

WARD: Bowdon

105195/VAR/21

DEPARTURE: No

Application for variation of condition 2 (Approved Plans) on planning permission 97665/FUL/19 (Erection of a dwelling and formation of vehicular access to Groby Road.). To address discrepancies on the approved plans including relating to the height of the building compared to the ground level of surrounding plots, an amended rear embankment, the installation of amended retaining walls, installation of a replacement boundary fence rather than retention, and amendment to the vehicular access location (part retrospective).

Land North-West of the Junction of St Margaret's Road and Groby Road, Altrincham.

APPLICANT: Jam Properties Ltd.

AGENT: Mr Ralph Taylor, Paul Butler Associates.

RECOMMENDATION: APPROVE

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

SITE

The application site comprises of an irregularly shaped 0.194ha plot at the corner (west) of Groby Road and St Margaret's Road, Bowdon, Groby Road running past the plot's south-east boundary and St Margaret's Road passing its eastern boundary. The site previously accommodated an expanse of self-seeded vegetation with mature trees along the plot's road facing boundaries, however the majority of the plot is being developed as a single storey dwelling following grant of planning permission reference 97665/FUL/19, with the building works largely completed.

The plot is located to the south of Hill Carr, a substantial detached Victorian dwelling which has been converted into apartments, the application site having previously formed part of the original Hill Carr plot. The plot is on lower ground than Hill Carr and separated by a bank of vegetation and fencing. Road boundaries are marked by stone walls topped by trees and vegetation.

The site is set within a residential area with dwellings, many of these being large Victorian/Edwardian era dwellings, to all sides.

The plot is located within Character Zone A (Northern Residential) of the Devisdale Conservation Area, with Hill Carr noted as a positive contributor within the Conservation Area.

The site is also located to the south of the Grade II listed Altrincham and Dunham Massey War Memorial although there is no inter-visibility between the two sites due to the presence of the intervening Hill Carr site as well as extensive screening vegetation. As such the application site is not considered to be within the setting of the listed structure.

Pre-development, the site was considered to be greenfield land, having previously comprised of part of the wider Hill Carr plot.

PROPOSAL

This application is made under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 (Approved Plans) of planning approval 97665/FUL/19 (approved 6 March 2020) to allow for several changes to the approved scheme to reflect what has been built out, as well as further amendments to be incorporated at a later date.

The applicant seeks approval for a minor-material amendment to the consented scheme which would reflect the following works which have taken place, as well as amended plans to correctly reflect how the new dwelling's height reads with reference to surrounding plots:

- The installation of an amended vehicle entrance positioned further to the south-west along Groby Road;
- The installation of wood panel fencing along the rear boundary;
- Other hard and soft landscaping amendments including unilog retaining walls rather than the previously approved sandstone retaining walls, the replacement element comprising of vertical timber poles driven into the ground and softened by overhanging trailing plants;
- An amended set of plans showing the correct ground level of the adjacent Hill Carr plot, the previously consented scheme having been approved with reference to plans which incorrectly overstated the height of this adjacent plot, the ground level of this neighbouring plot being lower than previously shown.

Value Added

The applicant initially proposed artificial grass to the roof in place of the previously approved green roof, as well as several roof lights, and the installation of a walkway to the plot's rear boundary (the latter element already in place). However, following advice from officers, these elements are now no longer included as part of the amended development proposal, with the applicant now proposing to install a sedum roof and no roof lights and to infill the walkway to largely reflect the originally approved scheme in this regard.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 - Land for New Houses;
L2 - Meeting Housing Needs;
L4 - Sustainable Transport and Accessibility;
L5 – Climate Change;
L7 - Design;
L8 - Planning Obligations;
R1 – Historic Environment;
R2 - Natural Environment;
R3 – Green Infrastructure.

SO5 – Provide a Green Environment.

OTHER LOCAL POLICY DOCUMENTS

The Devisdale Conservation Area Appraisal;
The Devisdale Conservation Area Management Plan;
Revised SPD1 - Planning Obligations;
SPD3- Parking Standards & Design;
PG1 - New Residential Development;
PG24 Crime and Security

PROPOSALS MAP NOTATION

Critical Drainage Area;
Devisdale Conservation Area.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9 August 2021 to 3 October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) in July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

PROPOSALS MAP NOTATION

Critical Drainage Area;
Devisdale Conservation Area.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None.

RELEVANT PLANNING HISTORY

97665/FUL/19: Erection of a dwelling and formation of vehicular access to Groby Road. Approved at Committee 6 March 2020.

90758/FUL/17: Erection of detached dwelling and formation of vehicular access to Groby Road. Approved at Committee 17 July 2017.

85960/FUL/15: Erection of detached dwelling and formation of vehicular access to Groby Road. Refused at Committee 17 November 2015. Appeal dismissed 6 October 2016.

APPLICANT'S SUBMISSION

A Discrepancy Relating to the Height of the Building as Indicated on Some of the Approved Plans:

- The building has been built out in accordance with the approved roof and floor level heights;
- The applicant acknowledges the previously approved plans inaccurately portrayed the roof of the new dwelling as being the same height as the garden ground level of the adjacent Hill Carr plot, however the roof built at the approved height AOD appears to in fact align with the front step level of this property, rather than the adjacent garden level which in any event is not one set level but instead varies in height at different points.
- The applicant acknowledges the previous drawings purporting to show how the new dwellings' height will sit compared to the adjacent plots were inaccurate.
- The updated drawings confirm that the boundary treatments between the site and Hill Carr and Coppice Lodge provide appropriate screening and the building will not be visible from ground level. Further tree planting/vegetation is also to be provided around the site boundaries including pleached trees which will provide further screening, whilst the distances to Hill Carr and Coppice Lodge mean that

there is no amenity impact associated with the discrepancy. Similarly it is not considered that there is any significant change in the relationship with the character and appearance of the Devisdale Conservation Area, particularly given the limited visibility of the building/site within the wider context.

Amended Vehicle Entrance

- The width of the entrance opening is retained at 3.5m as per the previously approved scheme ensuring no greater visibility of the building/site from the access than was the case with the previous approval.
- The repositioning of the proposed entrance is associated with a number of benefits including allowing for the maximum retention of mature/dense vegetation/trees along the site frontage; moving the entrance further away from a mature street tree located to the right of the entrance; and moving the entrance further away from the junction of Groby Road with St Margarets Road which is associated with highway safety improvements including improved visibility for vehicles accessing/exiting the site.
- The proposed revised entrance location also ensures that no additional boundary wall is required to be removed.
- It is not considered that the relocation of the entrance by 1.5m would have any material impact on the 'rhythm of entrances and boundary wall along Groby Road'. The change of the pedestrian path within the site does not alter views of the building to any extent.

CONSULTEE COMMENTS

Local Highway Authority – No objection subject to condition.

Heritage Development Officer – Objection.

The Heritage Development Officer has provided the following comment on the amended scheme which was received in February 2022:

Amendments were submitted on 18th February 2022 which show the retention of the sedum roof – details required via condition; the removal of the roof lights and the reinstatement of ground levels to the rear elevation. The latter is important in order that the development reads as part of the grassed embankment.

There are still concerns regarding the extension of the 1.8m close boarded fencing. Sufficient landscaping should be provided to obscure this if definitely required.

The other outstanding issue is the re-siting of the vehicular entrance 2.9m to the west and an increase in width to 3.5m. It is not clear why the width of the entrance needs to be increase and this will open up further views into the site and remove a further section of historic boundary wall. This harm is therefore unjustified. I do have concerns that the entrance which will be closer to the entrance of the Coppice Lodge interruption the rhythm of entrances and boundary wall along Groby Road. The straightening of the pedestrian path in conjunction with the re-siting of the entrance and increase in width will also result in a more direct view of the development from outside the site.

A proposed elevation is still required to indicate the appearance of the access, piers and gate. The landscaping plan indicates the gate piers are to match existing however it is not clear if this means the ones to Hillcarr? Gate piers should be of solid sandstone not coursed or stone panels.

Policy 34 SPD 5.10a Gate openings should not be widened or re-positioned unless it can be proven that access is unsafe. Where gate openings are to be widened or re-positioned on the grounds of highways safety, Trafford Council will require the applicant to submit a highway consultant's report to demonstrate highway safety implications.

Recommendation *Based on the current proposals and the comments above, I consider the proposed works will cause minor harm to the significance of the Devisdale Conservation Area. The applicant has failed under paragraph 195 of the NPPF to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Under paragraph 200 any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The harm should therefore be assessed under paragraph 202 of the NPPF, taking into account the statutory duty of s.72 of the P(LB&CA) Act 1990; 202: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

The Heritage Development consultee has also provided the following addendum comment on receipt of the applicant's Boundary Wall Method Statement and updated entrance plan:

This seems ok to me. We still need details of the pier caps (the flat modern proposal on the drawing isn't acceptable). Happy this could be conditioned. The timescale for the reinstatement of the gate piers and wall also needs to be conditioned.

The Heritage Development consultee has provided the following additional addendum comment regarding the width of the new vehicle entrance confirming their acceptance this is not being widened compared to the previously approved vehicle entrance:

It was wider at 3.8m but they have now amended it to 3.5m which reflects existing, which has reduced an element of harm.

Environmental Health (Nuisance) – No objection.

Arborist – No objection.

GMEU – No comment.

LLFA – No comment.

Environmental Health (Land Contamination) – no comment received.

REPRESENTATIONS

Letters have been received from 11 objectors, including the Bowdon Conservation Group, which raise the following issues:

- The previously approved scheme was approved on the basis that the development would blend in with its surroundings with the roof at the same height as the ground level to the rear, no grass roof, no skylights and no walkway to the rear. The new proposal does not comply with these requirements with the roof now markedly higher compared to the ground level of the plot to the rear. These changes mean the new dwelling is no longer acceptably subservient to its surroundings.
- After being advised by the LPA of the fact the building was being built too high, rather than rectify this issue the applicant finished adding the roof.
- The applicant's heritage statement and the LPA's report on the previously approved scheme describe the new dwelling as resembling an undercroft to Hill Carr. In dispensing with the 'ha ha' feature, coupled with the excess height, the spirit of the original architecture has been lost and the resulting building now takes on the look of a box parked awkwardly on the front lawn of an older property.
- The proposed artificial roof covering and roof lights would further undermine the proposal's visual impact at this sensitive location.
- The proposed roof lights would result in light pollution and harm local wildlife.
- The LPA would not have approved the as built scheme if it had been presented to them for approval.
- The rear walkway will impact the screening vegetation which could be grown along the plot's boundaries.
- The artificial grass roof would result in an unacceptable visual and ecological impact.
- The new roof lights could provide direct views towards neighbouring windows.
- Materials for the new rear facing wall adjacent to the new walkway have not been provided.
- Planning Enforcement should take steps to ensure the approved scheme is built out.
- An allegation that the applicant is cynically trying to exploit the Planning System to build out a development which would not be approved by the LPA through ignoring what has been permitted.

- Allowing the current proposal would set a dangerous precedent for other developers to build out what they want notwithstanding what the LPA has permitted.
- The applicant, as a company, cannot claim the self-build exception to avoid a CIL payment.

Bowdon Conservation Group

- The previously approved scheme 97665/FUL/19 was controversial and was approved despite its detrimental impact on the Devisdale Conservation Area, because its impact would be less detrimental than a prior scheme which had been approved in 2017.
- The variations that the current application seeks will worsen the impact of the new development on the Devisdale Conservation Area. It is very unfortunate that the building work on the site has gone ahead in apparent disregard of the conditions attached to the original permission which made it very clear that all the details of the plans in the previously approved application must be followed.
- The as built provision of a walkway between the rear of the building and the rear boundary is a significant change to the aesthetic of the new building that is supposed to sit into the landscape, with the new building now sitting within a 'gap' in the landscape. Whilst views of this change could be limited nevertheless by maintaining the approved design the visual impact of the new higher projecting roof will be somewhat mitigated. As the design solution and budget for the damp proofing (which is not an unusual building process) should already have been factored into the approved design we suggest that this amendment should be rejected.
- The cumulative effect of the increased height of the structure in relation to Hill Carr, the proposed walkway and the installation of artificial grass represent a material change from the consented scheme that will likely be visible from the upper floor windows of Hill Carr and Coppice Lodge and a significant 'de-greening' of the original application. The landscaping proposals associated with the previous application were detailed and important for its approval. As the design solution and budget for a 'living' roof (which is not an unusual building process) would already have been factored into the approved design we suggest that this amendment should be rejected but that alternative plants to grass such as sedum could be considered on their merits.
- The applicant should clarify how many roof lights are proposed as the drawings continue to be inconsistent. The Conservation Group suggests that this amendment be rejected with a possible compromise of approving the roof lights in the en-suite bathroom and rear corridor that have no other natural light sources.
- No objection to the proposed 'like for like' replacement timber boundary fence, if it is indeed 'like for like'.

- The developer asserts that by moving the entrance to the plot (into Groby Road) 2.9m to the west, there is less impact on trees and other vegetation. It is difficult to identify the difference between the approved and proposed amended location on the drawings or which trees have been protected as a result. There is an added benefit that this will move the vehicle access further away from the intersection of Groby Road with St Margaret's Road, which may have marginal benefits to road and pedestrian safety. On the assumption that the developer is correct in his reasoning there is no reason to reject this amendment.

Comments on Amended Scheme Received February 2022

- Whilst the amendments reinstating a seeded roof and removal of the proposed roof lights are welcomed, the amendments do not address the neighbour concern relating to the height of the built dwelling compared to surrounding plots. This projection results in the applicant's proposal to infill the rear walkway being pointless.
- The approved relationship of the dwelling's roof with reference to surrounding plots should be enforced.
- The design of the 'log effect' retaining walls is more in keeping with a rural setting and should be replaced with materials more appropriate for this Conservation Area location, and matching the building fascias.
- The proposed screening trees along the north boundary shared with Hill Carr would obscure views from this neighbouring property and these trees should be removed.
- The amended proposed screening trees along the west boundary should be returned to the originally proposed pleached trees.
- The dwelling has been erected not in accordance with the approved plans, and allowing this brings the Planning system into disrepute.
- Has appropriate consideration been given to the long term impact of the variety of trees proposed for the boundary with Hill Carr, with regard to how and to where root growth for trees (with predicted height of up to 12 metres) would be possible so close to the new building, and whether their stability could be affected in any way?

OBSERVATIONS

Background

1. The planning history of this site is an important material consideration in this case. The original application 85960/FUL/15 was refused, but was then appealed and the appeal dismissed in October 2016. However, the Inspector in her decision was largely supportive of the proposal and found no significant harm in relation to the opening up of the frontage or the impact of the proposed dwelling's design on the significance of the Conservation Area. The Inspector's

concern was that the degree and extent of excavation would be likely to have an adverse impact on the established mature trees within the site and the subsequent impact this could have on the character and appearance of the Conservation Area.

2. In granting the subsequent proposal, 90758/FUL/17, which addressed the Inspector's concerns in respect of protected trees, the LPA attributed significant weight to the Inspector's conclusions on the appeal scheme in respect of the impact on heritage assets.
3. 90758/FUL/17, as an extant permission which was capable of implementation, was a material consideration when the LPA considered the latest approved scheme 97665/FUL/19, which the applicant is now applying to amend with this current application.

THE DECISION MAKING FRAMEWORK

4. This application seeks approval under Section 73 of the Town and Country Planning Act (1990) (as amended) for minor-material amendments following a grant of planning permission and if approved grants a new planning permission in its own right. In terms of decision taking, regard should be had to any changes on site or in the surrounding area and any changes to planning policy that may have occurred in the interim.
5. In the period since planning permission was originally granted (March 2020), it is not considered that there have been any material changes in policy which would justify a different approach being taken in respect of any planning matter relevant to this development as a whole and the development remains as approved in all other regards.
6. The application proposes the variation to the original approved plans condition (condition 2 of planning ref: 97665/FUL/19) to facilitate the stated amendments to the approved development.
7. There is no requirement to revisit the approved scheme outside of the amendments through the determination of this application and this report will only assess the acceptability of the proposed minor material amendments.
8. When assessing variation of condition applications the LPA does not only have the option of either approving or refusing the proposed varied condition wording, but also has the power to impose an amended condition, the wording of which has not been requested by the applicant, as well as the option of imposing additional conditions should this be deemed necessary.
9. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision-taking process.

10. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version.
11. The NPPF is a material consideration in planning decisions as the Government's expression of planning policy and how this should be applied; it should be given significant weight in the decision making process.
12. The NPPF, at paragraph 11, introduces 'the presumption in favour of sustainable development.' For decision-taking purposes, paragraph 11 (c) explains that 'the presumption in favour' means approving development proposals that accord with an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, paragraph 11 (d) advises that planning permission should be granted unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
13. The Council cannot currently demonstrate a five year housing land supply (the current position is considered to be 4.24 years) and thus Paragraph 11 of the NPPF is automatically engaged.

PRINCIPLE OF DEVELOPMENT

14. The principle of the development has been established through the previous grant of planning permission. The application relates to a variation of the approved plans condition and therefore only matters arising from the proposed amendments to the plans can be considered within the current application.

HERITAGE IMPACTS

15. The application site is located at a highly sensitive location within the Devisdale Conservation Area, with the adjacent plot to the north, Hill Carr, noted as a positive contributor. The plot is located to the south of the Grade II listed Altrincham and Dunham Massey War Memorial although there is no inter-visibility between the two sites due to the presence of the intervening Hill Carr site as well as extensive screening vegetation. As such the application site is not considered to be within the setting of the listed structure. Whilst it is noted that there are also a pair of semi-detached dwellings to the south-east on the opposite side of St Margaret's Road which are positive contributors, these are screened by intervening boundary treatments and dense banks of vegetation such that the proposal would not impact their setting.

16. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires: *LPAs to pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of Conservation Areas when determining planning applications.*
17. Of relevance to the determination of this application is paragraph 195 of the NPPF: *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*
18. Paragraph 197 states that in determining applications, LPAs should take account of: *a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.*
19. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (NPPF paragraph 199). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (NPPF paragraph 200).
20. Where a development 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, including securing its optimum viable use (NPPF paragraph 202).
21. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF paragraph 203).
22. Policy R1 states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. Developers must demonstrate how the development will complement and enhance the existing features of historic significance including their wider settings, in particular in relation to Conservation Areas, listed buildings and other identified heritage assets.

