy Framework has been introduced and the policies of the Revised Trafford Unitary Development Plan have been partially replaced by the Trafford Core Strategy. Nevertheless, it is considered that there are no changes to design and conservation policy that are so significant as to justify a different conclusion on these issues.
12. The application site is located immediately adjacent to but outside the Empress Conservation Area. Notwithstanding this, the site is currently occupied by commercial uses comprising a petrol station and hand car wash. There are also industrial units on the opposite side of Chester Road and a multi-storey car park and sixteen storey office block to the west.
13. It is considered that Block A, on the Stretford Road frontage, would not have a direct impact on the setting of the Conservation Area and that the massing of the seven storey building would not appear out of context on this road frontage, particularly given the "Pulse" development, approximately 100m to the east, which is of a similar height. It is also considered that the elevational treatment, including the incorporation of balconies and the use of a variety of materials including white render, timber cladding and anthracite aluminium curtain glazing would be appropriate in this location. The massing has been reduced by recessing the top floor of accommodation.
14. Block B, which fronts onto Chester Road, would have a more direct impact on the Conservation Area. The building would be four storeys in height and has been designed so that it does not project forward of the building line of the adjacent terraced properties to the east, within the Conservation Area. This also allows for the creation of a landscaped area on the Chester Road frontage. Block B increases in height from four to six storeys along its Nuttall Street elevation in order to respond to the height of the seven storey Block A, which fronts onto Stretford Road. The originally submitted plans showed the building to be faced in brickwork with small elements of timber cladding and white render. At the time that the application was originally considered at Committee, amended plans were received showing the omission of the timber cladding and render from the Chester Road elevation with this elevation being faced in red brickwork and a small amount of anthracite cladding



between the windows. The applicant states that the height of Block B on Chester Road responds to the height of the adjacent Victorian terraces, although it rises slightly above these.

15. Section 72 of the Listed Building and Conservation Areas Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 132 of the NPPF states that "*When considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation*" and that significance can be harmed through development within the setting of the heritage asset.
16. The application site forms an important gateway into the Conservation Area. In particular the development of the site will influence the setting of the properties on the south side of Chester Road. Presently the character of the Conservation Area in this location is defined by the rhythm of two substantial terraces of nineteenth century, two storey properties with some additional attic accommodation. The properties are constructed from brick with stone dressings and Welsh slate roof slates. A continuous building line is formed by the terraces set back from Chester Road and is an important feature of the streetscene.
17. Block B has been aligned to follow the building line of the adjacent terrace and this will allow for the provision of an area of landscaping in front of the building following the existing character of the streetscene. Whilst the height of the building is not significantly greater than that of the adjacent terraced properties, it is recognized that the development will block views of the gable end of 497 Chester Road which are currently visible when approaching from the west. It is also recognized that, given the flat roof design, the massing of the proposed building would be significantly greater than the pitched roof terrace properties. On the other hand, it is also important to recognize that the application site forms a transition between the Conservation Area and the much higher West Point car park and office building to the west.
18. At the time that the application was originally considered at Committee, amended plans were submitted showing the parapet feature on this elevation amended so that it drops in height from the end of the frontage closest to these taller buildings to the end closest to the Conservation Area. The revised plans also show the design of the Chester Road and Nuttall Street elevations amended to provide more vertical emphasis to the ground floor section of the building in order to tie it in more closely with the upper storeys and the character of the adjacent terraces. The originally proposed white render detailing between the windows was replaced by powder coated anthracite aluminium cladding, which would tie in with the proposed materials of the window frames. In addition, the applicant provided sections through the Chester Road elevation of the building to demonstrate that there is adequate articulation to this frontage to create depth and interest to the elevations.
19. It is considered that, subject to these amendments and details, the proposed development would be acceptable in design terms. It is also considered that any harm to the setting of the Conservation Area, as a result of the massing of the development and the blocking of some views of the adjacent terraces, would be limited. Paragraph 134 of the NPPF states that "*Where a development proposal would 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.*" In this case, it is considered that the benefits of the development in terms of additional housing provision in a sustainable location within a Priority Regeneration Area would outweigh any limited harm to the setting of the Conservation Area.

20. It is therefore considered that the development is acceptable in terms of design and impact on the conservation area, having regard to Policies L7 and R1 of the Trafford Core Strategy and the guidance in the NPPF.

## RESIDENTIAL AMENITY

21. At the time of the previous consideration of the application by the Committee, it was considered that the proposed development would be acceptable in terms of residential amenity. Since that time, the National Planning Policy Framework has been introduced and the policies of the Revised Trafford Unitary Development Plan have been partially replaced by the Trafford Core Strategy. Nevertheless, there have been no changes to the Council's Planning Guidelines, New Residential Development, since the application was originally submitted and it is not considered that there are any changes to local or national policies that are so significant as to justify a different conclusion on these issues.
22. There are existing three storey flats at Northumberland Crescent on the opposite side of Stretford Road, which have main habitable room windows facing towards the site of the proposed seven storey block. These flats are approximately 31m away from the proposed windows and balconies on the Stretford Road elevation and therefore this relationship would clearly meet the standard in the Council's Supplementary Planning Guidance, "New Residential Development". It is possible that there may be some perception of overlooking from the higher storeys of the development and, in particular, from the proposed balconies on this elevation. However, given that there is a main road in between and a grass verge with some tree planting in front of the existing flats, it is considered that this would not cause a significant loss of residential amenity.
23. At the time of the original consultation on the application, no objections were received from the occupiers of these units. However, following the latest consultation, one letter of objection and a petition of 21 names have been received from the occupiers of these units objecting to the development.
24. In terms of the relationship to non-residential properties, the existing solicitors' office on the corner of Chester Road and Nuttall Street has three storeys of windows facing the application site at a distance of between 12m and 14m. However, given that this is only a daytime use and that this is not the main elevation of the office building, it is considered that this relationship would be acceptable. On the western boundary of the development, there are no main habitable room windows facing the adjacent multi-storey car park and it is therefore considered that there would be no loss of privacy to future occupiers of the development as a result of this relationship.
25. The proposed development includes only a limited amount of private amenity space in the form of approximately 190 square metres in the courtyard gardens, although forty of the proposed flats would also have their own balconies. The Supplementary Planning Guidance, New Residential Development, recommends a level of 18 square metres per flat. However, this level of provision is similar to that provided in other nearby schemes in the immediate area and is considered to be acceptable in this context.
26. At the time of the previous consideration of the application by the Committee, it was therefore considered that the proposed development would be acceptable in terms of residential amenity. It is considered that there are no changes to local or national policies that are so significant as to justify a different conclusion on these issues. It is

therefore considered that the proposed development is acceptable in terms of Policy L7 of the Trafford Core Strategy.

## TRAFFIC AND CAR PARKING

27. At the time of the previous consideration of the application by the Committee, it was considered that the proposed development would be acceptable in terms of highway safety, traffic generation and parking provision. Since that time, the National Planning Policy Framework has been introduced and the policies of the Revised Trafford Unitary Development Plan have been partially replaced by the Trafford Core Strategy. Nevertheless, it is not considered that there are any changes to local or national policies that are so significant as to justify a different conclusion on these issues.
28. The location is accessible by public transport with bus stops outside the site on Chester Road and Stretford Road. As the proposed residential units are all one and two bedroom apartments, the provision of 134 car parking spaces would be needed to meet the Council's parking standards. The proposals, as originally submitted, indicated the provision of 143 car parking spaces which exceeds the Council's standards. However, the LHA raised serious concerns about the car park layout in terms of servicing areas, width of access ramps, aisle widths, dimensions of parking spaces etc. The applicant has now submitted amended plans showing 137 car parking spaces formed within the two levels of the basement with an amended layout and this arrangement is considered acceptable by the LHA. In addition the provision of 12 motorcycle storage bays and 40 cycle storage bays are proposed.
29. At the time of the previous consideration of the application by the Committee, it was therefore considered that the proposed development would be acceptable in terms of highway safety, traffic generation and parking provision, subject to conditions including the provision of a Travel Plan. It is not considered that there are any changes to local or national policies that are so significant as to justify a different conclusion on these issues. It is therefore considered that the proposed development is acceptable in terms of Policy L4 and L7 of the Trafford Core Strategy.

## DEVELOPER CONTRIBUTIONS

The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below:

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing	0		0
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£8217.00	£1,193.00	£7024.00

Public transport schemes (including bus, tram and rail, schemes)	£22,705.00	£1,098.00	£21,607.00
Specific Green Infrastructure (including tree planting)	£38,750.00	£930.00	£37,820.00
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£202,554.31	0	£202,554.31
Education facilities.	£203,637.79	0	£203,637.79
<b>Total contribution required.</b>			<b>£472,643.11</b>

## CONCLUSION

The development of this underused site, located in a highly sustainable, public transport accessible location within one of the Council's priority regeneration areas would be consistent with and beneficial to the development and regeneration policy aspirations of the Council.

## **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

(A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £472,643.11 comprising:

- £7024.00 towards Highway and Active Travel infrastructure;
- £21,607.00 towards Public Transport Schemes;
- £37,820.00 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme);
- £202,554.31 towards Spatial Green Infrastructure, Sports and Recreation; and £203,637.79 towards Education Facilities; and
- subject to an overage clause to ensure that, should the market have returned to "normal" conditions (for the purposes of policy L2 of the Trafford Core Strategy) at the time of the implementation of the development, the developer will provide an appropriate level of affordable housing (5% of the proposed units) / pay an equivalent commuted sum in accordance with the Council's adopted SPD, Planning Obligations.