23. Policy R1 does not reflect case law or the tests of 'substantial' and 'less than substantial' harm in the NPPF. Thus, in respect of the determination of planning applications, Core Strategy Policy R1 is out of date. Although Policy R1 of the Core Strategy can be given limited weight, no less weight is to be given to the impact of the development on heritage assets as the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are still engaged. Heritage policy in the NPPF can be given significant weight and is the appropriate means of determining the acceptability of the development in heritage terms.

The Significance of the Heritage Assets

24. The Devisdale Conservation Area Management Plan SPD notes the Conservation Area's significance:

[The Conservation Area is significant] for its value as an historic area of enclosed land on the summit of Bowdon Hill. The topography and landscape of the area is important, and includes the wooded north slope of Bowdon Hill and the gentler west slope descending towards Dunham Massey. The associations with the Earl of Stamford are strong here, as the Conservation Area was laid out in the late 19th Century as an appropriate social neighbourhood adjacent to Dunham Park. The residential properties are characterised by large plots, grand houses, magnificent gardens, sweeping drives, coach houses, tree-lined streets and a vast mix of revival architectural styles. The area is also characterised by gradients and associated views, and the open space of The Devisdale is much valued common land, used extensively today by pedestrians. The area also has high ecological and arboricultural value in particular [1.2.1].

25. The Conservation Area Appraisal SPD states the following regarding Character Zone A:

This character zone is comprised of residential properties from the Victorian, Edwardian post war and mid-20th to early 21st Centuries. There are a variety of architectural styles, scale, massing and plot size throughout the area. The character of this zone is one of an affluent residential suburb. Some areas feel more secluded than others due to the properties being set back from the street, but the prevalence of low stone walls with mature planting above unifies the entire zone. The Victorian and Edwardian properties are more commonly sited on larger plots, away from the street line at the end of winding drives. This gives these properties a sense of privacy somewhat lacking in the more modern development. Mid-20th Century to early 21st Century development tends to be further forwards on the plot and more central, but shielded from view by taller boundary treatments such as railings or stone walls.

26. The significance of Hill Carr, a positive contributor, is as follows:

Hill Carr is a substantial detached Victorian dwelling which has been converted into apartments. The building has an ornate brick frontage with stone quoins and stone window and door surrounds. The building's significance is

considered to derive from its age, style, materials and form, together with the fact that it reflects the traditional functional character and former uses in the area. It also illustrates the development of the settlement and it has an architectural interest which is of sufficient quality to distinguish it from other buildings of this period.

Management Plan Policies

27. Inappropriate development within The Devisdale Conservation Area i.e. that, which will have a negative impact on the ability to appreciate its architectural history and special interest, is defined in the Conservation Area Management Plan as [2.10.19]:

The significant loss of gardens or grounds in favour of hardstanding or parking. Where buildings are set further forwards in their plot such development will not be permitted. Buildings within a larger plot and/or set further back from their front boundaries will have greater flexibility but still need to respect a sympathetic balance of hard surface area to garden.

The removal and/or alterations to historic boundary walls, gate posts and/or gate openings.

The subdivision of an existing plot into multiple plots and infill development will generally not be permitted due to the impact on the spacious character of the Conservation Area and the prevalence of surviving historic plots throughout the Conservation Area.

Alteration, re-building or new development which is stylistically inappropriate and/or comprises an inappropriate palette of materials.

28. The Conservation Area Management Plan contains the following relevant policies:

Policy 23 - *Mature trees should be retained as their loss greatly diminishes character as well as wildlife habitats. Trees, shrubs and exotic planting schemes associated with the Earl of Stamford's estate are of high significance.*

Policy 31 - *The characteristic historic low-level front and other principal boundary walls should be retained. Any replacement boundary walls should not extend any higher than the original boundary walls. Supplementary planting is encouraged but trees should not be planted too close to the boundary walls to avoid damage by roots.*

Policy 34 - *Gate openings should not be widened or re-positioned unless it can be proven that access is unsafe. Where gate openings are to be widened or re-positioned on the grounds of highways safety, Trafford Council will require the applicant to submit a highway consultant's report to demonstrate highway safety implications.*

Policy 35 - *Boundary treatments and front gardens should not be removed to*

create additional hardstanding, garaging or parking. In particular, the extensive and secluded gardens to historic individual properties should not be removed. The reinstatement of lost treatments and gardens will be looked upon favourably.

Policy 40 - *Modern treatment such as high brick walls, modern timber panel fencing and tall metal railings are not acceptable.*

Policy 49 - *Any new development should be of high quality and should take inspiration from the established architectural styles within the Conservation Area. Appropriate features, materials and detailing are to be integrated into the design (see 2.2 of this Management Plan and the extended discussion in the accompanying Appraisal). Modern design is not prohibited within the Conservation Area but should be: sympathetic to its historic context; of a high standard; of an appropriate scale; and use appropriate, high-quality materials.*

Impact on the Heritage Assets

29. The application site originally comprised of a part open/grassed/part self-seeded vegetated area and now accommodates a largely built modern single storey building. A new vehicle access has been installed at the plot's front (Groby Road) boundary. The plot is located to the south of Hill Carr, a substantial detached Victorian dwelling which has been converted into apartments, the application site having previously formed part of the original Hill Carr plot. The plot is on lower ground than Hill Carr and separated by a bank of vegetation and fencing. The site is set within a residential area with dwellings, many of these being large Victorian/Edwardian era buildings, to all sides. The plot is located within Character Zone A (Northern Residential) of the Devisdale Conservation Area, with Hill Carr noted as a positive contributor within the Conservation Area.

30. The applicant seeks approval for a minor-material amendment to the consented scheme to reflect the following works which have taken place, together with some future finishing works, as well as amended plans to correctly reflect how the new dwelling's height reads with reference to the ground level of surrounding plots:

The installation of an amended vehicle entrance positioned further to the south-west along Groby Road;

The installation of a replacement wood panel fence along part of the common boundary shared with Hill Carr;

Other hard and soft landscaping amendments;

An amended set of plans showing the correct ground level of the adjacent Hill Carr plot, the previously consented scheme having been approved with reference to plans which incorrectly overstated the height of this adjacent plot, the ground level of this neighbouring plot being lower than previously shown.

31. The Heritage Development Officer has provided comments on the amended scheme which was received in February 2022, noting that these include the retention of the sedum roof, the removal of the roof lights and the reinstatement of ground levels, which is important in order that the development reads as part of the grassed embankment.
32. The overall comment remains an objection as at the time of the previous application, 97665/FUL/19, which was recommended for approval on the basis of the fallback position, having regard to a previous permission that was still extant at that time. With respect to the specific amendments proposed in the current application, the HDO has provided comments, including in relation to the fencing and the access.
33. The HDO still has some reservations regarding the extension of the 1.8m close boarded fencing but states that sufficient landscaping should be provided to obscure this if this is required. The HDO notes that the width of the access is being retained at 3.5m as existing, which has removed an element of harm but does still have some concerns that the entrance would be closer to Coppice Lodge, affecting the rhythm of entrances and boundary walls along Groby Road and that the straightening of the pedestrian path in conjunction with the re-siting of the entrance will also result in a more direct view of the development from outside the site. The HDO has confirmed that the boundary wall method statement is acceptable subject to details of the pier caps.
34. The development has resulted in the redevelopment of the originally grassed/vegetated site with a low profile, flat roofed, single storey, three bedroomed dwelling, hard and soft landscaping and a new gated entrance onto Groby Road.
35. The dwelling occupies the area to the north/north-west of the plot with a relatively large area to the front (south/south-west) which will contain hard and soft landscaping. When finished the dwelling would have a highly contemporary appearance with a single storey profile, a flat green roof and large expanses of arch framed glazing in its front and side (south-east) elevations. The wider site would comprise of a part grassed/part paved front and side garden, unilog retaining walls, and a driveway leading from the double gates to three parking spaces, bin store and cycle store. A footpath would run from the new front parking area to the main entrance. The new vehicle entrance would have coursed stone piers to match the flanking front boundary walls, and double wooden gates. Amendments have been negotiated since the submission of the current application to restore the sedum roof, omit the rooflights and infill the walkway to the rear of the building as well as decreasing the width of the vehicular access.
36. The building has been positioned adjacent to the rear boundary with the property to the north, Hill Carr, built on higher ground. The building is limited to a single storey and would have a flat green roof such that it would have a relatively low profile and would appear to project from the bank to the rear of the plot, once the current rear walkway has been infilled as proposed. Due to it's relatively low profile it would be partly screened from the street scene by the

retained stone boundary wall topped by vegetation, although views would be afforded from the new vehicle entrance. It is recognised that the submitted sections and elevations show the dwelling as being 48cm higher with reference to the surrounding plots, compared with the previously approved elevations (as the adjacent land levels were not shown correctly on the approved drawings), although it is noted that the ground levels, roof height and finished floor levels shown on the previously approved layout plans have not changed and the development has been built out in accordance with these.

37. It is also recognised that the entrance would afford a direct view from the road towards the front of the dwelling, however such clear views would only be possible whilst the gates are open, and as the width of the access would be the same as previously approved, it is considered that there would not be any significantly greater views of the dwelling from the road compared with the previously approved scheme. The applicant has stated that the repositioning of the proposed entrance would provide a number of benefits including allowing for the maximum retention of mature/dense vegetation/trees along the site frontage; moving the entrance further away from a mature street tree located to the right of the entrance; and moving the entrance further away from the junction of Groby Road with St Margarets Road, which is associated with highway safety improvements including improved visibility for vehicles accessing / exiting the site. The LHA has confirmed that this would represent an improvement in highway safety terms.
38. It is noted that the Heritage Development Officer has accepted the design of the gated entrance, subject to a planning condition to ensure LPA control of the final detailing and that, whilst the CAMP Policy 34 states that new or repositioned gate openings should not usually be allowed, the previous planning permission approved a new gate opening, and the current proposal seeks approval of a repositioned opening of the same width, with both the previously approved and the amended gateway affording views towards the new dwelling. It is considered that the proposed repositioned gateway would not have a significantly greater impact on the character and appearance of the Conservation Area compared with the previously approved access.
39. In addition the presence of pleached trees along the side boundary and additional trees along the rear boundary, and further trees and vegetation elsewhere within the plot, would help to soften the dwelling's visual impact, including its increased apparent height compared to the surrounding plots, when viewed from Hill Carr to the north and Coppice Lodge to the west.
40. It is accepted that the new wood panel fencing is a 'like for like' replacement and this element would be acceptably screened by the adjacent vegetation. Planting would also be provided to soften the impact of the unilog retaining walls and it is recognised that these would comprise of a natural material. It is therefore considered that these elements would not have an unacceptable impact on the character and appearance of the Conservation Area.
41. Notwithstanding these considerations, it is considered that, as in the case of the previously approved scheme, the proposed development overall would

cause moderate harm to the significance of the Hill Carr positive contributor and the wider Devisdale Conservation Area through the loss of historic garden and soft planting, alterations to the historic boundary wall and the increase in built form and hardstanding on the site. It is considered that the removal of a significant section of the boundary wall and the provision of hardstanding to the rear of this to form the driveway and turning area would be out of keeping with the historic boundary treatment and open up views into the site.

42. However, having regard to the amendments that have been made to the proposals since the submission of the current application and the fact that the finished floor level and roof height shown on the plans are unchanged since that previous permission, it is considered that, subject to appropriate conditions, the proposed scheme would not have any significantly more detrimental impact on the character and appearance of the Conservation Area than the previous approved development.
43. As with the previous scheme, it is considered that, in overall terms, the proposal would result in “less than substantial” harm to the character and appearance and significance of the Conservation Area through the loss of historic garden and soft planting, alterations to the historic boundary wall and the increase in built form and hardstanding on the site. The harm therefore needs to be assessed under paragraph 202 of the NPPF. The proposed development would result in some modest public benefits in terms of the creation of one new residential unit, which would make a modest contribution to the Council’s housing land supply targets as well as a small amount of economic benefit during the construction phase of the development.
44. As in the case of the previous application, it is considered that this would not be sufficient to outweigh the identified harm to the character and appearance of the Conservation Area. In making this assessment, great weight has been given to the desirability of preserving the character and appearance of the Devisdale Conservation Area.

Heritage Conclusion

45. The proposals have been considered against the statutory requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Trafford Core Strategy, the Devisdale Conservation Area SPDs and the NPPF. Special regard and special attention has been paid to the impact on the heritage assets and the tests set out in the NPPF undertaken.
46. The analysis above has found that the proposed scheme would not have any significantly more detrimental impact on the character and appearance of the Conservation Area than the previous approved development (97655/FUL/19). However, in overall terms, as in the case of that previous approval, the proposed works would result in ‘less than substantial harm’ to the character and appearance of the Conservation Area, through the loss of historic garden and soft planting, alterations to the historic boundary wall and the increase in built form and hardstanding on the site. This harm is considered to be in the middle of the scale of less than substantial harm as ‘moderate harm’.

47. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
48. The proposed development would result in some modest public benefits in terms of the creation of one new residential unit, which would make a modest contribution to the Council's housing land supply targets as well as a small amount of economic benefit during the construction phase of the development. However, as in the case of the previous approval, 97655/FUL/19, it is considered that this would not be sufficient to outweigh the identified harm to the character and appearance of the Conservation Area.
49. Notwithstanding this, it is recognised that there is an extant planning permission, 97655/FUL/19, for the erection of a detached dwelling and the formation of a vehicular access to Groby Road, which could still be implemented if the current application were to be refused. This is considered to be a realistic "fallback" position and it is considered that the current proposal would not have a significantly more detrimental impact on the character and appearance of the Conservation Area than this previously approved scheme. This is referred to further in the Planning Balance and Conclusion below.

DESIGN

50. Paragraph 126 of the NPPF states: *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*
51. Paragraph 136 states: *Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.*
52. Policy L7 of the Trafford Core Strategy states: *In relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan.*
53. The New Residential Development PG1 states that infill development can be acceptable provided it satisfactorily relates to its context in terms of design and amenity impacts. This type of development will not be accepted at the expense of the amenity of surrounding properties or local area character. The resulting plot sizes and frontages should be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.

54. The new dwelling is bound by large two storey detached and semi-detached Victorian and Edwardian dwellings set within spacious plots to the east, south-east and north-east; Hill Carr, a Victorian dwelling converted into apartments to the north; 20th Century infill housing to the west/south-west, including Coppice Lodge, and a late 20th Century apartment block to the south.
55. The new dwelling occupies the area to the north/north-west of the plot with a relatively large expanse which will be landscaped to the south/south-west. The building is positioned adjacent to the rear boundary with the property to the north, Hill Carr, built on higher ground. The building is limited to a single storey and would have a flat green roof, with the current rear walkway infilled with soil and landscaped such that the building would have a low profile and would appear to project from the bank to the rear of the plot. Due to its low profile, views from the street scene would be largely screened by the retained stone boundary wall topped by vegetation, although some views would be afforded from the new vehicle entrance. It is considered that the minor material amendments proposed in this application would not have any significantly greater impact on the character and appearance of the area compared with the previously approved scheme. In overall terms, the layout, design, appearance and landscaping of the building would be considered acceptable, in isolation, were it not for the harm identified to the Conservation Area from the proposals.
56. The applicant is in the process of submitting detailed design and materials documents for the LPA's approval, with this information expected to be submitted prior to the date of the Planning Committee. This information will be reviewed on receipt and referred to in an Additional Information Report.

Design and Crime

57. The new dwelling would reanimate what was previously a partly disused area and would introduce multiple windows which would afford a degree of passive surveillance.
58. The development would be acceptably designed with reference to Core Strategy Policy L7, PG1 New Residential Development, PG24 Crime and Security and the NPPF.

RESIDENTIAL AMENITY

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

Privacy and Overlooking

60. The new dwelling has introduced front and side (south-east) facing habitable room outlooks however these would be at ground floor level with views out of

the site screened by the retained front/side boundary wall, which is also further screened by mature vegetation including trees, and the proposed vehicle gates.

Overbearing / overshadowing

61. The dwelling is limited to a single floor. It would not result in an unacceptable overbearing/overshadowing impact on adjacent plots, notwithstanding the fact the amended plans now correctly indicate the building's additional height (approximately 48cm higher than the ground level of the adjacent Hill Carr plot, whereas the previously approved scheme indicated the roof and adjacent ground level would be the same height) in relation to the adjacent residential plots to the north and west.

Occupant Amenity Space

62. The development would provide future occupants with an acceptable level of internal and external amenity space.

Noise / Disturbance

63. The proposal has not resulted in the introduction of a driveway or parking area close to neighbouring boundaries or back gardens, and as such does not result in an unacceptable impact in this regard.
64. The development would not have any unacceptable impact on the residential amenity of the neighbouring residential properties and would provide an acceptable level of amenity for future occupants. It is noted that construction works are ongoing and that the previous grant of planning permission was subject to a standard Construction Management Plan condition as well as a further condition restricting future occupant domestic permitted development rights. It is recommended that permission would need to be subject to these conditions. As such, it is considered that the development acceptably complies with Core Strategy Policy L7, PG1 New Residential Development and the NPPF in terms of its amenity impact.

HIGHWAYS, PARKING AND SERVICING

65. Core Strategy Policy L4 states: *[The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.*
66. Core Strategy Policy L7 states: *In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
67. The Parking SPD's objectives include ensuring that planning applications

accommodate an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments. The Parking SPD requires the provision of two off-street parking spaces for the proposed development.

68. The development includes the recently installed vehicle entrance at the Groby Road frontage, which is in a different position compared to that previously approved. The LHA consultee has confirmed no objection to the amended scheme although this consultee has noted the fact that cycle store details have not been provided, however this could be secured through a planning condition. This consultee has also confirmed they agree with the applicant's arguments that moving the vehicle entrance away from St Margaret's Road would improve road safety at this location in terms of visibility for vehicles entering and exiting the site.
69. It is therefore considered that the development would have an acceptable highway, parking and servicing impact with reference to Core Strategy policies L4 and L7, the Parking Standards and Design SPD and the NPPF.

TREES AND ECOLOGY

70. The application submission includes a tree survey. The property stands within a designated Conservation Area but none of the trees within the site are protected by a tree preservation order.
71. The appeal relating to application 85960/FUL/15 was dismissed due to concerns that the development was likely to have an adverse effect on established trees and that the application submission did not include details of appropriate mitigation measures. The current application submission includes information to address the issues raised in the Inspector's report. The Council's Arboriculturist has confirmed that the submitted tree information is comprehensive and that, subject to appropriate conditions, the trees on site will be successfully protected. The new development would also result in the introduction of areas of soft landscaping including new trees to the rear (north) and side (west) boundaries.
72. The GMEU consultee has confirmed no comment on the proposal.
73. The development would not result in unacceptable harm to the natural environment with reference to Core Strategy policy R2, PG1 New Residential Development and the NPPF.