(B) In the circumstances where the S106 Agreement has not been completed within three months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Head of Planning; and

(C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -

1. Standard Condition
2. Notwithstanding the originally submitted details and samples of materials, details and samples of all materials to be used in the construction of the external surfaces of the buildings hereby permitted (including all materials for walls, roofs, windows and doors) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be implemented in accordance with the approved details.
3. Landscaping (including details of surfacing of access, parking and turning areas) and Boundary Treatment
4. List of approved plans (including amended plans). Development to be implemented in accordance with Amended Plans and additional information including sections through Chester Road elevation
5. Provision of parking, turning and servicing areas
6. Retention of parking, turning and servicing areas
7. Hours of use of shop to 10.30
8. Travel Plan
9. Provision of cycle parking
10. Site investigation for contaminated land
11. No development shall commence until a schedule of noisy construction works has been submitted to and approved in writing by the Local Planning Authority. Works included on this schedule shall only be carried out between the hours of 0800 – 1800 on Monday to Friday and 0800 to 1330 on Saturdays and not at all on Sundays or Bank Holidays.
12. a) Prior to the commencement of development, a report shall be submitted to and approved in writing by the Local Planning Authority identifying the following: -
  - The potential impact area in which television reception is likely to be affected;
  - At what stage in the construction process such impacts might occur;
  - The measures necessary to maintain at least the previous pre-existing level and quality of signal reception to all affected properties;
  - The timescale for implementation of such measures;
 b) The required mitigation measures identified in the assessment (a) above shall be implemented at the appropriate stages of construction as specified in the approved report.
 

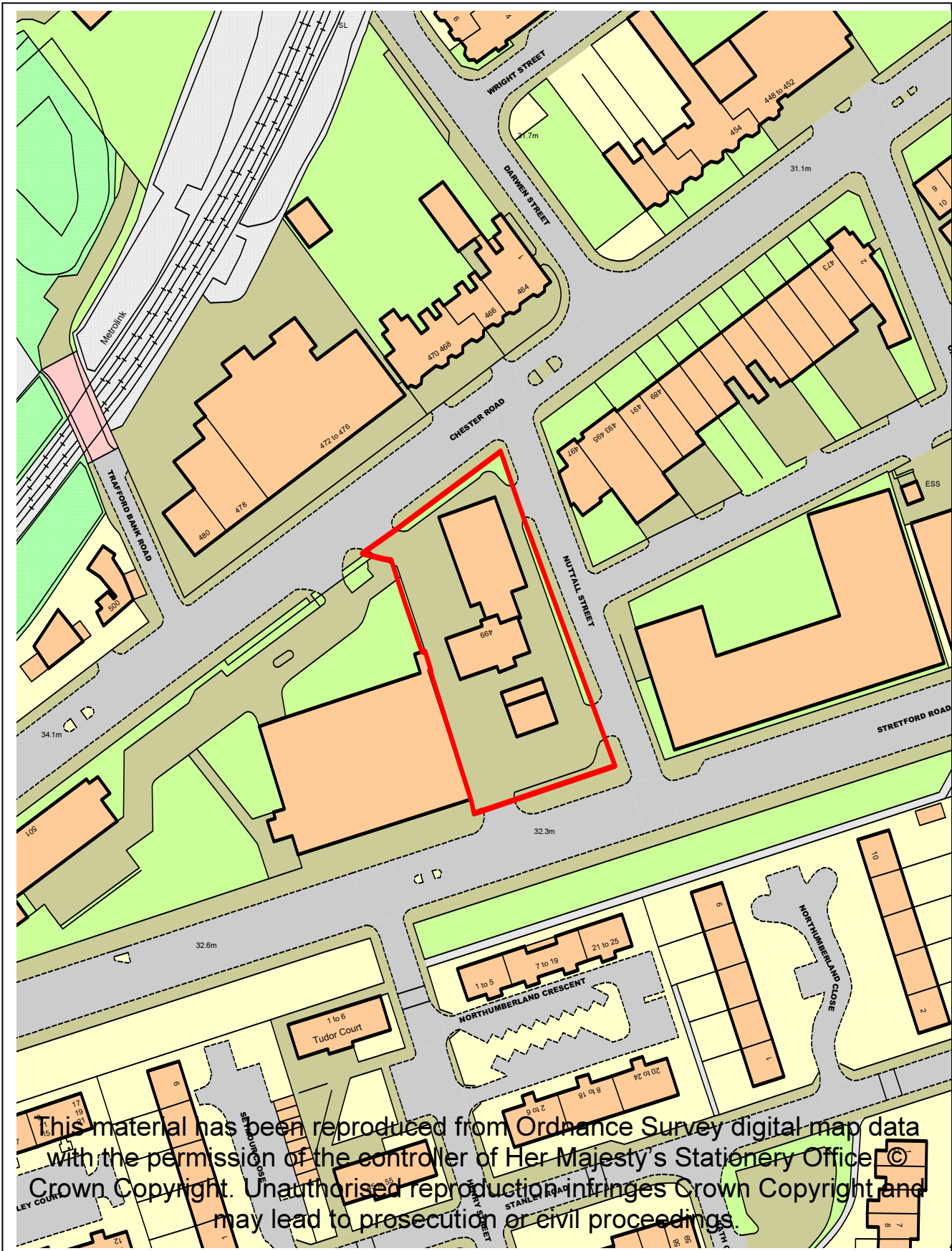
c) In the event that the Local Planning Authority receives further complaints in respect of problems with television reception arising from the development and considers it appropriate to request a further assessment, the applicant shall undertake a further study to identify the cause of the disturbance and submit details of this to the Local Planning Authority within one month of any such request made in writing by the Local Planning Authority. The study shall identify those measures necessary to maintain at least the pre-existing level and quality of signal reception and a timetable for implementation of such measures. The approved measures shall be implemented in accordance with the approved timetable.
13. Details of security measures including video entry phone system to all entrances (including from car parks), lighting to all entrances and communal areas, intruder alarm system etc.
14. Existing and proposed ground levels and proposed finished floor levels
15. All surface water drainage to be passed through oil interceptors

16. Surface water drainage / sustainable drainage scheme

17. Wheel wash

SD

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**LOCATION PLAN FOR APPLICATION No: - H/69449**

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Head of Planning, PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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**ERECTION OF 32 NO. TWO AND THREE STOREY DWELLINGS WITH ASSOCIATED LANDSCAPING, ACCESS AND CAR PARKING PROVISION FOLLOWING DEMOLITION OF EXISTING INDUSTRIAL BUILDINGS.**

Land at Deansgate Lane and Canal Road, Timperley

**APPLICANT:** Prospect (GB) Limited

**AGENT:** HOW Planning LLP

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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**This application was previously considered at the Planning Development Control Committee on 14 November 2013. The Committee was minded to grant planning permission subject to a legal agreement.**

**OBSERVATIONS**

This report seeks to amend the previous recommendation and resolution to more clearly reflect paragraph 26 and the AIR of the previous report dealing with what was proposed in respect of:-

- (1) The transfer of a piece of land to the Council for highway purposes in lieu of £70000 of the SPD 1 contribution and
- (2) The provision of 4 affordable housing units (as reported in the Additional Information Report).

The matters were previously covered in paragraph 26 of the previous Additional Information Report which states:-

26. The applicant has submitted a Viability Appraisal which has been carefully assessed by officers including the Council's Principal Surveyor. This appraisal demonstrates that the financial contributions required under SPD1 would render the scheme financially unviable. The scheme would still be viable with a contribution of £150,000 with 4 no. affordable housing units as offered by the applicants with the suggestion that £70,000 of this could be used for the purchase of a strip of land to the front of the site on Canal Road for highways improvements. This piece of land would enable the Council to improve the Canal Road highway at some future date. Such a scheme is a long-term aspiration of the LHA and is likely to offer improved access and highway safety at some point in the future for future residents of this site and other sites that come forward along Deansgate Lane and Canal Road.

The Additional Information Report included the following paragraph:-



“The LHA has undertaken work in the past to improve Canal Road with short term and long term improvements. The redevelopment of this site has provided an opportunity to make some of the long term improvements to Canal Road possible. The proposals include a footway around the extents of the site and the design allows for a possible future road widening scheme to be implemented. The applicants will be providing the footpath and then making good and grassing over the remaining highways land to be transferred to Trafford in a safe and adequate form. The Council will then be responsible for bringing forward the remaining road works as part of the long term improvement plans as and when appropriate. The Viability Report submitted in connection with the application has taken into account the value of this land which is to be deducted from the S106 contribution requirement.

A Section 278 agreement should be put in place to arrange for the delivery of the footway installation and agreed with Trafford Councils Highways Department.”

Part A of the resolution from the previous report was as follows:-

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £150,000 split between: £70,000 towards Highway and Active Travel infrastructure and Public Transport Schemes; £2,320 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); £22,880 towards Spatial Green Infrastructure, Sports and Recreation; and £54,800 towards Education Facilities. This legal agreement will incorporate an overage clause to secure an “appropriate level” of contributions in the event that the developer realises a profit in excess of that predicted in the current viability appraisal up to a maximum of £369,047.93 plus 13 affordable housing units (or sum in lieu thereof).

Upon consideration of the precise wording of this resolution following the Committee meeting, Legal advice indicated that the wording did not allow for the direct transfer of the land in question to the Council, which is the preferred option of both the developer and the LHA.

The wording now recommended below reflects the information provided in paragraph 26 of the previous Additional Information Report and allows either:- the transfer of the land in question or, solely a financial contribution. The full list of conditions is included again for completeness.