DEVELOPER CONTRIBUTIONS

74. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot' zone for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

75. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure in the form of three additional trees. In order to secure this, should the application be approved, a landscaping condition will be attached to make specific reference to the need to provide three additional trees net of clearance on site as part of the landscaping proposals.

OTHER MATTERS

76. In response to a point raised in the neighbour objection/comment letters Officers would respond as follows:

The applicant, as a company, cannot claim the self-build exception to avoid a CIL payment.

PLANNING BALANCE AND CONCLUSION

77. It is considered that the proposed development would result in 'less than substantial' harm (moderate harm) to the character and appearance and the significance of the Devisdale Conservation Area. Furthermore, the modest public benefits associated with the development would not be sufficient to outweigh the identified harm to the significance of the heritage asset. As such, the proposed development would fail to comply with the heritage policies of the NPPF and Policies L7 and R1 of the Core Strategy. In terms of NPPF paragraph 11 d) i), this would therefore represent a clear reason for refusal.
78. However, it is recognised that there is an extant planning permission, 97655/FUL/19, for the erection of a detached dwelling and the formation of a vehicular access to Groby Road, which could still be implemented if the current application were to be refused. This is considered to be a realistic "fall-back" position and it is considered that the current proposal would not have a significantly more detrimental impact on the character and appearance of the Conservation Area than this previously approved scheme.
79. All other detailed matters have been assessed, including highway safety, residential amenity and the impact on trees. The proposal has been found to be acceptable with, where appropriate, specific mitigation secured by planning condition, and the proposal complies with the development plan in relation to these matters.
80. Having regard to the "fall-back" position of the extant permission, it is considered that this is a material consideration which should be given significant weight and is considered to outweigh the identified conflict with the NPPF and the development plan and the harm to heritage assets. It is therefore recommended that planning permission is granted, subject to conditions.

RECOMMENDATION:

APPROVE planning permission subject to the following conditions:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers (5960) P01, received by the Local Planning Authority on 9 May 2018, (18-104) 01 G, 02 F, 03 F and 04 E, received by the Local Planning Authority 18 February 2022, (18-104) 07 C, received by the Local Planning Authority 21 March 2022, and 19-218 001 T, received by the Local Planning Authority 31 March 2022.

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

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

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

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L5, L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 and 2 (or any equivalent Order following the amendment, re-enactment or revocation thereof)
 - i) no external alterations shall be carried out to the dwelling;
 - ii) no extensions shall be carried out to the dwelling;

- iii) no garages or carports shall be erected within the curtilage of the dwelling;
- iv) no vehicle standing space shall be provided within the curtilage of the dwelling
- v) no buildings, gates, wall fences or other structures shall be erected within the curtilage of the dwelling;
- vi) no means of access or areas of hard surfacing shall be constructed in the curtilage of the dwelling;
- vii) no windows or dormer windows shall be added to the dwelling other than those expressly authorised by this permission.

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

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

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

6. The development shall be carried out in accordance with the Construction Management Plan approved under discharge of conditions application 101068/CND/20.

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

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

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

8. The development hereby permitted shall not be brought into use until the approved external parking spaces have been provided, constructed and surfaced in complete accordance with the plans hereby approved. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) the spaces shall be retained thereafter.

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

9. The development hereby approved shall not be occupied unless and until details of the design, siting, materials, remedial works to the historic boundary wall, replacement landscaping and hard surfacing to facilitate the construction of the vehicle access, gateposts, pier caps and gates have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to protect the significance of the designated heritage asset and the visual amenity of the area, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

11. The development shall be carried out in accordance with the biodiversity enhancement measures approved under discharge of conditions application 101068/CND/20.

Reason: To secure biodiversity improvements, having regard to Policy R2 of the Trafford Core Strategy and guidance in the NPPF.

12. The dwelling hereby permitted shall not be occupied unless and until secure cycle storage has been provided in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained at all times thereafter.

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

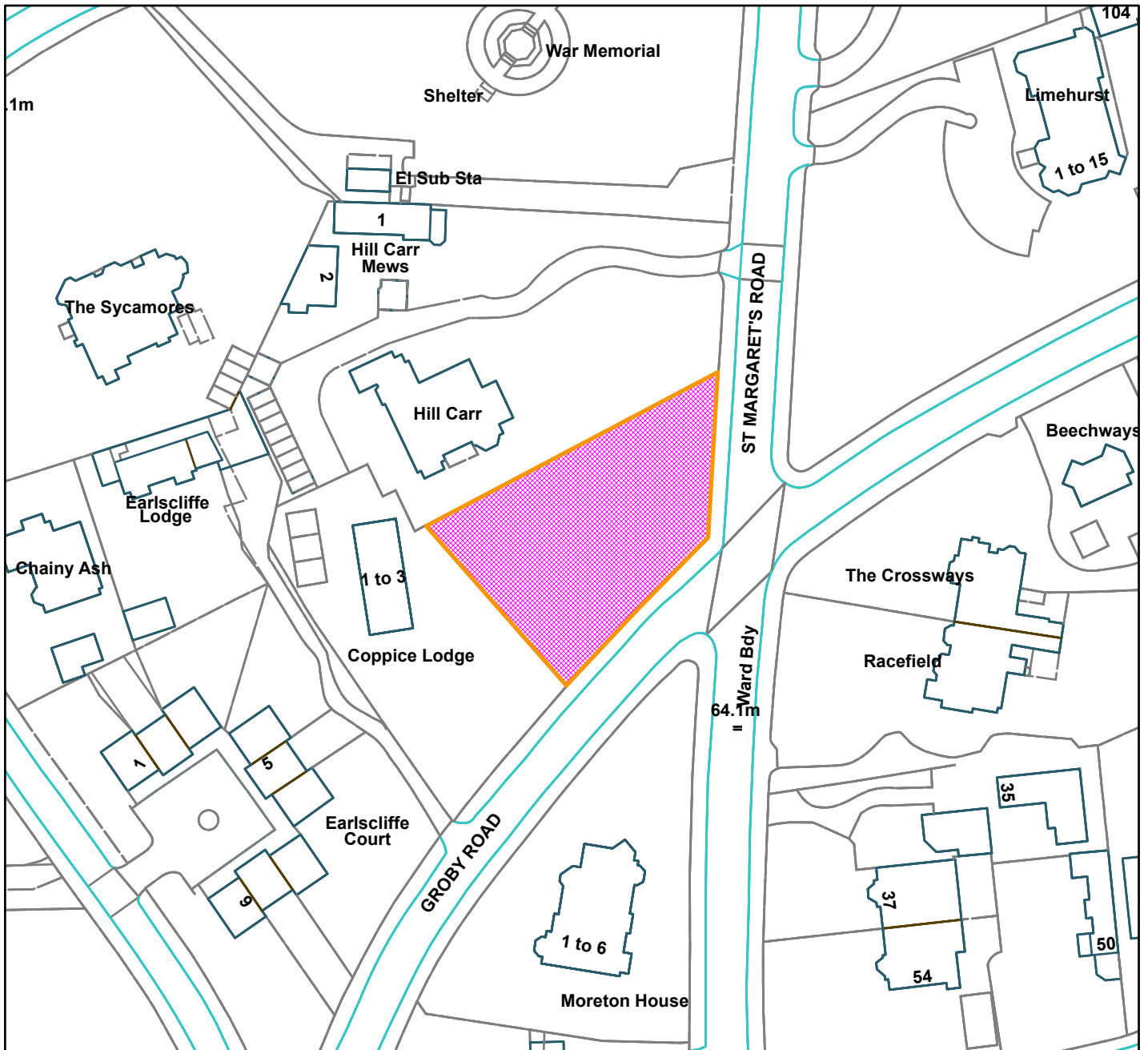
13. The development shall be carried out in accordance with the approved boundary wall method statement dated March 2022, received by the Local Planning Authority 21 March 2022. The dwelling hereby permitted shall not be occupied unless and until the boundary wall and gate piers have been reinstated in accordance with the approved details.

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

TP



Land North West of the Junction of St Margarets Road and Groby Road, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/04/2022
Date	04/04/2022
MSA Number	100023172 (2012)

WARD: St Marys

105991/HHA/21

DEPARTURE: No

Erection of a single storey front extension, a part single, part two storey side extension and a single storey rear extension, following the removal of the existing conservatory.

16 Aspenwood Drive, Sale, M33 5RW

APPLICANT: Ms Lisa Howarth

AGENT: N/A

RECOMMENDATION: GRANT

The application has been called in to the Planning and Development Management Committee by Councillor Holden

SITE

The application site consists of a semi-detached dwelling located on Aspenwood Drive, Sale. The property has a gable end and a small conservatory exists to the rear. The surrounding area is predominantly residential with dwellings of similar style and character. The adjacent properties (apartments at nos. 13, 15, 17 and 19 Aspenwood Drive) have front porches with catslide roofs. The front elevation of the application property along with its adjoining neighbour, no 14, is set back significantly from the front elevation of these adjacent properties.

PROPOSAL

Planning permission is sought for the erection of a single storey front extension, a part single, part two storey side extension and a single storey rear extension, following the removal of the existing conservatory.

The rear extension would project by 2.9m from the rear elevation and would have a part lean-to, part hipped roof. The two storey side extension would be set back slightly from the front elevation at first floor level and would follow the eaves line but would be subservient in terms of its overall height. It would be 1.37m wide at first floor level and 1.65m wide at ground floor level and would cover just under half of the side elevation. The front extension would be single storey and project by 1.33m from the front elevation. The roof of the single storey element would be part lean-to, part hipped and would wrap around the side. Over 1m would be retained between the boundary and the two storey side extension whilst 700mm would be retained between the boundary and the single storey element. The single storey side element would wrap around the rear with this part of the roof being hipped.

The ground floor extension would provide an extended entrance hall, utility room, wet room, sitting room / study and extended kitchen / dining room. The first floor extension would provide an extended bedroom with a wet room.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7 – Design

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

OTHER LOCAL POLICY DOCUMENTS

SPD4 – A Guide for Designing House Extensions and Alterations

PROPOSALS MAP NOTATION

Critical Drainage Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) in July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014 and was last updated on 1 October 2019. The NPPG will be referred to as appropriate in the report.

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

RELEVANT PLANNING HISTORY

None

APPLICANT'S SUBMISSION

None

CONSULTATIONS

None

REPRESENTATIONS

Neighbours were consulted by letter – one representation has been received which raises the following planning concerns:

- Extensions to the front and side of the application property would result in a notable reduction in light to the neighbouring property - in particular to the front garden and kitchen / living room;
- Light to the rear garden is already blocked by the existing dwelling at No. 16;
- There is no objection to the rear extension and the plans should be amended to only extend to the rear.

Councillor Holden has raised concerns regarding overdevelopment of the site, impact on the neighbouring property and a detrimental change to the street scene.

OBSERVATIONS

Principle of Development

1. The proposal is for an extension to an existing residential property, within a predominantly residential area. Therefore, the proposed development needs to be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy and SPD4.

Design and Visual Amenity

2. Paragraph 126 of NPPF states 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'
3. Policy L7 of the Core Strategy requires that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
4. The design has been considered in line with Policy L7 and guidance contained within SPD4.
5. The proposed two storey side extension would have a ridge height roof that is significantly lower than that of the existing roof, helping the extension to appear subservient to the main dwelling. The two storey element of the extension would cover less than half of the side elevation of the existing property resulting in a proposal of modest proportions which does not dominate the main property. The proposed materials and gable end roof style would match that of the existing property and the proposed windows are considered to be suitably positioned. Whilst there is no window proposed at first floor level in the front elevation, it is considered that, given the modest width of the extension and slight set back at first floor level, this would not have any detrimental impact on the character of the application property or the visual appearance of the street scene. A separation distance of at least 1m would be retained between the proposed side extension at first floor level and the side boundary which is compliant with paragraph 3.1.2 of SPD4 and would ensure that there is no undue impact on the spaciousness of the area.
6. The single storey side and rear elements, due to their small scale and siting, matching materials and window positioning would accord with design policy. In addition, the fact that Nos 14 and 16 Aspenwood Drive are set back in relation to the neighbouring properties on either side would further reduce the impact of the front and side extensions within the street scene and would ensure that the front extension would not project forward of any building line.
7. It is therefore considered that the proposed extensions would be acceptable in design terms and would not have a detrimental impact on the visual amenity of the street scene or the surrounding area. As such, it is considered that the proposal would comply with Policy L7 of the Core Strategy and the NPPF in relation to good design.

Residential Amenity

8. Policy L7 of the Core Strategy states that in relation to matters of amenity development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
9. SPD4 also sets out detailed guidance for protecting neighbouring amenity (paras 2.14 to 2.18) as well as under the relevant sections for particular types of development.

Paragraph 2.14.2 states '*It is important that extensions or alterations:*

- *Do not adversely overlook neighbouring windows and/or private gardens areas*
- *Do not cause a significant loss of light to windows in neighbouring properties and/or their patio and garden areas*
- *Are not sited so as to have an overbearing impact on neighbouring amenity'*

Paragraph 2.17.2 states '*The factors that may be taken into account when assessing a potential loss of light or overbearing impact include:*

- *The size, position and design of the extension*
- *Orientation of the property*
- *Presence of other habitable room windows/sources of light in neighbouring rooms*
- *Relative position of neighbouring houses and existing relationship*
- *Size of the garden*
- *Character of the surrounding area*

10. The impact of the extensions on the amenity of the respective neighbouring properties is considered in turn below.

19 Aspenwood Drive

11. The adjacent properties at 17 and 19 Aspenwood Drive are apartments with No. 19 being the ground floor apartment and No. 17 being on the first floor. No. 19 has a small garden area at the rear, which is set slightly off the boundary with the application property. The garden space of No. 17 wraps around the rear of No. 19's garden and there is a narrow passageway between the application property and the garden of No. 19 that leads through to the garden of No. 17.
12. The single storey side and rear extension would project 2.9m beyond the rear elevation of the application property and would therefore comply with the SPD4 guidelines in this respect. It is nevertheless recognised that, due to the significant setback of the application property in relation to No. 19, the extension would project approximately 6.3m to the rear of that property. It is also

recognised that the extension would be to the east / south-east of No. 19's rear amenity space. However, the two storey gable of the existing application property already projects significantly past the rear elevation of No. 19 and, whilst the proposed single storey side extension would project closer to the boundary as well as to the rear, there is a small gap between the garden of No. 19 and the application property providing access to the garden of No. 17 at the rear (as explained above). In addition, No. 19 has a shed / outbuilding within its rear garden sited adjacent to the side boundary and approximately 3m back from its own rear elevation, which would partially screen and mitigate any impact from the proposed extension. It is also recognised that there is approximately 1.8m high fencing on the boundary and that the hipped roof design of the proposed extension would also help to minimise the impact. Taking all of these factors into account, it is considered, on balance, that the additional impact of the single storey side and rear extension over and above the impact of the existing two storey gable would be relatively limited and would not result in an unacceptable overbearing or overshadowing impact on the rear windows or rear amenity space of that property.

13. Whilst the neighbour representation raises concerns about impact on the front garden of the property, it is considered that, given the relationship between the two properties and the siting of the extensions, there would not be any undue overbearing or overshadowing impact on the front garden.
14. There are two small obscure glazed windows in the side elevation of No.19 with main habitable room windows on the front and rear elevations. The larger obscure glazed window (a secondary window into an open plan space) would face the proposed single storey front extension with the smaller window (serving a bathroom) facing the two storey side element. The extensions would be to the east / south-east of No. 19. The proposed first floor side extension is to retain a 1m separation distance to the shared boundary and have a roof ridge of 6.26m that is lower than the existing 7.2m roof ridge. Furthermore the proposed single storey side and rear extensions are to retain a minimum separation distance of 700mm to the shared boundary and the proposed hipped roof is considered to be modest in scale.
15. Whilst the proposed extensions may result in some limited additional impact upon the 2no. windows in the side elevation of No. 19, these are small, obscure glazed secondary / non-main habitable room windows. Furthermore, given the relatively modest scale of the extensions, it is considered that any additional impact on light to these windows over and above the impact of the existing property would in any case not be significant. It is therefore considered that the proposed extensions would not have any unacceptable overbearing or overshadowing impact on this neighbouring property.

16. One obscure glazed ground floor window is proposed on the side elevation facing No. 19 with no new first floor windows on the side elevation. The ground floor window would face the side wall and obscure glazed windows of No. 19 and therefore there would be no undue overlooking impact on that property.

17 Aspenwood Drive

17. The upstairs flat, No. 17, also has two secondary / non main habitable room windows on the side elevation. Given that these are not principal main habitable room windows and are also set at a higher level and given the modest scale of the proposed two storey extension, it is considered that there would not be any undue overshadowing or overbearing impact in relation to these windows. Whilst the single storey rear extension would be partly sited adjacent to the garden area of No. 17, this would only be for a limited extent and it is considered that there would not be any undue overbearing or overshadowing impact on the rear amenity space of that property.

14 Aspenwood Drive

18. The rear extension, although close to the boundary with no.14, would only project by 2.9m beyond the rear elevation of that property. As such, the rear extension would comply with the SPD4 guidelines and there would not be any undue overbearing or overshadowing impact on No. 14. No windows are proposed facing that property and therefore there would be no undue impact in terms of overlooking.

Properties to the rear

19. There would be no undue overlooking of properties to the rear on Firtree Avenue, given the single storey height of the extension and the existing boundary treatment.

Properties to the front

20. There are no dwellings on Aspenwood Drive directly opposite the proposed front and side extensions with the front driveway and side gable of 8 Aspenwood Drive being offset to the side. Furthermore, no windows are proposed at first floor level in the front elevation. There would therefore be no undue overlooking impact in relation to properties to the front on Aspenwood Drive.

21. As such, it is considered that the proposal would not have any unacceptable impact on the residential amenity of any neighbouring dwellings and would comply with Policy L7 of the Core Strategy and guidance in the NPPF.