#### **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

(A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to:-

- (i) include the provision of 4 no. affordable housing units on site; and
- (ii) secure a maximum contribution to the value of £150,000 split between:

the transfer of land at the junction of Deansgate Lane and Canal Road to the Council for highway improvement purposes

or, failing this, to secure £70,000 towards Highway and Active Travel infrastructure and Public Transport Schemes, **and**

a financial contribution of £80,000 comprising:-

£2,320 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme);

£22,880 towards Spatial Green Infrastructure, Sports and Recreation; and

£54,800 towards Education Facilities.

This legal agreement will incorporate an overage clause to secure an

“appropriate level” of contributions (in accordance with SPD1 taking account of viability issues ) in the event that the developer realises a profit in excess of that predicted in the current viability appraisal up to a maximum financial contribution of £369,047.93 plus a maximum provision of 13 affordable housing units (or financial sum in lieu thereof);

(B) In the circumstances where the s106 Agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Head of Planning Services;

(C) That upon satisfactory completion of the above legal agreement, planning permission be **GRANTED** subject to the following conditions: -

1. Standard Time Limit
2. List of Approved Plans
3. Materials to be submitted
4. Landscaping
5. Landscaping Maintenance
6. Obscure glazing
7. Removal of PD – extensions, new windows, dormer windows
8. All areas for the manoeuvring and parking of vehicles shall be made available for such and retained at all times
9. Contaminated land Phase 2 report
10. No development shall take place until a scheme of sound insulation, acoustic glazing and mechanical ventilation has been submitted to and approved in writing by the Local Planning Authority;  
The scheme shall follow the recommendations included within the AEC Noise Assessment, AEC REPORT: P2756/R1A/PJK;

The scheme shall provide detailed calculations which demonstrate that the noise criteria, contained within AEC REPORT: P2756/R1A/PJK are to be obtained at each property of the development;

A completion report shall be provided which confirms the noise mitigation measures which have been installed and at which properties;

11. Wheel washing;
12. Permeable paving;

GE

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**LOCATION PLAN FOR APPLICATION No: - 81212/FULL/2013**

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Head of Planning, PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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**DEMOLITION OF EXISTING SCHOOL BUILDINGS WITH THE EXCEPTION OF KITCHEN AND DINING HALL, AND CONSTRUCTION OF NEW 315 PLACE SCHOOL WITH NURSERY AND ADDITIONAL TEACHING SUPPORT FACILITIES. IMPROVEMENT OF EXISTING ROAD JUNCTIONS ONTO IRLAM ROAD AND WOODSEND CRESCENT ROAD AND ADAPTATION OF EXISTING EXTERNAL AREAS TO FORM NEW CAR PARK AND MINIBUS DROP OFF.**

Acre Hall Primary School, Irlam Road, Flixton, M41 6NA

**APPLICANT:** Acre Hall Primary

**AGENT:** Bowker Sadler Partnership

**RECOMMENDATION: GRANT**

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**SITE**

The application site is a 30,750 sq. metre site bounded by Irlam Road and Woodsend Crescent. It lies to the north of Irlam Road. To the west are residential properties in Woodsend Crescent; to the east are residential properties in Bishop Road, to the north lies Woodsend Park and to the South Wellacre Academy and Delamere special school. Sharing the main vehicular access to the site, from Irlam Road is the Sure Start Nursery. A further vehicular access serving a staff car park is from Woodsend Crescent. Pupils generally access the school by two footpaths off Woodsend Crescent Road. There is a third pedestrian access point behind the Sure Start nursery. The school site is generally level with trees to the West and South Boundaries. Two football pitches are located to the north east side of the site. A large grassed area to the south west corner provides soft play and two tarmac playgrounds are located to the North side.

**PROPOSAL**

The application seeks approval for a new 315 place school and nursery with additional teaching support facilities. It is the first phase of a long term vision for the site. Pupil numbers are predicted to rise over the next five years and the school is expecting to increase pupil numbers from a single form admission to a 1.5 form admission. Acre Hall was built approximately 60 years ago and suffers from leaking roofs, condensation, summer overheating and cold buildings in winter, with heating being a constant drain on the school resources. The buildings sprawl across the site, making cohesive management and supervision difficult. There was a major recent upgrade to the school kitchen which provides a good facility. In view of the poor state of the school the Dunham Trust; the sponsor of Acre Hall Primary in their transition to academy status, have instructed that this application be made. It is intended to enhance the schools chance of success in seeking funding from the Education Funding Agency.

The proposal is to demolish the majority of the existing school, retaining only the existing hall, kitchen and servery and a linking corridor. The layout of the proposed school allows for future expansion to a 2 Form Entry School which would require a further 3 classrooms or converting some or all of the SEN spaces to standard classrooms. It anticipates the construction of a Free School on the eastern side of the site.

The replacement school will be a two storey, flat roofed structure and erected to the east of the buildings which are being retained. It is proposed that the walls will be of blue engineering brick with dark grey mortar and there will be off white render to the recessed entrances. Insulated render will be applied to the existing retained buildings and pale ochre render to the entrance feature wall. The windows will be powder coated aluminium.

Trees will be planted across the site. Soil excavated from the new building construction will be used at the front pedestrian access route to create bunds with additional tree and shrub planting. The newly planted orchard will be moved to the soft landscaped area in the south east corner so that it becomes a feature at the front of the school.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L5 Climate Change

L7 – Design

L8- Planning Obligations

R2- Natural Environment

R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

OSR8 Improvement and Provision of Outdoor Sports Facilities

ENV17- Protection of Landscape Character

OSR6 Protected Linear Open Land

OSR5 Protected Open Space

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

74366/FULL/2009 Erection of 2.4m high metal fence and access gates to south boundary and erection of 2.4m high fence to part of west and east boundaries. Approved 3/6/10

H/LPA/ 68815 Erection of a single storey Sure Start Children's Centre to provide pre-nursery day care for a total of 9 children, erection of 1.5m high fencing to surround play area, creation of 7 car parking spaces and development ancillary thereto Approved 16/4/08

H/58218 Formation of car parking area for 20 vehicles Approved 4/2/04

## **APPLICANT'S SUBMISSION**

Design and Access statement, Flood Risk assessment and outline drainage strategy, geo-environmental desk study, Crime Impact Assessment prepared by Greater Manchester Police and Transport Assessment. These will be referred to where appropriate in this report.

## **CONSULTATIONS**

**Local Highway Authority** - No objections. Comments incorporated within the Observations section of this report.

**Pollution and Licensing** – The application site is brownfield land. Should planning permission be granted recommend contaminated land condition.

**Pollution and Housing** – No concerns, the lighting scheme adequately restricts overspill and the choice of luminaires should minimise glare as viewed by residents.

**Electricity North West** – No objections.

**City Airport (Barton)** – No objections to the application, however due to the proximity of the site to the aerodrome, the developer should ensure that during the demolition and construction, the erection of any temporary cranes at the site which exceed 10m in height above surrounding trees and structures should be notified in advance (at least one month) to the airport.

**GMP Design for Security** – No objection subject to recommendations within Crime Impact Statement.

## **REPRESENTATIONS**

**Neighbours** – Two letters have been received regarding the proposal, points raised as follows:

No objections to the plans for the school itself, however the redevelopment of the site should include a rethink about the chaos caused on Woodsend Crescent Road by parents dropping off and waiting to pick up their children. The cars are parked on both sides of the carriageway at these times. Parents parking blocking drives and on pavements. Evidence to damage to pavements and grassed areas. Also problems on the two entrances to Roedean Gardens.

An increase in the number of pupils will exacerbate the problems.

Question the validity of the Transport statement when the survey on the junction was on one day only and just at the junction. Plans make significant reference to staff parking but not to parent parking. The solution may not be additional parking but better parent and traffic management.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Proposals to radically improve the facilities at the school are to be welcomed. The school site is allocated for the Improvement and Provision of Outdoor Sports facilities, Protected Linear Open Land, Protection of Landscape Character and part of the site as Protected Open Space. The application will result in a more compact school building with additional soft landscaping. At the rear of the building within the land designated as Protected Open Space there will be some additional hardsurfacing to form a staff car park. The school building will however be set further away from the rear and additional soft landscaping is proposed in an area currently used for parking. It is considered that on balance the development will have a neutral impact on the Protected Open Space and Protected Linear Open Land designations. Additional planting is proposed throughout the site and it is considered that this will enhance the Area of Landscape Character. The proposals will not impact upon the existing sports facilities on this spacious school site.

### RESIDENTIAL AMENITY

2. The proposed building will be located at a substantial distance from the site boundaries and will not have a detrimental impact on the light, outlook or privacy of surrounding residential properties. It is considered that some dwellings on Bishop Road may benefit as the replacement school will be located over 90m from the eastern boundary.



## DESIGN AND APPEARANCE

3. The National Planning Policy Framework advises Local Authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness. It extols the importance of high quality design for all development. The Framework expects planning decisions to aim to ensure amongst other matters that developments add to the overall quality of an area, reflect the identity of local surrounding and are visually attractive.
4. The building will be of a contemporary design with a flat roof. It has been designed to be naturally energy efficient by considering such issues as location, form, materials, insulation, window sizes and orientation. The classrooms face North/South to avoid solar gain and glare from low morning and evening sun. The fenestration is designed to achieve high levels of daylight and to provide high and low level openings for ventilation and night cooling. Shading is provided to the large windows on the South elevation. The applicant is proposing to use robust, cost effective modern materials to reduce maintenance costs. The blue engineering brick walls will be broken up with render to recessed entrances and as an entrance feature wall. The proposed building will be a standalone building which doesn't relate closely to surrounding buildings. It is therefore considered that the contemporary design can be accommodated on this site and the proposed building will be a significant improvement over the existing building and would accord with these objectives. Some blue bricks can appear drab but this can be dealt with as a condition requiring samples to be submitted. The improvements to the soft landscaping and outdoor teaching areas are welcomed.

## TRAFFIC AND PARKING

5. The proposals indicate that the level of parking provided at that site is in excess of the Council's Car parking standards for the use. Bicycle and scooter parking is being provided to encourage pupils to walk to school. It is not therefore envisaged that the proposal will result in undue additional parking on the roads in the vicinity of the site. A travel plan can be sought by condition to encourage the school to give further consideration to travel to and from the site. The site is within a highly accessible area and it is also considered that the additional vehicular movements would not result in additional congestion or reduce highway safety to an extent that would justify refusal of this application. It is noted that some of the parking and congestion in the area results from the location in the immediate vicinity of Wellacre academy and Delamere special school.
6. At the time of preparing this report discussions regarding providing an adequate turning head for staff parking in the car park accessed off Woodsend Crescent Road and adequate cycle parking/scooter parking are still in progress. The outcome of these discussions will be reported to committee on the Additional Information Report.

## DRAINAGE / FLOOD RISK

7. A flood risk assessment and drainage strategy has been submitted and is still being assessed. Flood risk management measures include a surface water drainage strategy to limit the surface water runoff to agreed discharge rates. Attenuation is proposed in the form of geocellular attenuations. The use of SUDs in the form of Site Control measures with controlled outflow to the existing culvert will help minimize the flood risk impact to the surrounding district. It is recommended that this issue should be covered by condition.

## DEVELOPER CONTRIBUTIONS

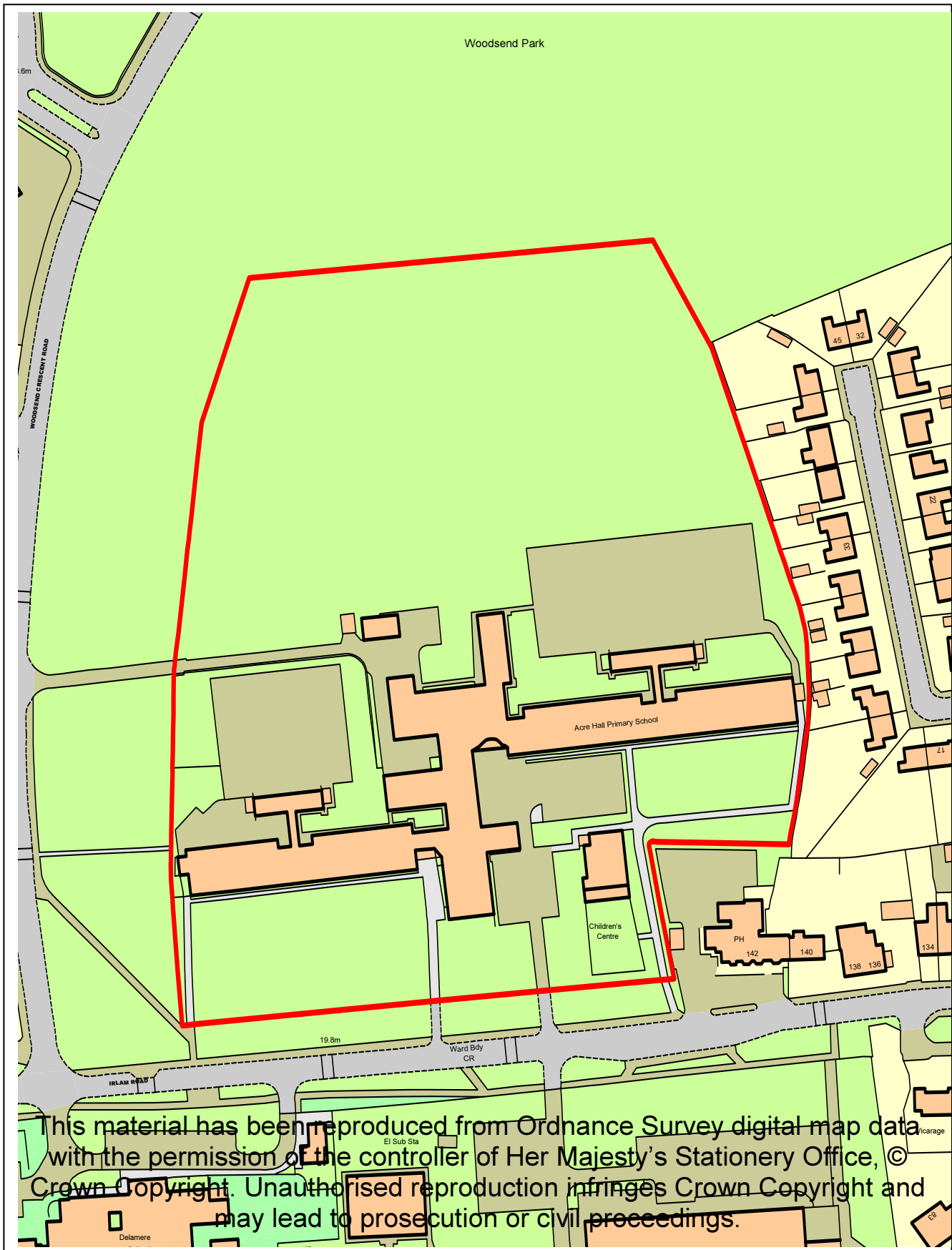
8. Not required as the proposal is for an educational facility.

## **RECOMMENDATION: GRANT**

1. Standard three years
2. Approval of materials
3. Permeable surfacing
4. Approved plans
5. Construction management plan (including wheel washing and details of cranes greater than 10m in height above surrounding trees and buildings)
6. Landscaping in accordance with approved plans
7. Landscape maintenance schedule
8. Contaminated land
9. Cycle parking
10. Tree protection
11. Provision and retention of car parking
12. Travel plan
13. Development to proceed in accordance with recommendations of Crime Impact Statement
14. Development to proceed in accordance with an approved Flood Risk Assessment / Surface Water Drainage Scheme.

CMR

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LOCATION PLAN FOR APPLICATION No: - 81878/FULL/2013

Scale 1:1500 for identification purposes only.

Head of Planning, PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale  
M33 7ZF

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**ERECTION OF EXTENSION TO THE NORTH-EAST ELEVATION TO FORM A DISABLED ACCESS PLATFORM LIFT.**

Gorse Hill Youth Centre, Cavendish Road, Stretford, M32 0PR

**APPLICANT:** Trafford Council

**AGENT:** MD Construction (Bolton) Ltd

**RECOMMENDATION: GRANT**

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**SITE**

The application relates to Gorse Hill Youth Centre, which is situated on the south-western side of Cavendish Road. Gorse Hill Methodist Church and a children's nursery bounds the site to the south-west and Burleigh Road bounds the site to the north-west. Residential properties face the site on the northern side of Cavendish Road.

The application site comprises of a part single, part two storey red brick building. 1.5m high railings lie around the perimeter of the site.

**PROPOSAL**

The application proposes the erection of an extension to the north-eastern elevation to form a disabled platform lift. The extension would measure 1.85m wide, 2m deep and have a maximum height of 6.5m. The extension would be constructed in Kingspan Micro-rib cladding.

**DEVELOPMENT PLAN****The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan** (UDP), adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 - Design

## **PROPOSALS MAP NOTATION**

Gorse Hill Priority Regeneration Area

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

None

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

There have been various applications relating to the application site. The most recent and relevant are: -

H/68596 - Erection of air conditioning unit to west elevation of Gorse Hill Youth Centre, with 2.4m high paladin fence enclosure - Approved with conditions 28/02/2008.

H/67894 - To remove existing steel roller shutters and replace with brickwork on south and western elevations - Approved with conditions 30/10/2007.

H/ADV/63891 - Display of three externally illuminated artwork panels to south east elevation - Approved with conditions 29/03/2006.

H/ADV/63361 - Display of externally illuminated fascia sign to south east elevation and non-illuminated freestanding tripod sign - Split decision 22/12/2005.

H/61482 - Erection of disabled access ramp and relocation of existing pedestrian gate - Approved with conditions 08/08/2005.

## **APPLICANT'S SUBMISSION**

None.

## **CONSULTATIONS**

None received.

## **REPRESENTATIONS**

One letter of objection has been received from a neighbouring resident of Cavendish Road, which raises the concern that the disabled lift would lead to more traffic on the street when there is already too many cars causing parking problems in the area.

## **OBSERVATIONS**

### PRINCIPLE OF PROPOSAL

The application site is unallocated within the Proposals Map, other than being within the Gorse Hill Priority Regeneration Area. There are no Policies within the Trafford Core Strategy that presume against this form of development in this location. The proposal is therefore considered acceptable in principle.

### RESIDENTIAL AMENITY

Residential properties on the north-eastern side of Cavendish Road would face the proposed extension. A minimum distance of approximately 16.2m would lie between the proposed extension and these neighbouring properties, this distance would also be across a vehicular highway. The proposed extension would not project closer to the neighbouring properties than the existing building and it would also not include any windows. It is therefore considered that the proposed extension would not unduly impact on the amenity of neighbouring residents.

### DESIGN AND VISUAL IMPACT

The proposed extension would have a flat roof and be constructed in Kingspan Micro-rib Cladding. The extension would adjoin an existing two storey flat roof outrigger on the building and thus the flat roof would be in keeping with the existing building. Whilst it is considered that brickwork would be more in keeping with the existing building than cladding, the applicant has suggested that the proposed cladding could be provided in a colour that is in keeping with the colour of the existing brickwork. It has also been demonstrated that a brick extension would be larger and would be of considerably greater cost.