Equality

22. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
23. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
24. The public sector equality duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
25. It is understood from the neighbour representation that the occupier of the neighbouring property is a person with a protected characteristic and as such, in making an assessment of the impact on their amenity, it is necessary to have regard to the Public Sector Equality Duty. If it is known that a decision could have an impact on persons with (a) protected characteristic(s), then this cannot be disregarded, whether or not that is material to the planning merits of the case.
26. The neighbour objection raises concerns over how the proposed extension would impact on light levels - in particular within their kitchen / living room and front garden – and that the impact on them would be increased due to the nature of their protected characteristic. The planning consideration in this case is potential loss of light. Officers have considered the proposals' impact upon light levels to the neighbouring property and more weight has been given to this issue, having regard to the identified protected characteristic and the Public Sector Equality Duty. It is nevertheless concluded that there would not be an unacceptable impact on residential amenity due to loss of light or overbearing impact with any additional impact on windows on the side elevation of the property being in relation to secondary or non-main habitable room windows.

27. It is not considered that there would be any specific benefits or dis-benefits of the proposal in relation to any of the other protected characteristics identified by the Equality Act 2010.

Parking

28. The proposed first floor side extension would not result in the creation of an additional bedroom. The proposed front extension would slightly reduce the amount of space to the front of the property but sufficient space is to be retained for 1 no. off-street parking space and there is some scope for on-street parking on Aspenwood Drive. In addition, it is recognised that there would still be space on the frontage of the application property to create an additional parking space if this is required.

DEVELOPER CONTRIBUTIONS

29. The proposed development will increase the internal floor space of the dwelling by less than 100m² and therefore will be below the threshold for CIL charging.

PLANNING BALANCE AND CONCLUSION

30. The scheme has been assessed against the development plan and national guidance and it is considered that the proposed development will result in an acceptable form of development with regard to the amenity of neighbouring residents, and the impact on the street scene and the surrounding area more generally.

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

RECOMMENDATION:

Approve Subject to Conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: Existing and proposed plans and elevations, received by the local planning authority on 28 February 2022,

and the 1:1250 site location plan and 1:500 site plan, received by the local planning authority on 29th September 2021.

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

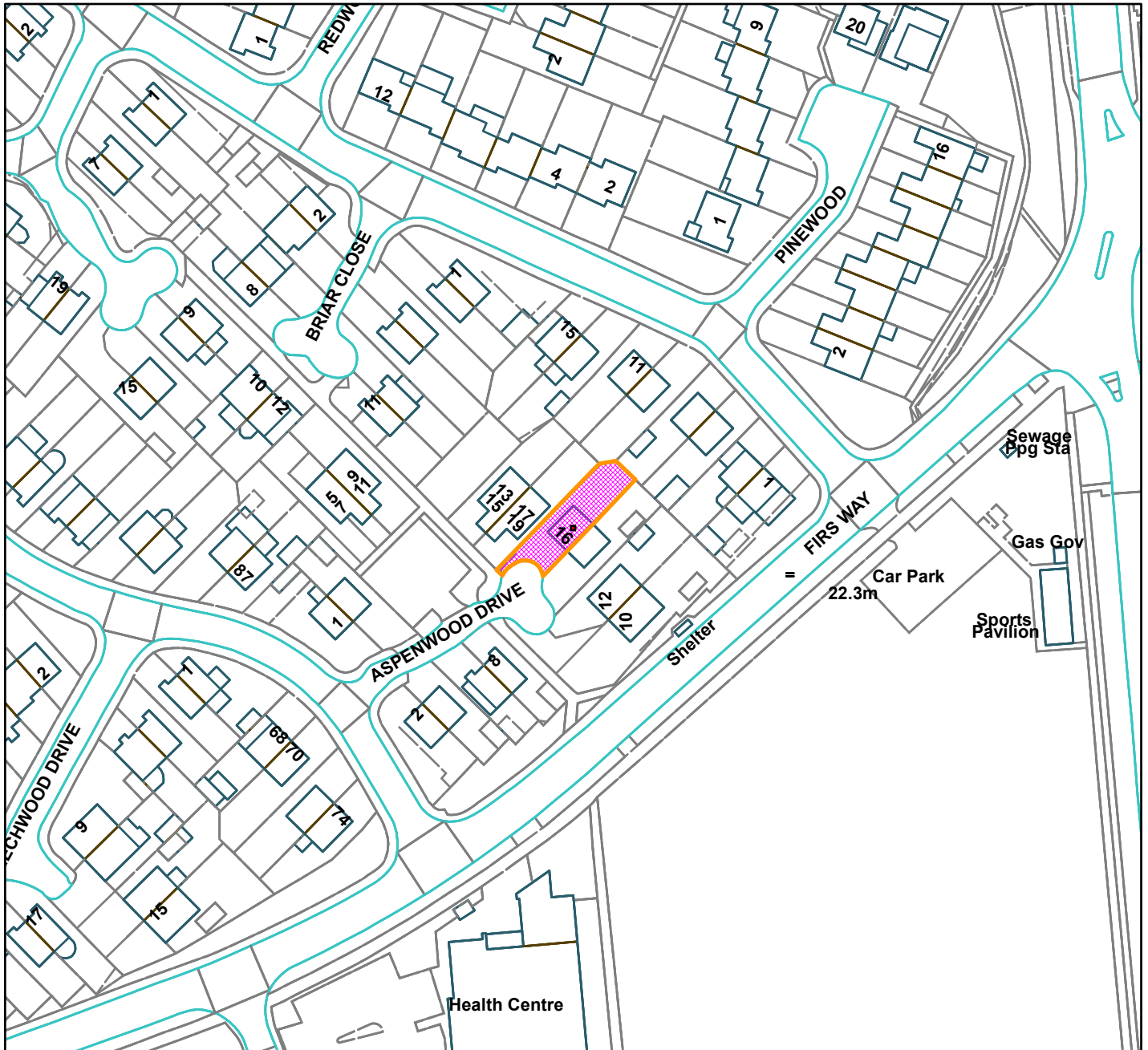
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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

DC



16 Aspenwood Drive, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/04/2022
Date	04/04/2022
MSA Number	100023172 (2012)

WARD: Gorse Hill

106393/FUL/21

DEPARTURE: No

Change of use from a 6 bed residential dwelling (C3) to a 8 bed HMO (Sui Generis) with other external alterations.

90 Moss Vale Road, Stretford, M41 0QH

APPLICANT: Shah

AGENT: HAD & Co Property Consultants Ltd

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee due to being called in by Cllr Cordingley, contrary to officer recommendation

SITE

The site refers to a 2-storey semi-detached dwelling on the corner of Winchester Road and Moss Vale Road, Stretford.

The dwelling has recently been extended, with a loft conversion, hip-to-gable roof alteration and rear dormer constructed under permitted development prior to planning permission being granted (and subsequently constructed) for a two storey side extension and part single, part two storey rear extension.

To the front, side and rear of the site is hardstanding/gravel. There is a detached garage structure which is in a state of disrepair.

PROPOSAL

The proposal seeks permission for the change of use of the single dwellinghouse, to an 8no bed House of Multiple Occupation (HMO).In addition external alterations are proposed including, alterations to windows in the side elevation, additional hardstanding to the front, removal of the garage to extend the driveway and external bike and bin storage area.

Added Value

Amended plans were received on 17.03.22 which provided additional bike storage in line with comments from the LHA and to provide some outdoor amenity space for the occupants following comments from the planning officer.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for new homes
L2 – Meeting Housing Need
L7 – Design
L4 – Sustainable Transport and Accessibility
L8 – Planning obligations

OTHER LOCAL POLICY DOCUMENTS

SPD3 – Parking Standards and Design
SPD6 – Houses in Multiple Occupation

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20TH July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated in June 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

104555/HHA/21: Erection of two storey side and rear extension, and part single storey rear extension. Approved with Conditions 3 September 2021

The above householder application regularised the side and rear extensions to the dwellings.

Works to the roof (hip to gable and dormer) were conducted under permitted development, a certificate of lawfulness was not sought for the works and an assessment on this has not been made.

APPLICANT'S SUBMISSION

Travel plan
Management plan

CONSULTATIONS

Environmental Protection (Nuisance)

I consider that any noise and disturbance that might result from the HMO would not be significantly different to that from one large household that could occupy the property. The supporting Management Plan confirms that any impact of domestic noise and nuisance that could arise from the proposed HMO conversion can be suitably managed.

As such I have no objection to the operation of the premises as proposed.

Local Highways Agency

"Whilst there are no objections in principle on highway grounds to the proposals, the LHA requests:

- The number of cycle parking spaces should be increased to 8 spaces.*
- The proposed gates must be set-back sufficiently within the curtilage of the proposed development to ensure there is no intrusion onto the adopted public highway."*

Strategic Planning

The proposal should be assessed against SPD6 referencing the number of HMOS's in the area and where the information on the number of HMOs can be found.

HMO Licensing

"The plans show a common kitchen-diner and separate lounge. Therefore, the minimum acceptable bedroom size is 6.5m2.

All bedrooms are shown to satisfy this requirement, so I have no comments."

REPRESENTATIONS

Four objections were received from the occupants of 92 Moss Vale Road, 175 Winchester Road, 184 Winchester Road and 190 Winchester Road, in addition to an objection from Cllr Cordingley.

The objections related to:

- Excessive size to accommodate 8no occupants
- Noise/nuisance due to number of residents, potential for parties, loud music, guests coming and going
- Not in keeping with surrounding residential- more like a hostel
- Highway/parking issues due to number of occupants-worsened as busy school route
- Reduce value of properties
- Irritation as extension was originally proposed to be a for a single use dwelling
- Living conditions not sufficient for 8no occupants

Other objections related to the size of the extensions (both approved as a result of 104555/HHA/21 and prior to that under permitted development) and the building/renovation work as part of this, however these are not subject to consideration under the current application.

- Shadow across potential solar panels
- Loss of privacy
- Visual intrusion
- High amount of building waste caused nuisance to the area
- Safety of highways due to vans/cars of workmen
- Unattractive appearance

OBSERVATIONS

Principle of Development

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

2. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
3. Paragraph 11 (c) says for decision taking development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:
 - i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. The Councils current housing land supply figure is 4.24 years and the most recent Housing Delivery Test figure (2021) is 79%. This housing supply and delivery position automatically triggers Paragraph 11d) but does not automatically render development plan policies out of date. It is for the decision maker to determine what weight to give to development plan policies and this can take into account the specific characteristics of the housing land supply position such as the extent of the shortfall and the steps being taken to remedy it.
5. Policy L1 of the Core Strategy controls the number and distribution of new homes across the Borough. Given the lack of five year housing land supply, and the age of this policy (including the need to use the more recent 'standard method' of calculating housing need), it is now out of date and should be given limited weight. Policy L2 of the Core Strategy relates to meeting housing needs and remains up to date in respect of the requirement for the amount of affordable housing and in terms of site specific requirements for development (L2.2). Full weight can be given to this part of the policy. Other parts of this policy, for example in relation to dwelling mix, are not up to date and should be given limited weight.
6. The proposal would result in a loss of a single dwelling house, however provide an alternative type of accommodation. There would be no net loss of residential accommodation therefore in principle the change of use to a HMO is considered acceptable subject to an assessment of scheme against SPD6 to assess the impact of the proposal on the local area and the amenity of surrounding residential properties.

HMO Assessment

7. The application seeks permission to create a HMO and therefore the Council's Supplementary Planning Document 6: Houses in Multiple Occupancy is of relevance to the assessment of the proposal. SPD6 recognises the need to appropriately manage the delivery of student housing / HMOs, both to ensure the provision of good quality accommodation and to minimise any potential adverse effects on the local community and housing market.
8. SPD6 states that planning permission will not normally be granted for changes of use to HMOs where the proportion of HMOs will exceed 10% of all residential properties within a circle radius of 40 metres or where it would result in any C3 residential property being sandwiched between two HMOs.
9. SPD6 would justify a refusal if more than 10% of the properties within a 40m radius or a (minimum of 10 properties) or where a C3 residential dwelling would be sandwiched between two HMOs.
10. The properties within a 40m radius are listed below.
 - 92-100 Moss Vale Road (4 dwellings)
 - 175-183 Winchester Road (5 Dwellings)
 - 184-206 Winchester Road (7 Dwellings)
11. The HMO register (updated Nov.2021) did not include any of the properties listed above. In addition, the properties listed above did not hold any previous planning history relating to a change of use to a HMO.
12. Given the above, it is considered this would be the only HMO within a 40m radius and therefore the 10% threshold has not been reached and the proposal would not result in 92 Moss Vale Road becoming sandwiched as no.94 is a C3 dwellinghouse.
13. SPD6 still indicates that other material considerations including intensification of use, highway safety, and residential amenity of future/existing occupiers should still be considered.

Quality of proposed accommodation

14. The standard of living accommodation will be assessed below.
15. The minimum floor area for a double bedroom is required to measure at least 10.22m² and a single bedroom 6.51m².
16. Bedrooms 1, 2, 3, 4 and 8 would accord with the statutory minimal floor areas for a double bedroom. Bedrooms 5, 6 and 7 would accord with the statutory minimal floor areas for single bedrooms as set out in Trafford's HMO standards (2020). The proposed bedroom space would also accord with the Technical Housing Standards

(nationally described space standard) (2015). In addition each bedroom would benefit from a moderately sized window to provide natural light and ventilation.

17. The shared kitchen-diner, living room and bathrooms are a reasonable size which would be in accordance with Trafford's HMO standards and there would also be a shared study space, along with three shared bathrooms.
18. It is considered that the proposed HMO would provide future occupants with a good standard of living accommodation with reference to the shared internal space as mentioned above. The site plans also shows sufficient outdoor space that could benefit the occupants for typical uses such as drying clothes and outdoor amenity space.
19. In addition the HMO licensing department does not object to the amount of bedrooms or amenity space with reference to the number of occupants.
20. The above assessment is based on the use of the double bedrooms being used by a single occupant. Should the double bedrooms be occupied by more than one person e.g. a couple then the spaciousness and amenity space which can be enjoyed is reduced. Therefore it is considered appropriate and necessary to include a condition stating the maximum number of occupants is 8no.
21. An informative will remind the applicants that a Mandatory HMO License will be required from the Council.
22. In terms of outdoor amenity for the residents, some space would be retained to the side of the dwelling which would be sufficient for typical outdoor amenity such as drying clothes and outdoor dining.

Design and Appearance

23. The proposal seeks minor external alterations including the replacement of the side kitchen door with a double patio style door and loss of rear patio door and replacement with windows. Enlargement of 1st floor side elevation window. Removal of garage, addition of hardstanding to the front and rear of the site. The siting of 3no 660L waste bin storage area and 8no bike lockers.
24. The design has been considered in line with Policy L7 and guidance contained in SPD4.
25. These alterations are all consistent with the existing residential character of the area.
26. Overall the proposal is acceptable in terms of design and appearance.

Residential Amenity

27. The principal reason a loss of amenity could occur from this type of development would be in relation to noise and nuisance as a result of the increased occupancy levels compared to atypical single family dwelling. It is expected that a HMO would have a different impact in terms of noise and disturbance compared to a typical single family dwelling.
28. The applicant has provided a management plan which indicates how the HMO will be managed to limit harmful noise and disturbance from occupiers. This has been reviewed by the Council's Environmental Protection Team who are satisfied this can be managed effectively without an undue harm occurring to residential occupiers of neighbouring and surrounding residential properties. A condition ensuring compliance with this management plan would be added to any permission, it is also considered necessary to restrict the number of occupants to 8 to prevent rooms having multiple occupants which could significantly increase the impact of the proposal of the local area through comings and goings.
29. The only external alteration which could impact on residential amenity (in term of privacy, visual intrusion and loss of light) is the enlargement of the 1st floor side elevation window. This retains over 21m to the opposing front elevation of properties on Winchester Road and is therefore not considered to result in undue overlooking. In this regard the proposal is considered to be in compliance with Policy L7.

Highways

Access

30. The proposed pedestrian, vehicle and cycle access is not sought to be amended under the proposals and would remain as existing.

Car Parking

31. The car parking standards as detailed within Supplementary Planning Document 3 (SPD3) state that for this location an HMO requires 0.5 car parking spaces per bedroom. It is proposed to increase the number of bedrooms to 8no, requiring 4no parking spaces to be provided.
32. The proposed site plan shows 5no spaces would be provided on site, using the existing vehicle crossovers and therefore are no concerns relating to car parking.

Cycle Parking and Storage Arrangements

33. SPD3 states that 1 cycle parking space per bedroom should be provided for Houses in Multiple Occupation (HMO's).

34. Following comments from the LHA, the plans show 8no bicycle lockers will be sited to the North-Eastern corner of the site, however as full details including elevations of this store have not been provide full details will be requested via condition.
35. Therefore the proposal would not result in harm to the local highway network, nor to highway or pedestrian safety, is the proposal therefore considered to be in accordance with Policy L4 and NPPF.

Refuge/Waste

36. It is proposed to provide adequate and suitably located refuse/recycling storage facilities for the proposed development. Bin storage to the rear of the North-East corner of the site shows 3no 660L waste bins. The proposal would comply with policy L6 and L7.

Developer Contributions

37. The proposed development will increase the internal floor space of the building by less than 100m² and therefore will be below the threshold for charging.

PLANNING BALANCE AND CONCLUSION

38. Section 38(6) of the Planning and Compulsory Purchase Act 2004 is clear that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF reiterates the statutory status of the development plan as the starting point for decision making. Paragraph 11 of the NPPF is a material consideration which carries significant weight in the decision-making process.
39. Given the Council cannot demonstrate a five year supply of housing land, paragraph 11 of the NPPF is engaged. The application has been assessed against adopted policy and guidance, and comments received from local residents.
40. It is considered that the proposed development would be acceptable in terms of design and visual amenity, would not have any unacceptable impacts on the residential amenity of neighbouring properties. The proposal would not result in any adverse impacts therefore the benefits of the scheme would significantly and demonstrably outweigh any harm. As such, the development accords with Trafford Core, SPD4 and the NPPF and is recommended for approval subject to the conditions listed below.

RECOMMENDATION: GRANT subject to the following conditions

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on plan numbers; HAD3359-01, HAD3359-08 REV B and HAD3359-06 REV A.

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

3. The development hereby permitted shall not be carried out except in complete accordance with the submitted management plan.

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

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

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

5. Prior to occupation the bins as shown on approved site plan shall be installed and made available for use and shall be retained thereafter.