The proposed extension would not project forward of the building line and a distance of 3.4m would lie between the proposed extension and the north-eastern boundary. It is therefore considered that the proposal would not appear unduly prominent within the existing street scene and would not adversely impact on the character of the surrounding area.

It is considered that in an appropriate colour, given the small scale of the development, the use of cladding for the extension is not a reason for refusal. It is also considered that on balance, the benefit of the extension to the local community in making the building more accessible outweighs the impact of not using a matching material.

In order to minimise any harmful visual impact caused by the proposed materiality of the extension, it is recommended that if permission is granted, a landscaping condition should be attached requiring planting to soften the impact of the proposal.

## ACCESS, HIGHWAYS AND CAR PARKING

Concerns raised by a neighbouring resident regarding car parking pressures in the surrounding area are noted. However, the proposed extension would not result in the loss of car parking and would not provide additional floor space at the youth centre that would generate the need for additional car parking. It is therefore considered that the proposal is acceptable on highways grounds.

### **RECOMMENDATION: GRANT subject to the following conditions**

That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -

1. Standard Time Limit.
2. List of Approved Plans
3. Submission of Materials, including details of Colour
4. Landscaping condition

OSt-A

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LOCATION PLAN FOR APPLICATION No: - 81879/FULL/2013

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M33 7ZF

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**DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF 6 NO. 2-BED, AND 19 NO. 3-BED DWELLINGHOUSES. ERECTION OF THREE-STOREY BUILDING TO PROVIDE 4 NO. RETAIL UNITS (USE CLASSES A1, A2 & A5), WITH MEDICAL CENTRE (USE CLASS D1) ABOVE AND 10 NO. 1-BED AND 2 NO. 2-BED APARTMENTS ON UPPER FLOOR. PROVISION OF NEW ACCESS ROADS WITHIN SITE, AND SURFACE CAR PARKING AND LANDSCAPING WORKS THROUGHOUT.**

Woodsend Circle, Urmston, M41 8GY

**APPLICANT:** LSP Developments Ltd

**AGENT:** West Hart Partnership Ltd

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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### **SITE**

The application site relates to a flat, 1 hectare parcel of land located immediately west of a large roundabout and known locally as 'Woodsend Circle'. The plot sits between the Woodbridge Road and Woodsend Crescent Road arms of the roundabout and currently accommodates a linear three-storey building which fronts the latter of these highways, although it is set well back into its site. The building is of brick construction and comprises of a series of retail units at ground-floor level, some of which are currently vacant, and seven apartments on the floors above, each with three bedrooms.

An 'L-shaped' access road with informal parking area forms the immediate frontage to the building. The remaining land up to the roundabout and associated highways is retained as grass interspersed with some tree-planting, a feature which creates a pleasant open setting to Woodsend Circle.

The segregated service area to the site wraps around the rear of the building and is separated by residential properties associated with Abbotsfield Close and Blakeswell Close to the north by a triangular-shaped area of scrubland.

A children's playground is located directly opposite the site, on the southern side of Woodsend Crescent Road, and this forms part of a large area of open space and playing fields known as Woodsend Park. The remainder of the surrounding area is predominantly residential in character, with some ancillary retail units fronting onto nearby Moorside Road and Woodsend Road.

### **PROPOSAL**

This application seeks planning permission to completely re-develop the site with a new mixed-use scheme, implemented in a number of distinct phases.

Firstly, a new three-storey building would be erected on the site, approximately 35m further forward than the existing parade and subsequently closer to the Woodsend Crescent highway. This would provide four retail units at ground-floor level, of varying sizes (93sqm – 372sqm) and carrying flexible A1 (shops), A2 (financial and professional services), or A5 (hot food takeaway) uses. This level would also provide some service and staff facilities, along with a large atrium and lift-shaft that leads up to the proposed 1,050sqm Medical Centre that occupies the first-floor in its entirety.

The second-floor of this building is set to accommodate 12no. apartments arranged either-side of a central corridor. Ten of these units would provide one-bedroom, whilst the remaining two would benefit from a second bedroom. Each flat would be made available as affordable housing. Access up to the apartments, and a means of escape from the Medical Centre, would be achieved via one of two staircase pods, positioned at either end of the development.

The building itself is set to be of predominantly brick construction, topped by two gable roofs running parallel to each other. Timber cladding and glazed balconies have been added to provide additional interest to the external elevations.

The proposed mixed-use building would be surrounded by a mixture of surface-level car parking, and new landscaping and tree planting around the eastern and southern site perimeters. The former access road in front of the 1960's development would form the servicing area for the new development.

Following construction of the above development, existing tenants (retailers/GPs/residents) of the building that currently sits on the site would be decanted into the new facility before it is subsequently demolished to free-up the northern and western portions of the site for development.

The next phase of works would see the remainder of the site developed as market housing, with consent sought to erect 25 dwellinghouses (6no. 2-bed and 19no. 3-bed) in this area, arranged in pairs of semi's or within terraces of up to four units. The primary access to these properties would be taken from Woodbridge Road using part of the existing service road.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
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- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L1 – Land for New Homes

L2 - Meeting Housing Market Needs

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

W2 – Town Centres and retail

R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

The parade of shops along the ground-floor of the existing building forms part of the designated Local Centre known as Woodsend Circle.

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

### Unit 18

H/48225 – Change of use from shop to health centre – Approved with Conditions, 25<sup>th</sup> November 1999

H45638 – Erection of a food-store with associated car parking – Approved with Conditions, 20<sup>th</sup> May 1998

H43510 – Demolition of existing buildings and subsequent levelling and landscaping of the cleared site – Prior Approval granted 29<sup>th</sup> January

H43060 – Erection of pitched roof to replace existing flat-roof; demolition and re-building of existing 5no. chimneys; construction of canopy to first floor and rendering of front elevation – Approved with Conditions, 23<sup>rd</sup> October 1996

H26629 – Demolition of flats and lock-up garages and erection of residential development including 27 houses and 20 elderly persons flats; construction of new access road and car parking – Withdrawn, 23<sup>rd</sup> June 1988

### Unit 6

H19783 – Change of use to doctor's surgery – Approved with Conditions, 12<sup>th</sup> July 1984

### **APPLICANT'S SUBMISSION**

The applicant has submitted a Design and Access Statement; Transport Statement; Flood Risk Assessment; Ecological Appraisal; Crime Impact Statement; Contaminated Land Assessment and Arboricultural Survey as part of their application. The information provided within these documents is discussed where relevant within the Observations section of this report.

### **CONSULTATIONS**

**LHA:** No objections to the level of car parking provided, or the level of trip generation resulting from the development. Some minor alterations to the layout of individual parking spaces associated with each dwellinghouse. These issues are considered in more detail within the relevant section of the report.

**GMEU:** Further bat survey recommended prior to demolition of existing buildings.

**Greater Manchester Police Design for Security:** Any comments received will be included within the Additional Information Report.

#### **Pollution and Licensing:**

Nuisance: No objections with respect to light overspill/glare from proposed luminaires within commercial site.

Restricted hours for deliveries and waste collection recommended.

Noise assessment to be submitted in relation to proposed plant on/within mixed-use building.

Contaminated Land: Standard Condition recommended.

**Trafford Flood Risk/Drainage:** Any comments received will be included within the Additional Information Report.

**Electricity North West:** The development should not encroach over land or access relating to cable easements.

**United Utilities:** No objections providing that the site is drained on a separate system and that no surface water is discharged directly/indirectly into the combined sewer network. Development should not be built over the two public sewers which run through the site (under the existing access roads).

## **REPRESENTATIONS**

Two letters of objection have been received in response to this development. One letter has expressed concern with the possible introduction of a convenience retail store, due to the impact this might have on existing small shop-keepers. It has also been suggested within this representation that convenience stores which open until later in the evening attract crime and anti-social behaviour.

The second letter raises strong concerns with the design of the proposed apartments, particularly with respect to its appearance once it has weathered, or if it is not regularly maintained. The loss of local businesses/shops and the loss of the grassed open space and trees at the front of Woodsend Circle have also been objected to.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The application site measures approximately a hectare in size, with around half of this area falling to be classed as brownfield/previously developed land, evident by the three-storey building and associated hardsurfacing that currently occupy the site. Prior to the construction of this development the site appears to have sat as open fields. Whilst the majority of the proposals have been located on the previously developed areas of the site, some of the existing greenfield land is also set to be constructed upon. Examination of the Council's Proposal Map Notation confirms that this land is not designated as Protected Open Space. Therefore it is appropriate to consider the application on the basis that it relates to part brownfield, and part greenfield land.
2. Policy L1 of the Trafford Core Strategy states that the Council's targets for new homes will be achieved through new build, conversion and sub-division of existing properties. Policy L1.7 explains that an indicative 80% target proportion of new housing provision should use brownfield land and that previously developed land and sustainable urban area green-field land will be released firstly within the Regional Centre and Inner Areas; secondly on land where significant contributions can be made towards achieving the regeneration priorities set out in Policy L3; and thirdly where development benefits the wider Strategic and Place Objectives set out in the Trafford Core Strategy.
3. The application site falls outside of the Regional Centre, (being located within the 'Southern Part of the Manchester City Region') but is considered to contribute towards achieving some of the Borough-wide aspirations relating to regeneration and the reduction of inequalities, as set out within Policy L3. These include securing improvements in the quality of construction and range (including affordability and type) of the Borough's housing stock on offer to residents; and improving access to and/or the provision of community facilities and advice centres. The specific Urmston Place Objectives set out within the Core Strategy, that are capable of being met by this development, include meeting local needs relating to affordable housing and general market housing that is sited in sustainable locations and that meets regeneration priorities (URO1); securing opportunities for improved health care provision (URO3); ensuring that new developments help to reduce the incidents of crime and anti-social behaviour in areas such as Woodsend, and Humphrey Park station (URO4); and protecting and enhancing the existing town centre and small neighbourhood shopping centres located in this area (UR07). The erection of 37 residential units of a mixed type, size and tenure, and the introduction of the new Medical Centre on the first-floor of the

proposed building, are considered to represent significant benefits for members of the surrounding community.

4. Policy L2 of the Trafford Core Strategy requires all new residential development to be appropriately located in terms of access to existing community facilities to ensure the sustainability of the development, and not to be harmful to the character of the surrounding area. The application site is located in an established residential part of the Borough and has good access to public transport, including a bus stop immediately outside the site on Woodsend Circle. Future residents would have excellent access to local convenience stores and a Medical Centre within the proposed mixed-use building, and existing facilities nearby on Moorside Road and Woodsend Road too. Similarly the development will benefit from a significant expanse (5.5ha) of open-space 20m-100m away in the form of Woodsend Park, with its sports pitches and children's play area. Therefore the proposals are deemed to be in a sustainable location.
5. Policy W2 – Town Centres and Retail also provides guidance relating to Local Centres, and states that the focus should be on convenience retail facilities and services to meet local needs; that there will be an emphasis on encouraging a mix of uses, active frontages, and high quality design. Providing a variety of unit sizes in order to encourage diversity in the retail offer is also advocated.
6. The demolition of part of a designated Local Centre is accepted on the basis that its facilities are replaced and improved upon. A variety of unit sizes has been shown within the ground-floor of the new building, and a flexible range of uses (A1, A2 and A5), all of which were present in the existing parade, has been proposed also. It is recognised that constructing the proposed mixed-use building prior to demolishing the current parade will ensure that the day-to-day needs of local residents continue to be met for as long as possible during this period of transition.
7. Overall whilst the proposed development is not entirely located on brownfield land, it is recognised that it has the potential to make contributions towards achieving identified objectives for the Urmston/Flixton area. Therefore the use of urban greenfield land for part of this development is considered to be appropriate in this instance given its sustainable location and the benefits highlighted above that will result from the scheme. As such the development is considered to be acceptable in principle.

## RESIDENTIAL AMENITY

8. The 25 dwellinghouses proposed as part of this scheme have been arranged within the northern and western portions of the site, with a number of them sharing a boundary with existing properties that form part of the surrounding Woodsend estate. Following amendments to the scheme all of the proposed units now retain the minimum required separation distances (as set out in the SPG: New Residential Development) to the existing houses that adjoin the application site. More specifically, habitable room windows retain at least 10.5m to neighbouring private gardens, and 21m to facing windows. In some instances, such as with units 09 and 21, the first-floor internal layout has been reconfigured so that a bathroom and associated obscure-glazed window face neighbouring gardens when the separation distances fall short of the guidelines. In addition to this, Unit 25 has been repositioned so as to retain 15m between its gable-end and the rear-facing windows to 14 Forest Court. The development has also been laid out in such a way so as to prevent any of the proposed dwellings themselves from being overlooked, or subjected to an unduly overbearing impact, by these established properties that surround the site.

9. Within the site itself the proposed dwellinghouses have again been arranged so as to achieve, for the most part, the recommended interface distances. The SPG: New residential Development does however accept the need for a flexible approach to privacy distances between buildings within a development site, where good design or the particular circumstances of the site allow this. For this reason there are no objections to the 14m-16m retained between units 06-08 and 09-10 as they are set at an oblique angle to each other so as to restrict opportunities for direct interlocking.
10. Each of the proposed dwellinghouses is able to provide an area of private amenity space for its occupants. Typically around 50-60sqm is associated with each property, although some of the rear gardens to the mid-terrace units measure only 32sqm in size. This should be sufficient to allow prospective residents to dry washing or generally sit outside during periods of fine weather. The SPG: New Residential Development recommends that around 80sqm of garden space will normally be acceptable for three-bedroom semi-detached houses in an area of similar properties. Smaller houses, such as small terraced properties, may be acceptable with somewhat less. This scheme is considered to comprise of small-sized units, and it is recognised that a substantial area of open space in the form of Woodsend Park (which includes a child's playground) is located directly opposite the application site. As such the level of amenity space provided for the proposed dwellings is considered to be sufficient for this development and in this particular location.
11. The rear gardens to two of the proposed houses, namely units 04 and 22, are bound on two sides by a series of car parking spaces, the majority of which serve the proposed mixed-use building nearby. To prevent comings and goings associated with these parking spaces from unduly compromising prospective residents' ability to enjoy a reasonable level of quietude whilst sat in their garden, the developer has agreed to install a 2m high brick/acoustic wall along the affected boundaries and landscaped borders within the gardens too. It is considered that these measures will sufficiently protect the amenity of the above-mentioned gardens, and as such there are no concerns in this regard.
12. Provision for the safe storage of refuse bins has been made for each of the dwellinghouses. Where units sit within the centre of a terrace an access path has been created around the rear to its private garden area so as to prevent bins from being stored on the frontage of the property.
13. The proposed mixed-use building is immediately surrounded on all sides by car parking and landscaping; thus, the apartments and associated balconies on its second-floor all comfortably achieve the necessary privacy distances. The submitted floor-plans show that an outlook will be afforded to all bedrooms and the open-plan kitchen/living areas also. With respect to amenity space, a private balcony has been provided for Flat 6, although none of the remaining flats benefit from such a feature, nor is there considered to be any useable amenity space provided within the site for these residents. It is however recognised that this is a mixed-use building and as such the requirement for customer car parking and service yards has reasonably prevented this space from being provided. Additionally, as noted above, occupants of the second-floor apartments will have easy access to the amenities available within Woodsend Park on the opposite side of the road. Therefore there are no concerns with this aspect of the development.
14. The proposed scheme includes provision for an enclosed flue to the rear of retail unit 4 (in the event that it is occupied by an A5 use), which would extend upwards and terminate 1m above the eaves level of the main building to prevent occupants of the second-floor apartments from being exposed to any undue odour disturbances. External plant associated with retail unit 1 has been shown on the roof of the western staircase

pod, and therefore a noise assessment should be submitted (secured via condition) to ensure that it is properly insulated and does not expose residents to an unacceptable level of noise disruption.

## DESIGN AND STREETSCENE

15. The majority of the proposed dwellinghouses have been arranged either side of the residential access road that extends westwards into the site; however seven of the units have been positioned so as to face outwards and present a frontage onto the principle highways of Woodsend Crescent Road, and Woodbridge Road. Within the site a varied arrangement and spacing of dwellings has been proposed, with the majority of the units fronting towards the access road. The site plan displays good potential for tree planting and soft landscaping to be introduced in and around these units. Therefore it is considered that a reasonably coherent layout has been created for this cul-de-sac that adequately integrates with the established residential estates to the north and the west.
16. The dwellinghouses themselves are simple in both their form and design. Three different house-types make up the proposed estate and are arranged together as pairs of semi's or short terraces. Two of the house-types ('Hanbury' and 'Moulton') are similar to each other with respect to their proportions and design, whilst the third, 'Mosely' is a 2.5-storey high unit that includes rooflights on its front and rear roof-slopes. It is considered that further elevational detailing and design features, particularly to the principal elevations, are required in order to significantly enhance the quality of the streetscene. Further details of any external alterations secured for this scheme will be highlighted within the Additional Information Report.
17. The proposed mixed-use building, like its predecessor, is linear in its form and composition, and orientates itself towards Woodsend Crescent Road. It has however been sited closer to this highway than the existing parade and will impose a greater presence onto Woodsend Circle as a result, although the 10m+ separation that it retains to the highway will still allow the building to sit comfortably within the site, particularly if the surrounding ground is properly landscaped. The submitted visuals and elevations show that the eastern corner of the building has been designed to address Woodsend Circle directly, through the introduction of triangular-shaped balconies (wrapping around a chamfered corner) and vertically arranged panels of glazing and timber cladding punched into the side of the staircase pod. The scale, massing and length of the building have been appropriately broken up using a range of materials and different design features. A dark coloured brickwork base provides a strong plinth for the floors above, but will be enlivened once the retail units become occupied and make use of the designated signage zones. Brickwork of a lighter colour and greater variation in pattern has been indicated as the primary material for the upper-floors of the building, with a projecting gable-feature extending down to ground-level to create a clear entrance point for the first-floor Medical Centre. The brickwork frontage is punctuated at regular intervals by large recessed windows and a number of these are held together in squares of four by similarly recessed areas of timber cladding. The projecting entrance feature, together with a similar gable to the upper-floors only, serve to interrupt the eaves level and break up the expanse of the main roof. The principle of pitched roofs capping the building is accepted given the 'traditional' character of the surrounding housing stock and that it complements the decision to use brickwork as the primary external finish. Whilst the flat roofed stair pods that book-end the building do not sit entirely comfortably next to a pitched roof, it is acknowledged that this approach serves to curtail the overall length, and subsequent massing, of the main roof and will arguably present a better side elevation to people stood in the immediate vicinity of the building than the two parallel gable-ends to the main building would. Overall the design of the mixed-use building is



considered to be acceptable, subject to a submission of materials condition being added to any approval.

18. A new sub-station will provide power for all of the elements proposed within this scheme and has been positioned adjacent to the site access from Woodsend Crescent Road. The developer has explained that operatives will require access into this from the public highway but it can be adequately screened from the west by boundary treatments associated with unit 22, and from the east by soft landscaping. Further details relating to this structure will be secured by condition.