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

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

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

7. No building hereby approved shall be occupied unless and until a scheme for secure cycle storage has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

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

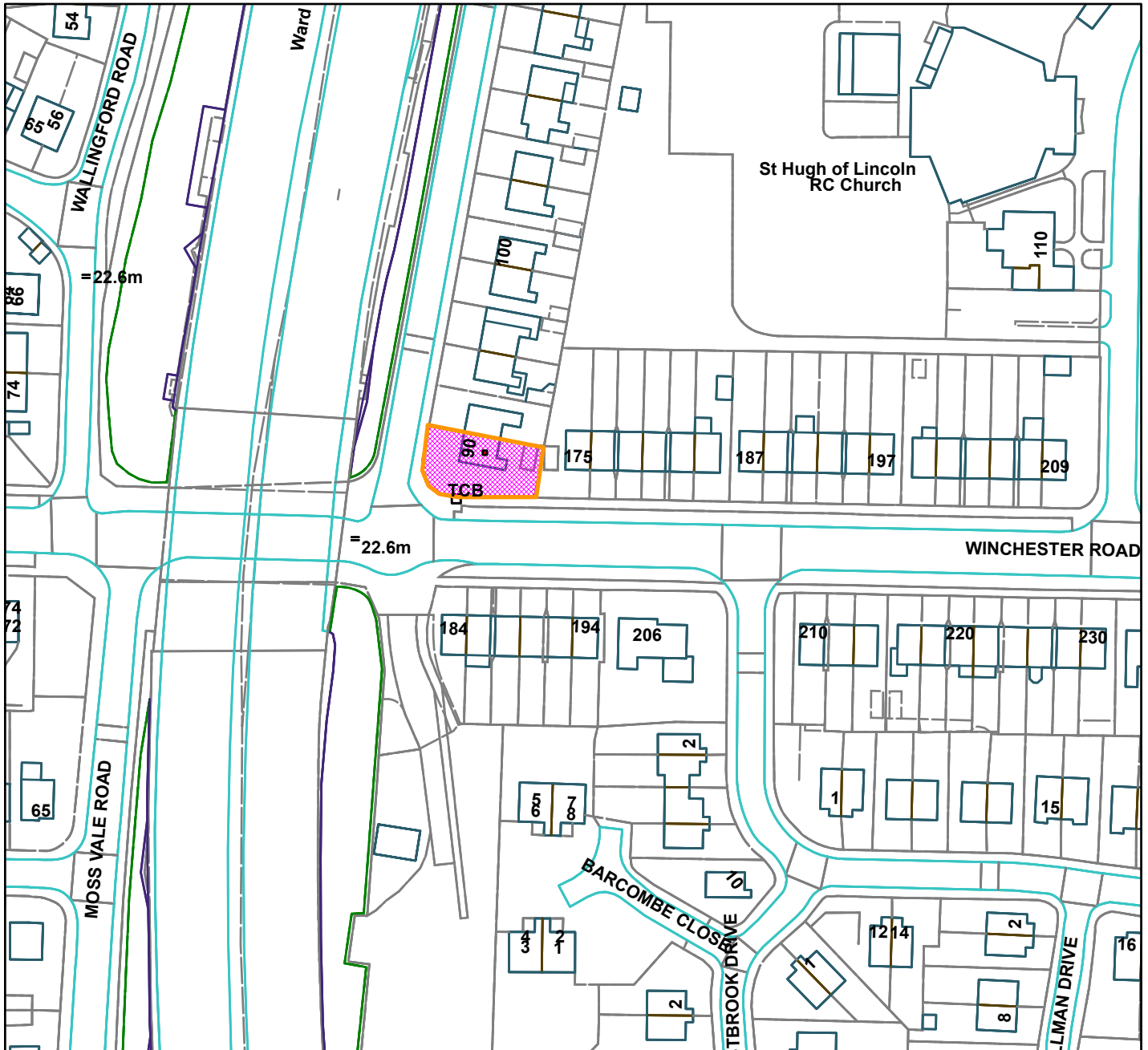
8. The development hereby permitted shall be operated so that no more than 8 permeant residents occupy the property at any one time.

Reason: In the interest of amenity and accessibility having regard to Policy L4 and L7 of the Trafford Core Strategy, SPD3 and the National Planning Policy Framework.

NB



90 Moss Vale Road, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 14/04/2022
Date	04/04/2022
MSA Number	100023172 (2012)

WARD: Hale Central

106556/FUL/21

DEPARTURE: No

Erection of a single storey side extension and external alterations including alterations to the shop frontage and amalgamation of 208 and 210 Moss Lane at ground floor to create single shop (part retrospective)

Mani Halal Meat & Vegetable Shop, 208 - 210 Moss Lane, Altrincham

APPLICANT: Mr Ajaz Ahmed

AGENT: N/A

RECOMMENDATION: Grant

The application is reported to the Planning and Development Management Committee due to the fact that an Officer within the Planning Department has an interest in the site.

SITE

The ground floor units at numbers 208 and 210 Moss Lane form a parade of three commercial units along with 206 Moss Lane in Hale. The end unit (No. 210) is currently occupied by a grocery store (Mani Halal Meat and Vegetable Shop) at ground floor and residential above and is positioned on the corner of Clarence Road. It is understood that the applicant has recently created a doorway between the two ground floor premises at nos. 210 and 208. The grocery shop at no. 210 currently displays produce outdoors (to the front and side of the shop) on top of crates / boxes, metal racks and canopies. There is a private garden amenity area to the side of the property, with a 1.80m high brick wall. The middle unit, number 208 was last in use as a café (Yokkmokk) with office space above. Number 206 Moss Lane is a physiotherapy practice (Health and Wellness – Evolve) at ground floor and a residential flat above.

The King George Pub, a used motor car dealer and a service station are located to the north, but besides these commercial uses the surrounding area is predominantly residential in nature. The applicant building is not listed and is not located within a conservation area. It is also not located within a designated local or neighbourhood shopping centre.

PROPOSAL

This application seeks planning permission for the erection of a single storey side extension including alterations to the shop frontage and amalgamation of 208 and 210 Moss Lane at ground floor to create single shop.

Specifically the side extension would project 3.65m with a depth of 3.30m. It would have a roof eaves height of 2.50m and hipped roof ridge height of 3m. The extension would feature a single front door and two side elevation windows. It would be constructed of brick walls and a tiled roof.

The front elevation of the shop would be altered across nos. 210 and 208 to feature central double doors, with 3 vertically aligned window openings either side. A new fascia sign is proposed above the door with the words "MANI'S Fresh Halal Meat & Vegetables" (although this would be subject to a separate advert application). New window / door openings would be grey aluminium and upvc framed.

A small projecting canopy is proposed above the side corner door. No. 208 and no. 210 would be amalgamated with some of the internal partition wall removed to create a single shop. An existing ground floor rear side window would be blocked up and relocated with a matching size window. It is understood that some internal alteration works have already been carried out.

It is noted that a metal canopy structure with supporting posts has recently been constructed to the front elevation, however this does not form part of this planning application and will be investigated separately.

Value added:

An additional 63sqm of shop retail floor space is proposed within no. 208. 9sqm is proposed within the side extension.

Following concerns raised by the Council, amended plans were submitted which included a hipped roof form to the side extension and a revised front window design. Plans were submitted showing bin and cycle storage.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L7 – Design

W1 – Economy

W2 - Town Centres and Retail

For the purpose of the determination of this planning application, these policies are considered 'up to date' in NPPF Paragraph 11 terms with the exception of maximum parking standards in L4.

OTHER LOCAL POLICY DOCUMENTS

SPD3 – Parking and Design

Planning Guideline 17 – Shop Fronts (July 1997)

PROPOSALS MAP NOTATION

No relevant allocations

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the National Planning Policy Framework (NPPF) in July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

MHCLG published the National Planning Practice Guidance on the 6th March 2014, and this is updated regularly. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

101618/FUL/20 - Amalgamation of 208 and 210 Moss Lane at ground floor, with erection of a single storey front and side extension, alterations to the shop frontage and a new external staircase to rear of property 208 to provide separate access to the offices above.
Refused 04.02.2021

102091/FUL/20 - A new proposed enclosed lockable structure to store fruit and vegetables. A new proposed sloped roof with roller shutters enclosure. A new external staircase to rear of property 208.
Withdrawn 09.10.2020

79885/FULL/2013 - Fitment of automatic awnings above East and South facing shop windows, and the provision of a 1.8m high fence screened to half height and levelling of ground between fence and building.
Approved with conditions 27.03.2013

77860/FULL/2011 - Erection of a temporary single storey side extension.
Refused 28.02.2011

APPLICANT'S SUBMISSION

Application Form
Location Plan
Existing / Proposed Plans

CONSULTATIONS

Local Highways Authority

There are no objections on highway grounds to the proposals

REPRESENTATIONS

The application was advertised through notification letters sent to immediate neighbours. Objections were received from 3 neighbours, summarised as follows:

- *If shop is extended, this would add more parking issues. Parking restrictions could be put in place such as yellow lines / white lines to prevent driveways being blocked*
- *Concerns regarding structural integrity of the front of the property*
- *Properties are in a state of dilapidation and adherence to building regulations should be checked urgently*
- *Building work has already begun*
- *Concerns over where bins and waste will be stored. Bins are currently stored to the front and local residents have complained about this*
- *Is it possible for the property to plan how they will dispose of and store animal / non animal waste*
- *The stalls take most of the pavement and are an obstruction / health hazard*

- *Proposed works have started prior to planning approval being granted*
- *Windows in shop frontage have been enclosed with sheet steel, which raises fire safety concerns*

*In response to the above, the Council advise that structural concerns are a separate issue to Planning and would be dealt with by Building Control. The relevant person at Amey has been notified of this. Matters in relation to bin storage, parking and other proposed works are discussed in this report.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

The decision-taking framework

1. S38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraphs 2 and 47 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up to date development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but was drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2021 NPPF particularly where that policy is not substantially changed from the 2012 version. The NPPF is a material consideration in planning decisions as the Government's expression of planning policy and how this should be applied; it should be given significant weight in the decision making process.
3. Paragraph 8 from the NPPF states that *"Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): An economic objective An environmental objective A social objective"*
4. Paragraph 81 states that: *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future"*.

5. The application is for the amalgamation and extension of two existing commercial units within an established parade alongside extension / external alteration works. Trafford's Core Strategy Policy W2.9 states local centres will focus on the convenience retail facilities and services to meet local needs. Whilst not a Local Centre, as an established commercial parade the principle of allowing small extensions to these types of premises to provide local convenient retail facilities is acceptable in principle.
6. The development should be assessed against the requirements and limitations of Policy L7 of Trafford's Core Strategy in relation to amenity impacts and the design and appearance of the proposal.
7. The proposal would also increase the available retail floorspace and so should also be assessed against the requirements of Policy L4 of the Trafford Core Strategy in relation to sustainable transport and accessibility. These matters are discussed below.
8. The proposed amalgamation of the two units and the internal alterations (including the removal of internal walls) would not constitute development requiring planning permission. The proposal as a whole would support the continued operations and expansion of an existing local business in the Hale area. It is considered acceptable in principle, contributing towards economic activity in the locality and providing a retail service for residents in the area.

DESIGN AND APPEARANCE

9. The NPPF states within paragraph 126 states that: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 134 states that: Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and codes.
10. Policy L7: Design from the Core Strategy states that: "L7.1 *In relation to matters of design, development must:*
 - *Be appropriate in its context;*
 - *Make best use of opportunities to improve the character and quality of an area;*
 - *Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment".*
11. *The Council's guidelines for shop fronts (SPG17) which includes a section in relation to design (section 3), SPG17 states that "The design should have regard to the appearance of the rest of the building... Display window treatment should*

not clash with upper floor window styles.” Furthermore, with regard to materials, SPG17 states “Careful consideration should be given to the choice of all materials used. A good quality soft wood is often the most suitable material for most of the shop front, particularly for older buildings and can be easily repainted if the shop requires a change of appearance.”

12. The application site occupies a prominent corner location on the junction of Moss Lane and Clarence Road. The proposed side extension would be minor in scale and well set back from the frontage with sufficient separation provided to the pavement / road edge lines. The proposal would provide a hipped roof structure, which is considered complementary to the main building. The prominence of the extension would be diminished against the backdrop of the larger two storey building behind and would be sited so that it is not overly dominant within the streetscene. It’s scale, form and siting is considered appropriate and it would appear complementary and subservient. It would relate well to the character of the area and not appear overly prominent on this corner plot.
13. It is noted that an application for temporary planning permission (77860/FULL/2011) from 2011 for a single storey side extension in the same location was refused. However this design included a flat roof structure which failed to complement the existing building, whilst the proposed design is an improvement on this and overcomes the concerns raised from this application.
14. The side extension is proposed to be constructed of brick walls with a tiled roof, with a well sited door and window openings. Materials details are however recommended to be submitted through a discharge of condition application.
15. It is noted that the business currently displays goods on the pavement using crates and boxes. It is understood that part of the reason for the proposed extension is to reduce the need to move non-perishable goods in and out of the main shop at the start and end of each day. The proposed development includes the amalgamation of 208 and 210 Moss Lane and therefore the internal floor space of the shop would be extended by 63 sqm (including the rear rooms), which is more than twice the pavement area currently used to display food. The side extension would help avoid the need to store goods on the pavement, although it is considered that these could likely be stored anyway internally in the extended shop area within no. 208.
16. The new shop frontage would provide a coherent appearance across both no. 210 and no. 208 with appropriately sized window panels. These would provide a vertical emphasis, in keeping with the character of the existing building and windows present at no. 206. The new central double doors and side corner door would be well sited within the elevations and appropriate in shape / size. The aluminium and upvc frames, whilst not timber would still provide an appropriate appearance, with a relatively thin frame design. No roller shutters are proposed as part of the application. Any external roller shutters would require a separate

planning permission and it is recommended that an informative is attached reminding the applicant of this.

17. The new corner canopy would be minor in scale and assimilate well into the existing building. The relocated ground floor rear side window would match the appearance of the existing and is considered appropriate in design and siting.
18. In summary, for these reasons, the proposal is considered to be appropriate in its context and would provide a satisfactory design and appearance in compliance with Policy L7 Design and the NPPF.

RESIDENTIAL AMENITY

19. This section considers the potential amenity impact of the proposal upon adjacent residential properties.
20. Policy L7; Design also states that:
21. L7.3 *"In relation to matters of amenity protection, development must:*
 - *Be compatible with the surrounding area; and*
 - *Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way".*

Impact upon no. 35 Bancroft Road (neighbour to side to south)

22. The side extension would provide a 17m facing distance across Clarence road with this property. It would be small in scale and is considered visually appropriate. The canopy would be minor in scale and the front elevation alterations visually appropriate. There is not considered to be any loss of light, adverse visual intrusion or privacy caused for no. 35.

Impact upon no. 25 Clarence Road (neighbour to rear to west)

23. The side extension would provide a 28m facing distance with this property and be largely obscured by the existing site boundary wall for the applicant property. It would be small in scale and is considered visually appropriate. The canopy would be minor in scale and the front elevation alterations visually appropriate. There is not considered to be any loss of light, adverse visual intrusion or privacy caused for no. 25.

Impact upon no. 207 Moss Lane (neighbour to front to east)

24. The side extension would provide a 25m facing distance with this property across Moss Lane. It would be small in scale and is considered visually appropriate. The

canopy would be minor in scale and the front elevation alterations visually appropriate. There is not considered to be any loss of light, adverse visual intrusion or privacy caused for no. 207.

Impact upon no. 206 Moss Lane (neighbour to side to north)

25. The side extension would not be visible from this property and is not considered to have an amenity impact upon no. 206. Similarly the front elevation alterations are considered visually appropriate and similarly would not have any amenity impact from visual intrusion, loss of light, overshadowing or loss of privacy. It is also noted that this property is not in residential use.

Impact upon Flat above no. 210.

26. The side extension and front elevation alterations would be sited below first floor window level. There is not considered to be any loss of light, adverse visual intrusion or privacy caused for this flat.

27. In summary the proposed side extension and external alterations are not considered to have an adverse amenity impact upon neighbouring properties and the proposal accords with Policy L7.3 in this regard.

HIGHWAYS, ACCESS AND PARKING

28. Policy L4 of the Trafford Core Strategy states that *“maximum levels of car parking for broad classes of development will be used...to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion.”*

29. The car parking standards are detailed within Supplementary Planning Document 3 (SPD3). No. 208 and 210 as existing don't have any parking within the site curtilage. The proposed development would not increase the number of bedrooms within the property in the first floor flat. The extension would increase the commercial floor space by approximately 10 sqm, however this would be a store room and not part of the main shop floor area. It is not considered that the additional gross floor area at ground floor level would create any additional parking demand and therefore no detrimental impact on highway safety. The site is located within a sustainable location, with close proximity to many residential properties. It is expected that the majority of customers would walk to the shop.

30. The Local Highway Authority have reviewed the proposals and do not consider the additional gross floor area at ground floor level would require any additional parking demand and therefore no detrimental impact on highway safety.

31. The proposed development is therefore acceptable in relation to highway safety.

32. As an improvement on the existing situation which features no dedicated cycle parking for the buildings, 2 x Sheffield type cycle racks are proposed to the front of the building, capable of supporting up to 4 x bicycles in total. This would cater for and encourage cycling, a sustainable mode of transport. A condition is recommended. requiring the cycle racks to remain in place for the lifetime of the development

BIN STORAGE

33. Bins are currently stored across the front elevation of the building. The occupants of neighbouring properties, namely no. 206 Moss Lane and no. 16 Hermitage Road, have raised concerns in this regard. The applicant has submitted details of bin storage including general refuse, food waste, cardboard/paper recycling and mixed glass/metal/plastic recycling. Bins would be stored to the rear of the property and moved to the pavement on bin collection day. This is expected to improve visual amenity and avoid environmental health issues, particularly compared to the existing situation. A condition requiring bin storage to remain in place for the lifetime of the development is recommended.

DEVELOPER CONTRIBUTIONS

34. No additional internal floor space is proposed and the development is not subject to the Community Infrastructure Levy (CIL).

PLANNING BALANCE AND CONCLUSION

35. The proposed development is considered acceptable in design and appearance and would correspond well with the character of the locality in terms of its scale, form and siting. There is not considered to be an adverse amenity impact upon neighbouring properties. The proposal would enable the expansion and improvement of an established retail business in the Hale area and is recommended for approval, subject to conditions.

RECOMMENDATION: APPROVE WITH CONDITIONS

Conditions:

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

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

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

P101 B; P103 B and P105 B

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

3. Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and / or full specification of materials to be used externally on the building(s) [wall facings, roof coverings, fascia/soffits, window/door frames, door canopy, rainwater goods] have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

4. The extension shall not be brought into use unless and until the bin storage and cycle storage as shown on drawing number P105 B has been provided and the bin storage and cycle parking shall remain in place thereafter for the lifetime of the development hereby approved.

Reason: To cater for and encourage cycling, a sustainable mode of transport and to provide adequate servicing and refuse/recycling storage for the development, having regard to Policy L4 and L7 of the Trafford Core Strategy and the provisions of the National Planning Policy Framework.

5. Servicing and deliveries to or from the premises, including bin collection/emptying, shall only take place between the hours of: 08:00 to 23:00 on Monday to Saturday and 09:00 to 22:00 on Sundays and not at any time outside these hours.

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

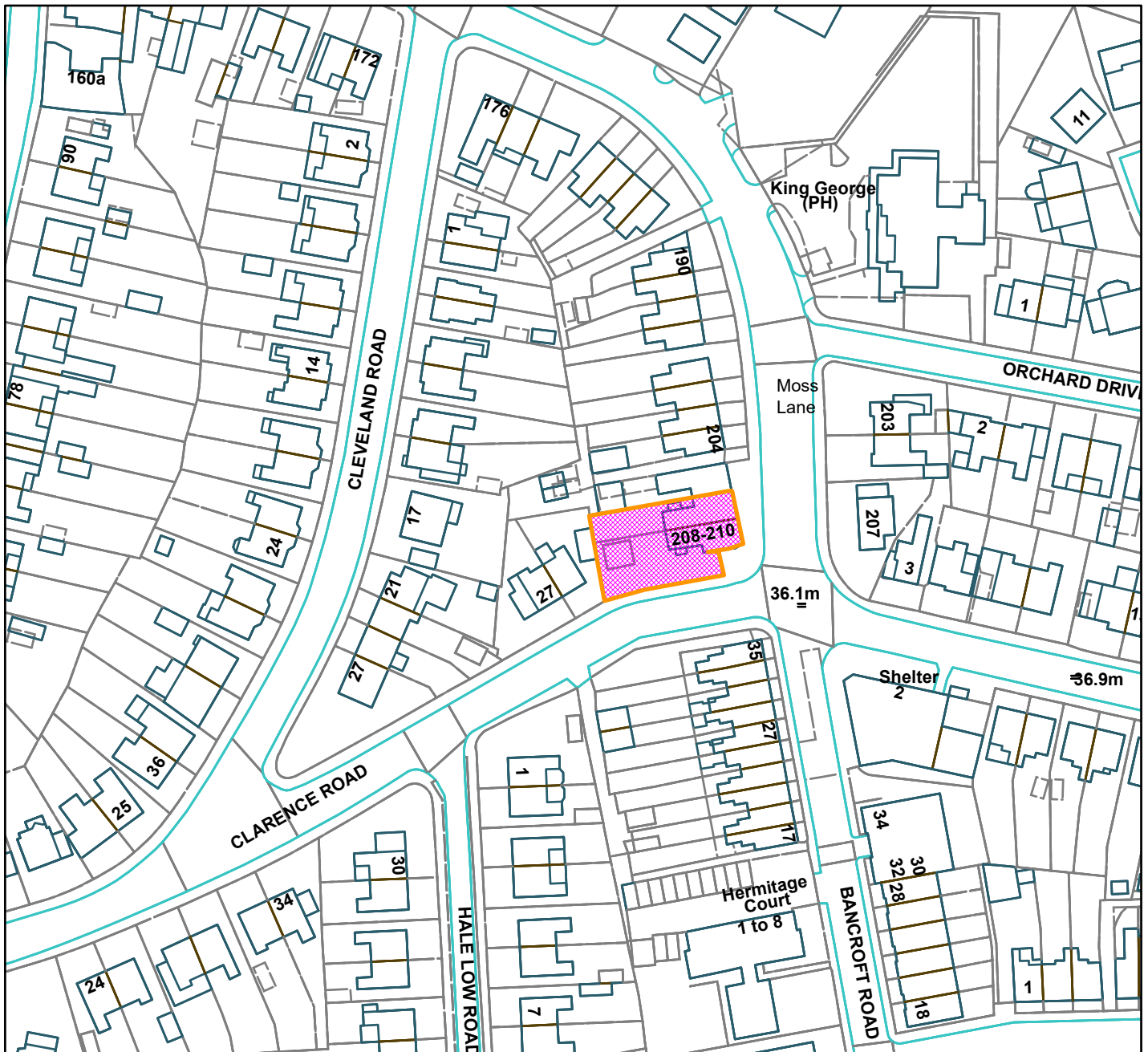
Informatives:

- positive and proactive approach
- a separate planning application would be required for any external roller shutters

GEN



Mani Halal Meat & Vegetable Shop, 208-210 Moss Lane, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date - 04/04/2022
Date	04/04/2022
MSA Number	100023172 (2012)

WARD: Hale Barns

106946/HHA/22

DEPARTURE: No

Erection of single storey side extension and first floor extension and other external alterations.

18 Finchale Drive, Hale, WA15 8NH

APPLICANT: Mr Talluri

AGENT: Randle White Architects

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee as more than 6 objections have been received contrary to officer recommendation.

SITE

The application site comprises a detached bungalow property located on the north side of Finchale Drive in Hale. The dwelling is constructed of brick walls with a dual pitched tiled roof and white upvc framed window / door openings. There is a front garden, front driveway, attached flat roof side garage and rear garden.

Neighbouring properties are entirely residential and are bordered by 1m to 1.80m high timber fencing. The property is of a closely matching design and scale to neighbouring detached properties within the street scene.

In June 2021 a Prior Approval application 104837/PHAA/21 (submitted under part 1 of schedule 2 class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015) was submitted to erect an additional storey to the existing property. This application was refused by the Local Planning Authority in July 2021, however in January 2022 the Planning Inspectorate allowed the appeal. For the avoidance of doubt this development has not commenced.

PROPOSAL

The proposal seeks permission to construct a single storey side extension down the west side of the dwelling.

It would have a depth of 11.8m and width of 3.1m. It would have a hipped roof with an eaves height of 2.3m and ridge of 4.5m.

The elevations would provide a garage door and skylight to the front, single window to the side, a full height kitchen window/door and 2 no full height windows/door to the rear elevation replacing the existing windows.

The increase in floor space of the proposed development would be approx. 30m².

Added Value

The originally submitted scheme, showed the proposed side extension adjoining the works under approved by appeal 104837/PHAA/21, however the agent was informed that it would not be allowed to combine the works approved under permitted development and under formal planning permission in the same and adjoining building operation as this would then invalidate the decision issued under 104837/PHAA/21. The proposal was therefore resubmitted just for the side extension.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7- Design

In relation to paragraph 11 of the NPPF Policy L7 of the Core Strategy is considered up to date and full weight should be given to this policy.

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

SPD3-Parking Standards and design

SPD4- A guide for designing householder extensions

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was

published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20TH July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated in June 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

104837/PHAA/21: Erection of an additional storey to the existing dwellinghouse. Application for prior approval under Part 1 of Schedule 2 Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015. Prior Approval Refused 29 July 2021, Appeal Allowed 7 January 2022.

APPLICANT'S SUBMISSION

None

CONSULTATIONS

None

REPRESENTATIONS

Representations were received from 1, 2, 14, 16, 19, 20, 21 and 22 Finchale Drive, 110 Woburn Drive and Cllr Butt. The issues raised have been summarised below.

These focused on the 2-storey appearance of the dwelling being out of keeping with the street-scene/residential character and the 1st floor aspect on the amenity of surrounding properties via loss of privacy, loss of light and visual intrusion.

Other objections were raised to:

- Appearance of the dwelling being two-storey and surrounded by bungalows
- Out of keeping with character of area
- Overbearing on neighbours to either side
- Overshadowing on neighbours to either side

- Loss of Privacy to side and rear due to 1st floor windows
- Problems with parking/highways safety and maintenance during construction
- Increase in occupants causing a more general negative impact on utilities such as drainage
- Inspectors decision to pass previous application
- Time/money wasted by having 3no applications on the site

It was noted that the majority of material objections related to the 1st floor aspect of the proposed plans, following their removal a re-consultation was conducted.

Further objections was received from 14, 20, 21 and 22 Finchale Drive and 110 Woburn Drive. Additional points were raised regarding:

- Similarity of ground floor plans to the 2-storey floor plans, therefore could still facilitate 1st floor addition
- Layout and size of ground floor rooms
- Roof design not complimentary with area and could be used to access loft space
- Still overbearing and overshadowing to no.20 due to proximity to the boundary
- Lack of detail/measurements on plans

The impact of the proposal on the design and appearance of the street-scene and impact on neighbours' amenity will be assessed below.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Householder extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas.
2. The proposal has been assessed against Core Strategy Policy L7 and guidance contained in SPD4.

DESIGN AND VISUAL AMENITY

3. Paragraph 126 of NPPF states *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*

4. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
5. The proposed side extension is single storey and modest in scale, being less than half the width of the existing dwelling, with a lower ridge height than existing. As such it would appear proportionate and subservient to the existing property. The hipped roof and proposed fenestration are considered to integrate well and respect the character and style of the host dwelling
6. Access between the front and rear of the site would be maintained, with a separation of approximately 1m retained to the common boundary with no. 20. Furthermore the extension would be constructed with matching materials so as to appear in keeping with the character of the surrounding residential area.
7. As such, it is considered that the proposal would have no unacceptable impact in terms of the visual amenity of the street scene and the surrounding area. Subject to conditions, the proposed development is considered acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

RESIDENTIAL AMENITY

8. Impact on the amenity of neighbouring residents and the occupiers of the application property has been considered in line with Policy L7 and guidance contained in SPD4.
9. SPD4 sets out detailed guidance for protecting neighbouring amenity (paras 2.14 to 2.18) as well as under the relevant section for this type of development (3.1). In terms of its impact on residential amenity the development will be assessed on the extent to which it causes a loss of privacy, extent to which it is overbearing on a boundary and the degree to which it causes a loss of light, to the neighbouring properties.

Impact on 20 Finchale Drive

10. The proposal would primarily impact on this property given it is sited adjacent to the common boundary with no. 20.
11. There would be 1m separation distance between the side elevation of the extension and the boundary. This ensures that whilst some loss of light and visual intrusion

would be experienced it is not considered undue given the modest size and scale of the extension.

12. There would be 1no side elevation window which services a W/C and would face towards the kitchen window of no.20. This will be obscured by condition to ensure no undue loss of privacy occurs. Some additional overlooking could occur to the rear garden but this is not considered an undue amount given the existing boundary treatment (1.8m timber fence).

Impact on 16 Finchale Drive

13. Given the projection would occur to the opposing side of the site, it is not considered a loss of light or visual intrusion would occur.
14. Some additional overlooking could occur to the rear garden due to the alteration and additional glazing, but this is not considered an undue amount given the existing boundary treatment (2m timber fence).

Impact on properties to the rear

15. The side projection would not project rearwards and therefore would not cause visual intrusion or loss of light compared to the existing dwelling. The boundary treatment to the rear is a 2m timber fence with some additional planting. It is not considered the proposal would cause undue additional overlooking.

Impact on properties to the front

16. There would be no new windows or projection beyond the existing front elevation, the only difference would be the addition of a hipped roof over the existing garage. It is not considered a loss of amenity would occur as a result of this.

PARKING AND HIGHWAYS

17. The proposal would not give rise to additional bedrooms and therefore does not give rise to additional parking requirements.

DEVELOPER CONTRIBUTIONS

- This proposal is not subject to the Community Infrastructure Levy (CIL) as it would create less than 100m² and so it below the threshold for CIL.

- No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

18. The scheme has been assessed against the development plan and national guidance and it is considered that the proposed development will result in an

acceptable form of development with regard to the amenity of neighbouring residents, and the impact on the street scene and the surrounding area more generally.

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

RECOMMENDATION: GRANT subject to the following conditions

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on plan numbers: 21-087(EXT)49; FSD-10 Rev B; FSD-11 Rev B; FSD-20 Rev B; FSD-44 Rev B.

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

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

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

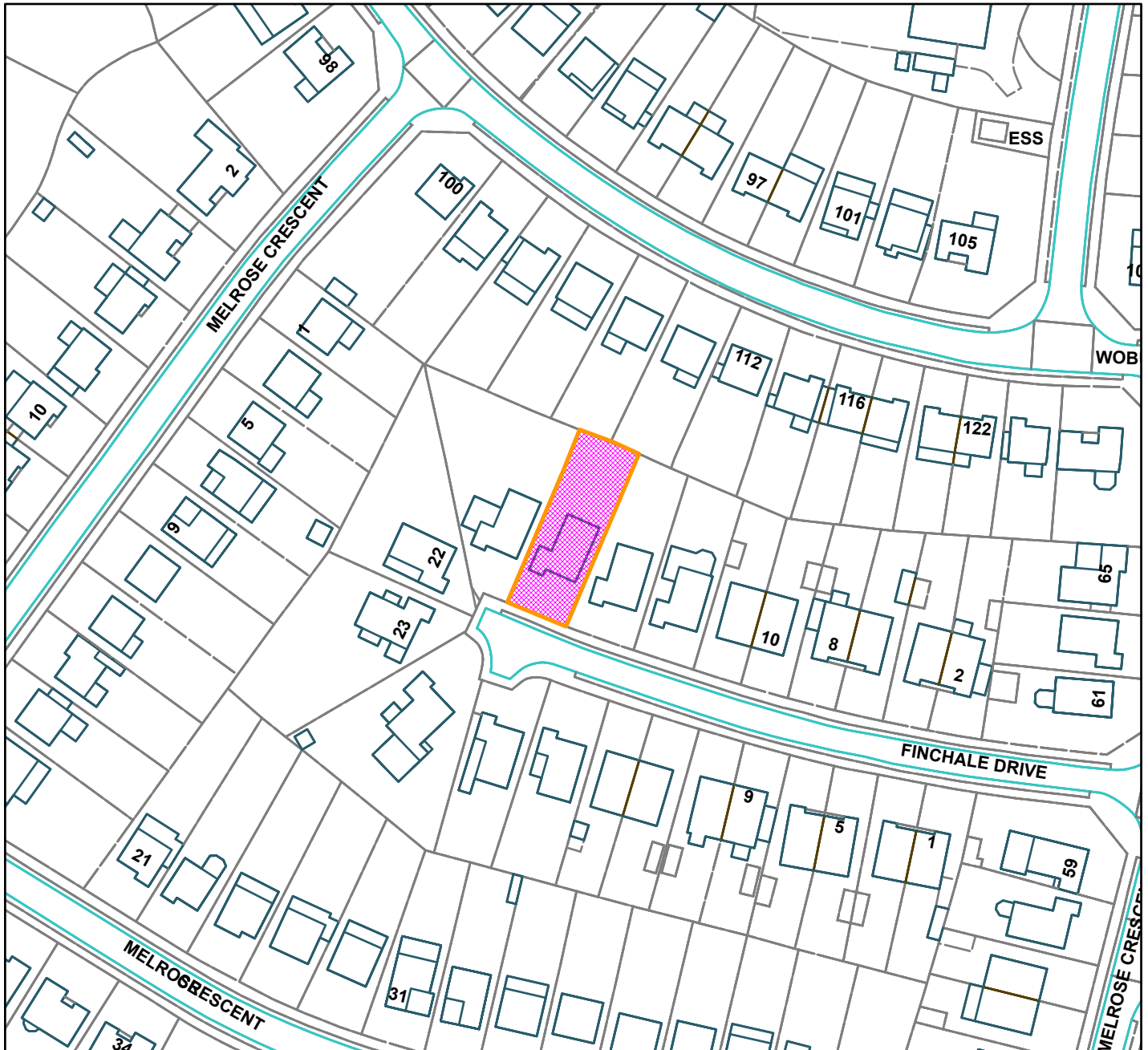
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the window in the Ground floor on the west side elevation facing no. 20 shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

NB



18 Finchale Drive, Hale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date - 04/04/202
Date	04/04/2022
MSA Number	100023172 (2012)

WARD: Timperley

106971/HHA/22

DEPARTURE: No

Erection of single storey rear extension

4 Farndon Drive, Timperley, WA15 6NR

APPLICANT: Noah Evans & Lisa Hancock

AGENT: John Wood Architect

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee as the applicant's father is a Councillor.

SITE

The proposed development site consists of a brick-built, semi-detached two storey dwellinghouse with a pitched slate roof. The site is located in a residential area of Timperley, on the south side of Farndon Drive.

To the front of the dwelling there is a driveway and a ground floor and first floor bay window, and to the rear, there is an outrigger, detached garage and garden.

The dwellings in the surrounding area are predominantly semi-detached and of similar design.

PROPOSAL

The applicant is seeking planning permission for the erection of a single storey rear extension. The rear extension would project 3.35m from the rear elevation. It would have an apex height of 3.6m and an eaves height of 2.6m and would be constructed from materials to match the existing property.

DEVELOPMENT PLAN

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7 – Design

In relation to paragraph 11 of the NPPF Policy L7 of the Core Strategy is considered up to date and full weight should be given to this policy.

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

SPD4- A guide for designing householder extensions

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20TH July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated in June 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

No relevant planning history

APPLICANT'S SUBMISSION

CIL Questions

CONSULTATIONS

None

REPRESENTATIONS

The application was advertised through notification letters sent to immediate neighbours. No representations have been received.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Householder extensions and alterations are acceptable in principle subject to there being no undue harm to the character and appearance of the property through unsympathetic design or unacceptable harm to the amenity of neighbouring properties and residential areas. Further to this, issues relating to parking provision are also to be considered. There are no additional constraints in this instance.
2. The proposal has been assessed against Core Strategy Policy L7 and guidance contained in SPD4.

DESIGN AND VISUAL AMENITY

3. Paragraph 126 of NPPF states *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*
4. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
5. The proposed rear extension is single storey and modest in scale. As such it would appear proportionate and integrate well with the dwelling and respect the character and style of the host dwelling. The extension would have a lean-to roof with a suitable ridge height so as to appear subservient and complementary to the main dwelling.

6. Furthermore the extension would be constructed with matching materials so as to appear in keeping with the character of the surrounding residential area.
7. As such, it is considered that the proposal would have no unacceptable impact in terms of the visual amenity of the street scene and the surrounding area. Subject to conditions, the proposed development is considered acceptable in terms of design and visual amenity and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in this respect.