#### CRIME AND SECURITY

19. The developer has engaged with Greater Manchester Police - Design for Security prior to submission and included a Crime Impact Statement as part of the application. This document is broadly supportive of the design and layout of the proposals from a crime prevention perspective, citing the single point of access into the cul-de-sac, and good natural surveillance over parking areas provided by the residential and commercial buildings, as positive aspects of the scheme. Recommendations within the report include preventing access into rear alleyways/ginnels to properties; ensuring that a robust boundary is erected between the service area/car-park and housing estate; and installing bollards to the front of the commercial premises to prevent ram-raiding.
20. The submitted layout plan provides only very limited details regarding the boundary treatments proposed throughout the site. The use of boundary treatments of an appropriate scale and design will be critical in providing security for private areas; defining ownership; and also maintaining surveillance where required. It is recommended that these details, along with further information on how the final scheme will reduce opportunities for crime, be secured by condition.

#### LOSS OF OPEN SPACE

21. An open area of grass, approximately 3,500sqm in size, provides the frontage and setting to the existing commercial parade on the site. The proposed mixed-use building and car parking area is set to occupy the vast majority of this land, leaving ornamental landscaping areas adjacent to the highways rather than any useable expanses of open space. The loss of the existing open land is regrettable, however it is not designated as protected open space. It is also recognised that the new siting of the mixed-use building will likely improve the appearance and vitality of the Woodsend Circle streetscene; will allow the existing parade to continue operating during construction; and frees up room for the residential development to the northern and western portions of the site. Furthermore the benefits associated with the provision of 37 residential units (12 of which will be made available as affordable housing) along with improved medical and retail facilities are considered to be significant, and sufficient to outweigh any harm to the amenities of the area resulting from the loss of open space. Finally the remaining 5.5hectares of playing fields and play equipment that exists immediately to the south of the site, which are classed as protected open space, should continue to meet the amenity needs of local residents in the future. It is however recommended that a good-quality landscaping scheme be associated with the proposed scheme to mitigate the loss of this land, as well as to provide an attractive setting for the new commercial building.

## TREES

22. The application site, as existing, is largely free of trees, although the submitted Arboricultural Survey identifies four individual specimens and two small groups. A clear-felling of the site has been proposed due to the poor condition of the existing trees, or in order to make-way for new development. The submitted site plan and accompanying landscape proposals indicate that there is scope for new tree planting to be introduced in the front gardens of several of the proposed dwellinghouses, and adjacent to the residential access road generally within pockets of open space. An avenue of trees has been shown along the frontage to Woodsend Crescent Road whilst of trees arranged in rank and file would frame the new pedestrian entrance plaza that links Woodsend Circle with the proposed mixed-use building. The details provided to date are sufficient to demonstrate that the removal of the existing trees on the site can be adequately mitigated as part of the proposed development; however as already noted above, a more detailed scheme of landscaping works should be submitted as part of a condition attached to any permission granted.

## ACCESS, HIGHWAYS AND PARKING

23. The layout of the proposed development has sought to utilise existing points of access into the site, including (from Woodbridge Road) the service yard entrance, which will now be used by residents of the new cul-de-sac, and the customer egress which will serve staff and service vehicles associated with the new mixed-use building. The existing Woodsend Crescent Road access into the customer car-park will continue to perform a similar function. The Local Highway Authority has confirmed that they are satisfied with the internal road arrangements and that the layout of the commercial car park and the segregated service yard is acceptable and workable.
24. The proposed development as a whole would, it is estimated, generate an increase of approximately 35 trips in the peak hour over and above those currently associated with the existing uses on the site. Given that these additional trips would be split over three access points it is felt that the development would not, in itself, be responsible for any congestion on the surrounding highways, and therefore the intensification in the use of this development site is considered to be acceptable from a highways perspective.
25. The proposed scheme is able to deliver two parking spaces for each of the dwellinghouses, with most provided within the curtilage of the property to which they relate. This level of car parking provision is in accordance with the Council's Parking Standards for properties of this size. A small area of forecourt parking has been shown to the rear of units 01 & 04, whilst parking for units 06-11 is arranged around an area of shared surfacing. Given that the dwellings are situated around a quiet cul-de-sac, and not a through-road, this layout is considered to be acceptable, although surfacing of an alternative material and colour should be employed in these areas and they should also be suitably landscaped. A long length of dropped kerb has been indicated in front of units 14-15 to facilitate car parking for these properties; however this should result in little risk to pedestrian safety given that the number of vehicle movements along the access road will be relatively low, as will their speed.
26. The submitted layout plan shows that 14 parking spaces would be associated with the proposed apartments, arranged together in a single cluster to one side of the mixed-use building. Each of the flats would benefit from one parking bay, with the exception of the 2-bed units which would have access to a second space also. It has not been made clear whether these spaces would be shared, or whether they would be assigned to a

particular apartment. The overall number of spaces provided however is again in accordance with the Council's guidelines and is reasonably overlooked by adjacent dwellinghouses and the staircase pods to the main commercial building.

27. The Council's Parking standards indicate that 68 spaces should be provided for the staff and customers associated with the proposed retail units and Medical Centre. The submitted scheme falls marginally short of achieving the standards, indicating that 62 parking spaces would be created in three groups. Given the site's sustainable location in a local centre, and that there may be some crossover of uses and shared trips, the proposed provision of parking is considered to be sufficient to meet the likely needs of the development.
28. The Local Highway Authority have requested that 18 cycle spaces and 5 motorcycle spaces be provided for the commercial units within the mixed-use building, with those set to be utilised by staff to be delivered within a secure cycle-store. Similarly 12 secure spaces should be provided for residents of the upper floor apartments. The floor-plans provided indicate a small internal cycle-store, although at approximately 5sqm in size this would not be capable of meeting all of the storage requirements in itself. Therefore further details regarding cycle and motor-cycle parking should be provided in response to a suitably worded condition.

#### FINANCIAL CONTRIBUTIONS

29. The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below:

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use.</b>	<b>Net TDC required for proposed development.</b>
Affordable Housing provision	7 units	N/A	7 required, 12 provided
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£38,290	£22,686	£15,604
Public transport schemes (including bus, tram and rail, schemes)	£119,492	£67,313	£52,179
Specific Green Infrastructure (including tree planting)	£38,440	£8,060	£30,380

Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	£76,633.20	£23,099.96	£53,533.24
Education facilities.	£126,198.08	£40,153.94	£86,044.14
<b>Total contribution required.</b>	<b>£399,053.28</b>	<b>£161,312.90</b>	<b>£237,740.38</b>

The developer has submitted a viability statement which seeks to demonstrate that the imposition of financial contributions would render the scheme financially unviable. This is currently undergoing assessment and will be reported on further within the Additional Information Report.

## CONCLUSION

30. In conclusion, the proposed development would result in the creation of 37 new units of residential accommodation, covering a mix of type and size (including 12 affordable units) in order to meet the housing needs of the local area. Furthermore enhanced community facilities would be provided for this local centre in the form of new retail units and a large medical centre located within a new mixed-use building. These benefits are considered to be substantial and sufficient to outweigh any harm to the amenity value of the area that might result from the loss of an area of unprotected open space. The development makes efficient use of a part brownfield/ part urban greenfield site and will not unduly impact upon the residential amenity of existing or future occupants in the vicinity. The scale, massing, siting and design of the proposals are, subject to some minor amendments, considered to be acceptable and will contribute towards increasing the vitality and activity around the local centre. The level of parking provision associated with the scheme is in accordance with the Council's Parking Standards and will be softened by the introduction of a comprehensive schedule of new tree-planting. Therefore the development is considered to be in-line with all relevant Policies set out in the Trafford Core Strategy, and its SPG: New Residential Development and is subsequently recommended for approval subject to a legal agreement. The development would be built-out in distinct phases, with the mixed-use building and its environs delivered first, to be followed by the demolition of the existing parade and construction of the dwellinghouses. To facilitate this process some of the pre-commencement conditions should be split so that they relate specifically to the commercial or residential aspects of the scheme.

## **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

- (l) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £237,740.38, split between: Highway and Active Travel infrastructure (£15,604); Public Transport Schemes (£52,179); Specific Green Infrastructure (£30,380, to be reduced by £310 per tree planted on site in accordance with an approved landscaping

scheme); Spatial Green Infrastructure, Sports and Recreation (£53,533.24); and Education Facilities (£86,044.14); and

(II) In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Acting Chief Planning Officer.

(III) That upon satisfactory completion of the above legal agreement, planning permission be granted subject to the following conditions: -

1. Standard;
2. Compliance with all Plans;
3. Phasing Strategy for development to be submitted;
4. Apartments to be made available as affordable housing only;
5. Amended plans to be submitted for dwellinghouses, showing improved external elevations;
6. Materials for mixed-use building;
7. Materials for dwellinghouses;
8. Landscaping for mixed-use building (including tree-planting and varied arrangement in hard-surfacing);
9. Landscaping for dwellinghouses (including tree-planting and varied arrangement in hard-surfacing);
10. Landscaping management plan – commercial site
11. Boundary Treatments mixed-use site;
12. Boundary treatments - dwellinghouses
13. External Lighting;
14. Provision of Access Facilities;
15. Retention of Access Facilities;
16. Porous material for hardstanding or surface water run-off scheme (commercial);
17. Porous material for hardstanding or surface water run-off scheme (residential)
18. Standard surface water drainage condition;
19. Details of sub-station to be submitted;
20. Details of detached garage to Plots 02 and 03 to be provided;
21. Removal of PD rights for dwellings (side extensions; two-storey rear extensions);
22. Details of cycle/motor-cycle parking (mixed-use site);
23. Crime Prevention measures to be identified for final scheme; including gated system to rear alleyways and introduction of bollards in front of commercial building;
24. Further bat survey for interior of existing building required prior to demolition;
25. No trees or shrubs to be removed between 31<sup>st</sup> March – 31<sup>st</sup> August;
26. Recommendations within Ecology Report to be implemented;
27. Travel Plan (commercial units);
28. Hours of opening – retail units and Medical Centre;
29. Restriction of hours - deliveries and waste collections associated with commercial premises;
30. Noise Assessment to be submitted for commercial units- The combined level of any fixed-plant noise should be at least 5dB below the lowest measured background level at the nearest noise sensitive receptor;
31. Contaminated Land – Phase I survey;
32. Restriction of use of first-floor to Medical Centre with no more than seven consulting rooms, and no other use within Use Class D1;
33. Wheel wash condition;

JK

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LOCATION PLAN FOR APPLICATION No: - 81926/FULL/2013

Scale 1:1000 for identification purposes only.

Head of Planning, PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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**CHANGE OF USE OF OPEN LAND TO FORM PRIVATE GARDEN AREA ASSOCIATED WITH DWELLINGHOUSE, AND ERECTION OF 2M HIGH FENCING AND VEHICULAR ACCESS GATES.**

101 Moss Lane, Sale, M33 5BU

**APPLICANT:** Mr P Donnelly

**AGENT:** Donn Design Limited

**RECOMMENDATION: GRANT**

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**SITE**

The application site relates to a strip of land immediately outside of, and adjacent to, the eastern boundary fence of 101 Moss Lane - a domestic property. It forms part of the western edge to a wider, triangular-shaped, parcel of open space that is bound along its northern side by Cecil Avenue. A short spur road extends from this highway into the open land, and appears to have formerly been part of a Denesway through-road that linked up with The Avenue to the south-west. An informal 'desire path' now connects the two Denesway spurs, aligned along the eastern boundary of the application site, as this represents the easiest means of passage for pedestrians heading north towards Moss Lane. A more permanent, tarmac-covered footpath extends along the remaining edge of this green triangle of land, framing an area of grass and trees at its centre.

The domestic plot of 101 Moss Lane itself comprises a large detached dwellinghouse and garage set within a generous garden. Its curtilage is sited 30m away from the Moss Lane highway, and takes its access via the northern section of the two Denesway spurs.

**PROPOSAL**

The residents of 101 Moss Lane are seeking planning permission to bring into their private curtilage a 122sqm section of open land that sits between their existing eastern boundary fence and the adjacent informal public footpath. This would result in a change in the use from open land, to private garden associated with a dwellinghouse (Use Class C3). The existing 2m high fence-line would be relocated approximately 4m to the east, whilst the existing timber gates of matching height would be re-positioned at the northern edge of the site, providing a new vehicular access from the Denesway spur.

As part of their submission the applicant has provided a copy of their deeds which show that the area of land to which this application relates falls within their ownership.

This application represents a re-submission of withdrawn proposal 79732/FULL/2013, which sought to bring a larger area of open land into the curtilage of No.101, including a proportion that did not fall within the applicant's ownership.

## **DEVELOPMENT PLAN**

### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan (UDP)**, adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26<sup>th</sup> April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L7 – Design

R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

Unallocated

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

The DCLG published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF will be referred to as appropriate in the report.

## **RELEVANT PLANNING HISTORY**

79732/FULL/2013 – Change of use of open land and public footpath to private garden area associated with dwellinghouse and erection of 2 metre high timber fence and gates – Withdrawn, 6<sup>th</sup> June 2013.

77705/HHA/2011 – Erection of a two-storey side extension to provide additional living accommodation (Re-submission of 77310/HHA/2011) – Refused, 5<sup>th</sup> January 2012 – Appeal dismissed, 8<sup>th</sup> May 2012

77310/HHA/2011 – Erection of a two-storey side extension to provide additional living accommodation – Approved with Conditions, 29<sup>th</sup> September 2011



## **CONSULTATIONS**

LHA – Any comments received will be included within the Additional Information Report

## **REPRESENTATIONS**

Ten letters of objection have been received from surrounding residents. The main concerns raised include:

- The open space should be retained in its entirety. Public land should not be taken away from the cyclists and pedestrians who use/enjoy it in order to benefit an individual household;
- The quality of the remaining open-space/amenity area will be diminished, due to its reduction in size and loss of wild shrubs;
- The fence will detract from the visual appearance of the open land, and the amenity of surrounding residents;
- The positioning of the vehicular access gate will create a safety hazard;
- The plan would restrict the passage of the footpath at its southern end. A footpath is shown on maps as being adjacent to the existing boundary fence of No.101.
- The re-positioning of the fence would only encourage crime, rather than prevent it.
- A pinch-point would be created at the southern end of the site, between the proposed fencing and the lamp-post, and another to a nearby tree;
- The proposal is a result of the overdevelopment of No.101, which is being extended.

## **APPLICANT'S SUBMISSION**

In response to the representations received by neighbours, the applicant has submitted a supporting statement which seeks to clarify that no land will be purchased from other land-owners as part of this development, and that the public right of way via the existing informal footpath shall remain unaffected. It goes on to state that there is already a 2m high fence in place and this will merely be moved out to the edge of the proposed boundary. The fence-line has been fanned at the southern end to address concerns regarding the potential for a pinch-point to be created with the existing tarmac footpath adjacent to Denesway (south).

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The applicant has included a copy of the deeds associated with their property as part of this submission. These indicate that the ownership boundary of 101 Moss Lane extends beyond that currently defined by the boundary fencing that is in place. The deeds show that a linear strip of land linking Cecil Avenue with the southern Denesway spur falls within the applicant's ownership, extending out from the existing boundary fencing to the centre-line of the northern Denesway access. This area of land encompasses all of the public right of way that has become established between Cecil Avenue and Denesway (south), although critically this footpath does not form part of the land that the applicant is seeking to convert into additional private garden space.
2. Given that the land in question appears to fall entirely within the historic ownership of 101 Moss Lane, it is considered that there are no objections in principle to a proportion of

it being taken into its curtilage, subject to the development having an acceptable impact on the remaining amenities of the surrounding area, and it not unduly restricting any public rights of way. These points are considered further below.

#### IMPACT ON AMENITY

3. The area of land to which this application relates is covered by wild grass/scrub and measures approximately 122sqm in size, which represents around 9% of the overall parcel of open space. A stand of trees forms the spine of the amenity area and they run approximately 2m-4m east of the proposed fence-line, on the other side of the informal footpath. They also separate the proposed garden land from the triangular-shaped grass area at the centre of the site which appears to be maintained on a relatively regular basis. Whilst the development will encroach onto what is currently a public area of land, it is considered that the sense of openness and verdant character associated with the remaining area will not be unduly diminished by the proposals as the lost section relates to a piece of unused land at the periphery of this green triangle. Greater weight, it is considered, would be attached to the protection of those features within this immediate area that provide more amenity value to the public, such as the trees, footpaths and the maintained patch of grass.
4. It is recognised that the proposal involves the re-siting of existing 2m high boundary fencing and timber gates, and as such the development will not introduce features that are not already an established part of the character of the immediate locality. Furthermore this area of open space, and in particular the application site itself, is not readily overlooked by other residential properties, meaning there is no potential for the proposals to impact upon the privacy or outlook of local residents. The re-sited boundary treatments would still be situated well away from the vehicular highway of Cecil Avenue, and views of the development from this position in the streetscene will largely be screened in any event by the boundary hedge which runs adjacent to it.
5. The re-sited boundary fence has been aligned so as not to elongate the existing alleyway between the southern boundary of 101 Moss Lane, and a high brick wall associated with 87 Cecil Avenue. A lighting column stands at the southern tip of the open space, adjacent to the entrance/exit point of the alleyway, and this would continue to illuminate its surroundings following the construction of the development. Therefore it is considered that the re-located fencing will not increase opportunities for crime in the immediate area.

#### ACCESS, HIGHWAYS AND PARKING

6. The area of land set to be enclosed within the private garden of 101 Moss Lane relates only to an area of scrub between the existing boundary fence to this property and an informal footpath which has become established over time through years of use. The submitted site plan has made it clear that this public right of way would not be lost to the development, nor would there be any need for the applicant to divert it. The hard-surfaced footpath which provides the more formal link between Denesway and Cecil Avenue will also remain unaffected. Therefore there are no concerns with respect to future access for pedestrians and cyclists through this particular part of Sale.
7. The vehicular access gates, set to be re-sited as part of the development, measure 3m in width and face directly onto the northern Denesway spur and Cecil Avenue beyond. A pedestrian gate exists on the side boundary of 101A Moss Lane, accessed from Denesway, but will not be affected by the proposed development.

## CONCLUSION

8. The application seeks to convert a parcel of land under the applicant's ownership from a strip of scrub that formed part of a wider area of open space into the curtilage of a domestic rear garden. The development will not unduly diminish the amenity value of the remaining open space, and the re-sited fencing will not harm the residential or visual amenities of the area. Access through this part of Sale for pedestrians and cyclists will remain unaffected and therefore, for these reasons, the application is recommended for approval.

## **RECOMMENDATION: GRANT**

### Conditions

1. Standard time limit;
2. Compliance with all plans;
3. Materials as shown on plans;
4. Landscaping;

JK

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**LOCATION PLAN FOR APPLICATION No: - 82033/FULL/2013**

Scale 1:1250 for identification purposes only.

Head of Planning, PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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