RESIDENTIAL AMENITY

8. Policy L7 of the Core Strategy states that in relation to matters of amenity development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
9. The relevant guidance contained within SPD4 states the following:

Paragraph 2.14.2 states *'It is important that extensions or alterations:*

- *Do not adversely overlook neighbouring windows and/or private gardens areas.*
- *Do not cause a significant loss of light to windows in neighbouring properties and/or their patio and garden areas.*
- *Are not sited so as to have an overbearing impact on neighbouring amenity.'*

Paragraph 2.17.2 states *'The factors that may be taken into account when assessing a potential loss of light or overbearing impact include:*

- *The size, position and design of the extension*
- *Orientation of the property*
- *Presence of other habitable room windows/sources of light in neighbouring rooms*
- *Relative position of neighbouring houses and existing relationship*
- *Size of the garden*
- *Character of the surrounding area'*

10. Additionally section 3.4.2 states that normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of a semi-detached property. This projection can be increased by an amount equal to the extra distance from the side boundary.

Impact on properties to the front and rear of the site

11. As the proposed extension would not be visible from the street, there would be no adverse impacts on the amenity of the streetscape and fronting dwellings.
12. SPD4 states that rear extensions should retain a separation distance of 10.5m to the rear boundary and 21m to the relating neighbour at the rear.
13. The rear extension would retain a distance of approximately 17m to the rear boundary. This distance exceeds the recommendations of SPD4.
14. It is considered that the proposal would not result in harmful overlooking, or be overbearing to occupiers of properties to the front or rear given the distances outlined above.

Impact to no. 2 Farndon Drive

15. The proposed ground floor extension would project 3.35m in total to the rear. It is however recognised that there is an existing ground floor extension at no.2. As such the projections would comply with SPD4 and is not considered to be significantly harmful towards the attached neighbour given the scale and roof design.

Impact to no. 6 Farndon Drive

16. As the existing rear extension closest to no. 6 would be retained, it is considered that there would be no adverse impact on the adjacent dwelling.
17. It is therefore considered that the proposed extension would not have an unacceptable impact on the residential amenity of any neighbouring properties and would comply with Policy L7 of the Core Strategy in this respect.

DEVELOPER CONTRIBUTIONS

The proposed development increases the internal floor space of the dwelling by less than 100m² and therefore is below the threshold for charging. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

The application has been assessed against adopted policy and guidance.

It is considered that the proposed development would be acceptable in terms of design and visual amenity, and would not have any unacceptable impacts on the residential amenity of neighbouring properties. As such, the development accords with Trafford Core, SPD4 and the NPPF and is recommended for approval subject to the conditions listed below.

RECOMMENDATION: GRANT subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on plan numbers: 1475-003-01; 1475-901-01; 1475-902-02.

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

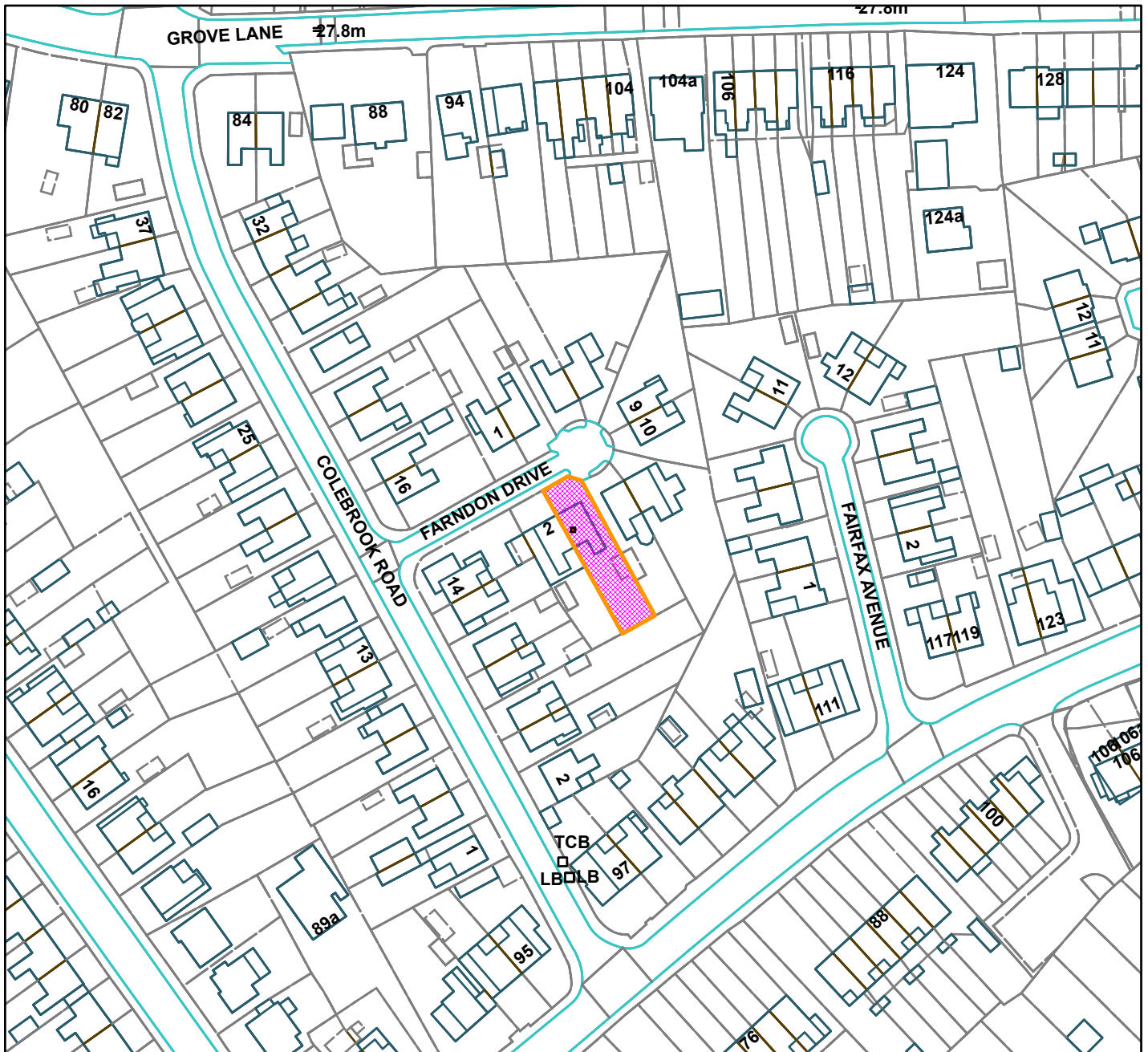
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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

AF



4 Farndon Drive, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date - 04/04/2022
Date	04/04/2022
MSA Number	100023172 (2012)

WARD: Timperley

107062/FUL/22

DEPARTURE: No

Application for the erection of a single storey side extension.

217 Woodhouse Lane East, Timperley, WA15 6AS

APPLICANT: Mr Kumar

AGENT: EBR Designs

RECOMMENDATION: Grant

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

EXECUTIVE SUMMARY

The application site comprises a piece of land which adjoins 217 Woodhouse Lane East, Timperley. The site is within a row of terraced properties which serve commercial uses at ground floor. The application site is a grocery shop with a residential flat above. Following the unauthorised erection of a flat roofed, upvc clad side extension with roller shutter last year a retrospective planning application was submitted, however due to Officers concerns over the design and appearance this was presented to Members at the January 2022 Planning and Development Committee and refused.

The current proposal seeks approval for amendments to the erected structure, with changes to the material finish, roof design and fenestration. The proposed extension would be used as part of the existing use of the grocery shop.

Objections have been received in relation to design, access and land ownership. All representations received have been duly noted and considered as part of the appraisal. The comments are discussed within the Observations section of this report.

The proposed single storey side extension by reason of subservient design and sympathetic materials is now considered an appropriate addition, which would integrate within commercial terraced row and site context. The proposed development is not considered to have an adverse impact to residential amenity or the local highway network. As such the proposal is considered acceptable in line with L7 of the Core Strategy and NPPF in terms of design and residential amenity. The development is therefore recommended for approval.

SITE

The application site comprises a piece of land which adjoins 217 Woodhouse Lane East, Timperley. The site no.217 is in use as a grocery shop with a residential flat above. The grocery shop is part of a terrace of commercial properties fronting

Woodhouse Lane East with parking situated to the front of the site.

The adjoining properties are commercial in use. Neighbouring properties on Woodhouse Lane East and Fairbourne Drive are predominately residential with Heyes Lane Primary School to the front of the site.

PROPOSAL

The application seeks planning permission for the erection of a single storey side extension to an existing grocery shop.

The single storey side extension would project by 2.6m with a depth of 7.4m. It is proposed to construct a mono-pitched roof with an apex height would be 3.4m and eaves height of 2.5m.

A window is proposed on the front and side elevation and a door on the rear elevations, the elevations are proposed to be constructed in brick to match the existing building.

The total floor space of the proposed development would be 19.8m².

Value added: Roller shutter removed from side elevation and door added to rear elevation. Neighbours re consulted.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7 – Design

L4 – Sustainable Transport and Accessibility

W2 – Town Centres and Retail

OTHER LOCAL POLICY DOCUMENTS

SPD3 - Parking Standards & Design;

PROPOSALS MAP NOTATION

Neighbourhood Shopping Centres

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

Neighbourhood Shopping Centres – UDP – S10 and S14

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

106076/FUL/21 - Retrospective application for the erection of a single storey side extension.

Refused 25.01.2022

APPLICANT'S SUBMISSION

N/A

CONSULTATIONS

Con Cadent Gas: We have no objection to your proposal from a planning perspective, subject to informative.

Health and Safety Executive (HSE): Do not advise against.

Local Highway Authority (LHA): It is not considered that the constructed single storey side extension will have an unacceptable impact on the adopted highway and there are no objections on highway grounds to the proposals.

Trafford Council, Pollution & Housing (Nuisance): No objection to this application on the grounds of nuisance.

RERESENTATIONS

Neighbours: Twelve letters of objection have been received from six properties, the representations include a number of photographs and property deeds which have been redacted from public access. The representations raise the following issues:

Design

- Materiality of existing extension
- Previous refusal of extension (106076/FUL/21)
- Not in keeping with row of shops
- Dimensions and location unchanged

Access

- Obstruction to public right of way and access, beside the recycle bin/vegetables.
- Previously mentioned the property comes with 2 parking spaces, this is incorrect

Ownership

- We do not give permission of the land for the application
- No prior notification or consultation by agent despite application form Certificate B
- Trespassing
- Legal action
- Building first then seeks permission after

Parking

- Parking on private land
- Delivery vans parking on public path
- Picking up children from local school during peak hours, extension impacts parking provision which is dangerous
- Size of premises increasing which will bring more parking problems and more cars parked on road will bring issues for bus stops

Other matters

- While in sunny weather that area behaves like a shelter for stand to avoid the sunlight
- Reason for extension is Covid however restrictions have now been lifted
- Seeking retrospective planning permission

Officer Response: In respect of the above point's officer's note certificate B has been signed indicating the owners of all land impacted by the development have been notified. Any further disputes about land ownership are a civil matter between the land owners and applicant.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up to date (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version. Whether a Core Strategy policy is considered to be up to date or out of date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
4. Paragraph 11 c) of the NPPF indicates that plans and decisions should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date plan without delay.
5. The key issues to be considered in the assessment of this application are design and appearance, residential amenity, and highway/parking matters.
6. Core Strategy Policy L7 is therefore considered most important. Policy L7 is consistent with the NPPF and therefore considered to be up to date.

DESIGN AND IMPACT ON THE STREET SCENE

7. Paragraph 126 of the NPPF states that "*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*". Paragraph 134 states that "*Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes...*"
8. Notably paragraph 130 part a-c states that planning policies and decisions should ensure that developments:
 - a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

9. In relation to matters of design, Policy L7 of the Core Strategy states development must:
- *Be appropriate in its context;*
 - *Make best use of opportunities to improve the character and quality of an area;*
 - *Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment.*
10. The proposed extension would be single storey and constructed in brick with uPVC windows on the front and side elevation and matching roof tiles to the existing property. The application site forms part of an active frontage with existing commercial buildings on the terrace row. Given the shop is an end terrace and due to the open nature of the site, the extension is highly visible.
11. It is considered the mono-pitched roof form of the extension and use of bricks with matching roof tiles would integrate within the row of the terraced properties and appear as a subservient addition. The addition of a window on the principal elevation would be complementary to the doors on the existing shop frontage.
12. As such by reason of design and sympathetic materials the extension is considered a proportionate addition which would integrate within commercial terraced row and application site. However to ensure design quality a condition is proposed which is considered necessary for proposed materials to be submitted to the local planning authority for approval.
13. As such the proposal would have an acceptable visual appearance and character of the street scene and would comply with Policy L7 Design and the provisions of the NPPF.

RESIDENTIAL AMENITY

14. Policy L7 of the Trafford Core Strategy states that, *“In relation to matters of amenity protection, development must: Be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and / or disturbance, odour or in any other way.”*
15. Given the siting and scale of the extension and separation distance to adjacent dwellings it is not considered the proposal would have an adverse impact in terms of overbearing, overshadowing or loss of light upon adjacent dwelling 219 Woodhouse Lane East.

16. There is a window on the side elevation which would not benefit from an elevated viewpoint and there is relatively high fencing on the boundary of no. 219 Woodhouse Lane East. As such it is not considered the window would have an additional impact to privacy of the occupants at no.219.
17. The proposal would be set back from the principal elevation and would not have an additional impact to adjoining dwelling 215 Woodhouse Lane East.
18. There are no additional windows proposed facing the dwellings to the rear on Fairbourne Drive. There would also be in excess of 21m to the habitable room windows at the front of the application site towards Heyes Lane Primary School.

HIGHWAYS AND PARKING

19. Core Strategy Policy L4 states: [The Council will prioritise] *the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.*
20. Paragraph 111 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*. Given the more stringent test for the residual cumulative impacts on the road network set by the NPPF, it is considered that Core Strategy Policy L4 should be considered to be out of date for the purposes of decision making.

Car parking and access

21. The proposal is an extension of the existing shop and not considered to exceed the existing business access, servicing, or parking arrangements.
22. It is understood two parking spaces are provided for the premises which have been retained. As per the Local Highways Authority (LHA) car parking standards as detailed within Supplementary Planning Document 3: Parking Standards and Design state that at this location food retail requires one space per 14 sqm.
23. The gross internal floor area (GIFA) of the shop is 39 sqm with the extension providing an additional GIFA of 18 sqm, thus the parking requirement has also increased (from two to four spaces).
24. Notwithstanding the above, whilst the development provides a shortfall in parking it is observed parking is available along the privately owned service to the front of the shop (also known as Woodhouse Lane East) and in the privately owned car park to the rear. In addition, on street parking is also available along the adopted highway. As such the proposal is considered acceptable in terms of parking.

Cycle parking

25. SPD3 includes cycle parking standards and contains guidance relating to the detailed design of cycle parking facilities to ensure these are accessible and secure in the interest of encouraging sustainable travel. No information has been given for the proposed or existing arrangements.
26. The LHA consider development would benefit from the provision of a secure and covered cycle parking to support an increased level of active travel and reduce private car journeys and their impact. The proposed application does not include any additional cycle parking provision. The SPD3 states that one cycle space to be provided as part of the development.
27. Therefore it is considered necessary to secure cycle parking by condition to any planning decision, to ensure compliance with SPD3. A minimum of one cycle space is requested.

Summary

28. It is not considered that the constructed single storey side extension will have an unacceptable impact on the adopted highway and the Local Highways Authority do not object on highways grounds to the proposal. As such the proposal is considered acceptable in regard to parking.

DEVELOPER CONTRIBUTIONS

29. The proposed development would generate an additional floor area of less than 100m² and therefore is not CIL liable.
30. The proposed development does not require any developer contributions having regard to Policy L8 of the Core Strategy and advice contained within SPD1: Planning Obligations.

PLANNING BALANCE AND CONCLUSION

31. The erection of a single storey side extension is considered acceptable in principle with regard to Policy L7 of the Core Strategy and relevant NPPF guidance. It is considered there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when weighed against the NPPF as a whole. It is recommended that permission be granted subject to conditions.

RECOMMENDATION

GRANT subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the plans, as amended and submitted 4th March 2022 numbers:
 - Proposed Floor Plans A0.3 Revision A
 - Proposed Elevations A0.4 Revision A
 - Proposed Site Plan A0.5 Revision A
 - Location Plan A0.6

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

3. Notwithstanding any description of materials in the application no works involving the use of any materials listed below shall take place until samples and / or full specification of materials to be used externally on the extension [bricks for the elevation, roof tiles, window and doors and rainwater goods] have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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

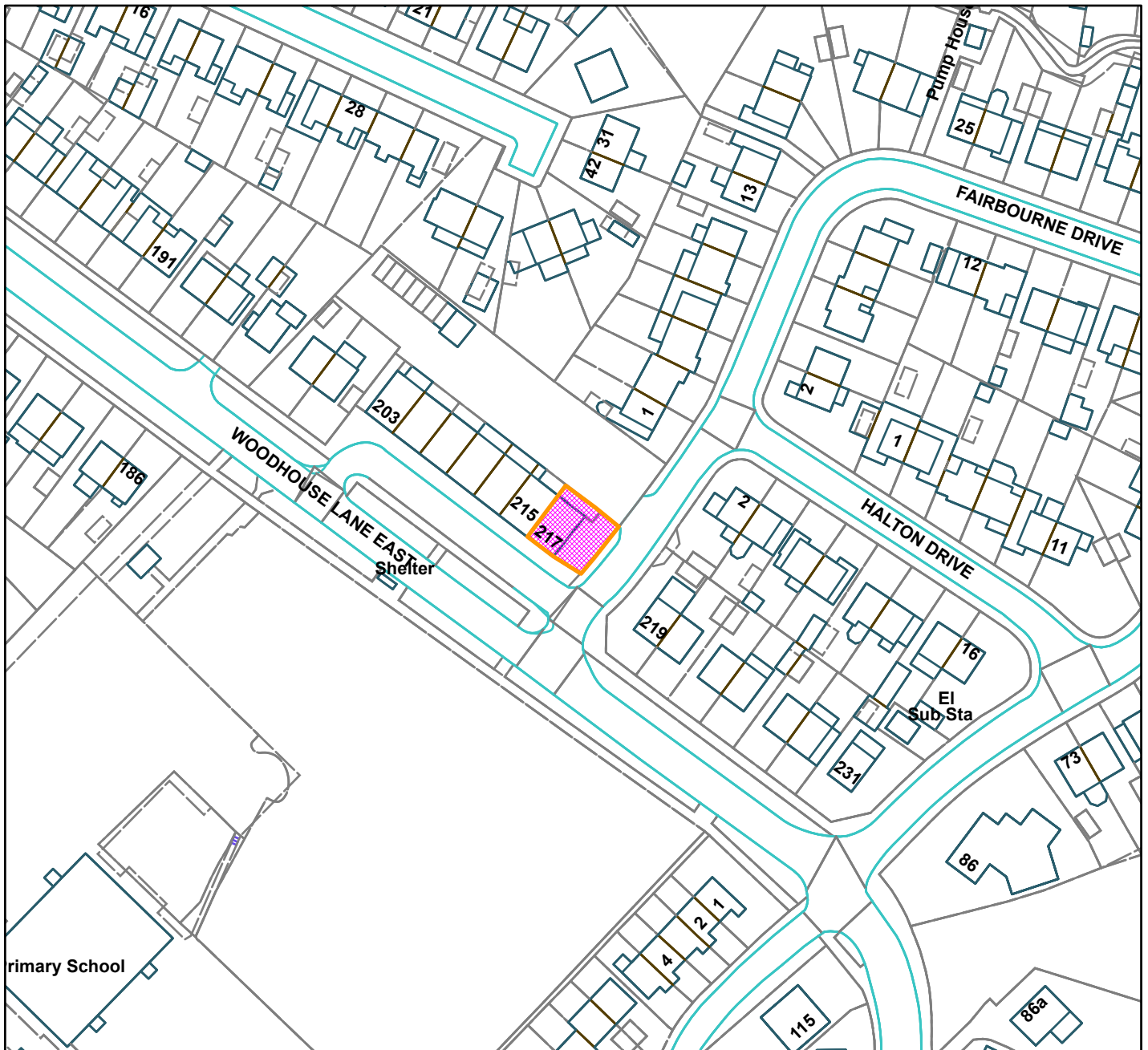
4. Notwithstanding the details shown on the approved plans the development hereby permitted shall not be brought into use until details of the proposed secure cycle and parking for the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into use and shall be retained at all times thereafter.

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

KG



217 Woodhouse Lane East, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date - 04/04/202
Date	04/04/2022
MSA Number	100023172 (2012)

WARD: Village

107279/FUL/22

DEPARTURE: No

Erection of a single storey extension to the east facing elevation to form a sports hall (resubmission of planning approval 93797/FUL/18, now lapsed)

Broomwood Community Wellbeing Centre, 105 Mainwood Road, Timperley, WA15 7JU

APPLICANT: Timperley Amateur Boxing Club

AGENT: Dickinson Waugh Architecture Ltd

RECOMMENDATION: GRANT subject to conditions

The application is reported to the Planning and Development Management Committee as the site is within the Council's ownership and objections have been received contrary to the Officer recommendation.

EXECUTIVE SUMMARY

Broomwood Community Wellbeing Centre and its associated facilities are located on a large corner site bounded by Mainwood Road and Greystoke Avenue, Timperley.

The application is intended to renew the previous permission application ref: 93797/FUL/18 which has lapsed and also includes the alterations made to the original permission, which were approved under 101160/VAR/20.

Permission is sought for the erection of a single storey extension to the east facing elevation, to form a sports hall with a total floorspace 244 m². The proposed extension is to be erected in connection with the existing Timperley Community Boxing Club (TCBC), established within the Broomwood Community Wellbeing Centre (BCWC) in 2012. The approved extension comprises:

- 16' boxing ring,
- Floor space for boxing training and the floor space could be divided to be used for dance, yoga etc.
- Viewing areas for public and parents,
- Weight and fitness training, and;
- Dedicated toilets and changing facilities etc.

The design of the proposal is considered acceptable and the proposed development is not considered to have an adverse impact on residential amenity or highway safety. The proposal is considered acceptable with regard to impact on flooding and drainage, subject to an acceptable drainage scheme being approved and implemented. The application is recommended for approval.

SITE

Broomwood Community Wellbeing Centre and its associated facilities are located on a large corner site bounded by Mainwood Road and Greystoke Avenue, Timperley. The building is single storey in nature comprising brick elevations and a corrugated roof.

The building has a parking area to the west of the main building, served by a vehicular access off Mainwood Road and a playground and hard surfaced enclosed sports areas to the north and north west of the main building.

The proposed extension relates to the south east corner of the site, currently comprising a grassed area between the building and the pavement. There is a container currently located within this site. The area is enclosed by approximately 1m tall metal railings.

The site is located within a predominantly residential area, with two storey brick residential properties to the south and west along Mainwood Road, and to the east on the opposite side of Greystoke Avenue, which is largely screened by planting.

PROPOSAL

Planning permission is sought for a single storey extension and various small scale alterations to the community centre. The application is to renew the previous permission application ref: 93797/FUL/18 which has lapsed and also includes the alterations made to the original permission, which were approved under 101160/VAR/20.

The supporting information outlines that BCWC is a community wellbeing hub run by, and for the benefit of local residents, with support from Blue SCI Support, who are commissioned by Trafford Council to provide wellbeing services within the borough. The centre provides creative opportunities for social interaction and a culture of learning, encouraging individuals to try something new or rediscover an old interest. The facilities within the centre include Trafford Youth Services, Trafford Drug Services, Smoking Cessation, Internet Café, Solicitors Advice, Drop in Councillor (Laura Evans), Community Police Drop In sessions, Crèche, Slimming World, Aerobics for Beginners, Arts and Crafts, Friday Club for the over 55's, Aerobics for Beginners, Football, Yoga, Boxing Club, Martial Arts and Karate etc.

The supporting planning statement states:

'TCBC is entirely run by volunteers for the benefit of the local community. The members come predominantly from the Broomwood estate, plus the wider area of Timperley and Altrincham. TCBC is funded mainly through the subscription of members, with occasional funding and sponsorship from local businesses. The club has developed good relationships with Broomwood, Navigation and Broadheath Primary Schools. With an initial membership of around ten to fifteen members, the club has grown to almost one hundred members, with 70% of these being under eighteen.

The club's current activities include:

- one boxing ring and modest floor space providing boxing training
- individual fitness training, and
- fitness training for groups from local schools

The 2018 approval was for the erection of a single storey extension to the east facing elevation to form a sports hall with a total floorspace 244 m². The proposed extension is to be erected in connection with the existing Timperley Community Boxing Club (TCBC), established within the BCWC in 2012. The approved extension comprises:

- 16' boxing ring,
- Floor space for boxing training and the floor space could be divided to be used for dance, yoga etc.
- Viewing areas for public and parents,
- Weight and fitness training, and;
- Dedicated toilets and changing facilities etc.

Under application 101160/VAR/20 the following amendments were approved to the scheme:

- Relocation of the service door on the north (rear) elevation of the proposed extension to the east elevation (side). This would also remove the need to create an extension to the existing access ramp on the north side of the building as the relocated doors on the east side would have level access. The two high level windows shown on the north elevation of the plans approved under 93797/FUL/18 would be moved slightly to space them out more evenly.
- Minor alterations to the internal layout of the changing rooms and WCs at the south end of the extension. This alteration would also involve the removal of 6 small high-level window lights, 3 from the south elevation and 3 from the east elevation of the extension.

The cycle hut shown on the original plans was proposed to act as storage for cycle parts / repair equipment for the cycle club that use the centre (as opposed to cycle storage for visitors). Following security concerns about the container being used to access the roof of the centre, this structure was removed from the revised submitted plans. The cycle club currently uses the storage container on site for storage of their parts and equipment which has been relocated to within the car park area (as per approval ref: 101294/FUL/20) and will remain adequate for the cycle club's needs.

The LHA did not require any additional cycle parking to be provided as part of the original extension permission.

DEVELOPMENT PLAN

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

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

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 - Sustainable Transport and Accessibility

L7 – Design

R3 - Green Infrastructure

R5 – Open Space, Sport and Recreation

OTHER RELEVANT PLANNING GUIDANCE

SPD1: Planning Obligations

SPD3: Parking Standards and Design

PROPOSALS MAP NOTATION

Critical Drainage Area

OSR5 – Protected Open Space

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

OSR5 – Protected Open Space

ENV15/16 – Community Forest/Tree Planting

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies. If PfE is not referenced in the report it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the revised National Planning Policy Framework (NPPF) on 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance was first published in March 2014, and it is regularly updated, with the most recent amendments made in June 2021. The NPPG will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

101595/CND/20	Application for approval of details reserved by conditions of grant of planning permission 93797/FUL/18. Condition number: 6 (Acoustic Assessment), 8 (Environmental Construction Management Plan), 9 (Hard and Soft Landscaping Plan), 10 (Storm Water Drainage) and 11 (Sustainable Drainage Scheme).	Full discharge of conditions 6 October 2020
101160/VAR/20	Application for variation of condition 2 on planning permission 93797/FUL/18 (Erection of a single storey extension to the east facing elevation to form a sports hall) to vary the approved plans	Approved with Conditions 11 September 2020
101294/FUL/20	Erection of a storage container and relocation of the recycling compound.	Approved with conditions 11.09.2020
93797/FUL/18	Erection of a single storey extension to the east facing elevation to form a sports hall.	Approved with Conditions 14 June 2018
86942/FUL/15	Retrospective application for the installation of no.1 storage container.	Approved with Conditions 25 January 2016
H/LPA/59372	Erection of single storey extension to front, access ramps to front and rear and other external alterations.	Approved with Conditions 3 June 2004
H/LPA/55661	Replacement roof and alterations to fenestration.	Approved with Conditions 26 February 2003
H/52407	Refurbishment of existing youth centre site including retention of existing building, the provision of 2, 5-a-side all weather football pitches including 6, 15.0m high floodlighting columns, a basketball shooting area, a childrens play area and car park of 24 spaces with new vehicular access from Mainwood Road. Provision of landscaping and new footpath between Mainwood Road and Keswick Road.	Approved with Conditions 17 January 2003

APPLICANT'S SUBMISSION

Acoustic Impact assessment
Environmental Construction Management Plan
Drainage Plan

CONSULTATIONS

- **Strategic Growth** – No comments

- **Highways** – No objection subject to development being carried out in line with plans and parking provided as shown.
- **Environmental Health** – No objection subject to development being carried out in accordance with conditions
- **Sport England** – No objection, state that the proposed development does not fall within their statutory or non-statutory remit.
- **LLFA** – No objections subject to the development meeting the following drainage requirements:
 - Surface Water will be disposed to existing main sewers
 - Surface water and Foul shall drain on separate systems in accordance with Part H of the Building Regulations.
 - Surface Water may discharge to a combined if there is no surface water network
- **Cadent Gas** – have equipment within the site and have requested an informative note is placed on the decision
- **United Utilities** – requested additional information to be submitted secured by condition.

REPRESENTATIONS

2 no. representations have been received:

1. Representation from neighbour at 126 Mainwood Road - Objection on grounds of following concerns:
 - Traffic / pedestrian safety issues. States that there are already issues with on street parking in the area, concerns this will be exacerbated by the extension. Also concerns extension will affect sight lines on the road.
 - Noise disturbance – concerned about potential noise of comings and goings to the club (some activities begin around 7am).
 - Anti-social behaviour - The 'principal entrance ' will be 1.5 metres deep to provide weather protection – concerns this will be used for anti-social behaviour from non-users of the building.
2. Anonymous representation: concerns about parking – that the existing car park not being big enough and overspill parking is creating problems for residents.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The current application is a resubmission of the previously approved application ref. 93797/FUL/18 and the amendments later approved under 101160/VAR/20. The original 2018 planning permission has however lapsed without being implemented and as such permission is once again sought for this development.
2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at Paragraphs 2 and 47 reinforces this requirement and at Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, and that where a planning application conflicts with an **up-to-date** (emphasis added) development plan, permission should not normally be granted.
3. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version. Whether a Core Strategy policy is considered to be up-to-date or out-of-date is identified in each of the relevant sections of this report and appropriate weight given to it.
4. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
5. Paragraph 11 (c) of the NPPF states that development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
6. The site, which forms part of a wider area of open space, is designated as Protected Open Space and Policy. Policy R5 (Open Space, Sport and Recreation) of the Trafford Core Strategy states that development which results in a loss of quantity of open space, sport or recreation facilities, or does not preserve the quality of such facilities will not be permitted.
7. The proposed extension will result in the loss in quantitative terms of a small area of grassed open space to the east of the existing building. However, the

proposed extension will result in a much improved sports facility at the community centre, with the additional facilities described in the Applicant's Submission section. It is not considered that the loss of the relatively small area of open space that is required to accommodate the extension represents an unacceptable loss of quantity of open space in R5 terms. Rather, it is considered that the quantitative and qualitative improvements that will result from the proposed scheme considerably outweigh the harm that will result from the loss of the grassed area. The proposal is therefore considered to be in accordance with Policy R5.

8. Similarly, NPPF paragraph 99 seeks to protect open space, and states:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

(a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

(b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”

9. As with the assessment of the proposed development against Policy R5, it is considered that the improved sport and recreational facilities that will result from the scheme mean that the scheme complies with NPPF Paragraph 99 (b + c).
10. NPPF paragraph 92 seeks to ensure that planning policies and decisions achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other; are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible sports facilities. It is considered that the proposed development also complies with NPPF paragraph 92.
11. The proposed extension and alterations would be used in connection with Timperley Community Boxing Club, which is an established sport facility for the community, it would enhance current facilities and increase opportunities for members of the community to take part in sport and healthy recreation. The development is clearly complementary to the main use of the building and site. The area of open space to the side of the building where the extension is proposed currently has no specific recreational use and as such will not result in

the loss of any valuable community facility, on the contrary the extension would provide an enhancement to the existing site. With this in mind, the principle of the erection of a building to accommodate sport provision and activities, in connection with the use of the site as a community facility, is acceptable in line with Policy R5 and with NPPF, specifically paras. 92 and 99.

12. Notwithstanding this the development must also be compliant with Policies L4, L7, and R2 of the Core Strategy, concerning matters of securing development that is appropriate in terms of local character, natural environment and biodiversity, amenity and highway safety considerations.

Design Standards

13. Policy L7 of the Trafford Core Strategy states that:-

In relation to matters of design, development must:

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

14. The respective corner location is prominently sited within the street scene and has an open landscaped character. The current building is set back approx. 15m from Greystoke Avenue and approx. 8m from Mainwood Road. This corner comprises a grassed area that is enclosed by approx. 1m tall open railings. This respective section of the site currently contributes to the spacious character within the area, by its green and largely open character.
15. The proposed siting of the extension in relation to Greystoke Avenue, being located approx. 5m from the back of the pavement along Greystoke Avenue, would be considered to achieve a sufficient visual gap to not appear visually intrusive in the street scene, given the single storey nature of the building. The proposed building line of the extension would sit forward of the nearest residential dwellings fronting Greystoke Avenue, to the north and south, albeit these properties do not sit immediately adjacent to the community centre. Further to the south along Greystoke Avenue, the building pattern extends to the other side of Greystoke Avenue. Therefore, when viewed from the north along Greystoke Avenue, the extension would be read against the buildings fronting Hempcroft Avenue and when viewed from the south, would be read in the context of the two storey dwellings that front Greystoke Avenue to the north. The extension would be setback approx. 12m from Mainwood Road, approx. 3m behind the main building front elevation, which helps to result in this addition appearing subservient and not overly dominant in this corner location.

16. The extension would reflect the existing proportions, scale and materials of the BCWC, and not exceed its eaves or ridge height. It would read as part of the existing community building rather than a separate structure and is considered to be appropriately scaled and designed.
17. The proposed introduction of landscaping, annotated on the proposed site plan, would help soften the appearance of the proposed building in this location.
18. The existing container on the site would be removed and the storage that it houses would be re-located to the rear of the existing main community building, which would have a minimal impact upon the street scene.

Impact on Residential Amenity

19. Policy L7 states that 'In relation to matters of amenity protection, development must:
 - *Be compatible with the surrounding area; and*
 - *Not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.'*
20. The siting of the proposed building would not be considered to result in harm to residential amenities of neighbouring occupiers with regard to overlooking or overbearing, given its distance from nearby residential dwellings. Concerns have been raised with regard to loss of outlook however, the right to a private view is not a material planning consideration.
21. The Council's Public Protection team (nuisance) has reviewed the proposal and accompanying Acoustic Impact Assessment (submitted 18th February 2022) and has no objection subject to attaching conditions with regard to opening hours, delivery times, an environmental management plan regarding construction, maximum noise level of plant/machinery, the submission of ventilation details in the event of cooking occurring and the submission of a noise assessment to identify noise mitigation measures that will be implemented prior to the commencement of the use.
22. The proposed use is considered to complement the existing community centre, which is an established community use and, subject to appropriate conditions, the proposed extension and its intended use are not considered to result in an undue noise impact on the surrounding residential occupiers, over and above the existing use. The operation hours of 0800-2130 (Monday – Friday), 0900-1400 (Saturday) and 1000-1300 (Sunday and Bank Holidays) are considered appropriate and to not result in undue disturbance to the surrounding occupiers. The attachment of a condition with regard to the noise levels of plant and

machinery and the submission of a noise assessment will further safeguard against potential noise disturbance to surrounding residential occupiers.

Highway and Parking Matters

23. Vehicular access is from Mainwood Road with car parking provided for eighteen cars, including one disabled space, and a goods vehicle servicing area. All vehicles can manoeuvre and leave the site in a forward gear.
24. The original application 93797/FUL/18 included a survey of the existing car park demand at the request of the LPA, to demonstrate sufficient car parking availability, the LHA are satisfied that there is adequate car parking availability within the existing car park and therefore have no objection to the proposal. With regard to comments raised in the consultation process with regard to existing congestion being exacerbated and the resultant vehicle sight lines being obscured, the LHA has no objection to the proposal outlining no harm to the surrounding highway network. Buses manoeuvring along the adjacent highway is an existing situation and the lack of parking restriction along the road is not within the jurisdiction of this planning application.

Other matters

25. Whilst concerns have been raised by neighbours with regard to a potential increase in anti-social behaviour by the users of the centre, it is recognised that the proposal represents an extension to an existing community centre, which itself accommodates community uses for all ages of community group. This extension is designed to accommodate a use designed for youths under 18 however, there is no reason to assume that anti-social behaviour may occur in connection with this use and this would not represent reasonable grounds for refusing planning permission.
26. A drainage plan has been submitted with the application. The LLFA has no objection to the proposal subject to drainage meeting the following requirements:
 - Surface Water will be disposed to existing main sewers
 - Surface water and Foul shall drain on separate systems in accordance with Part H of the Building Regulations.
 - Surface Water may discharge to a combined if there is no surface water network
27. United Utilities have requested clarification on the drainage plan submitted and have recommended a condition is attached for further details on drainage to be submitted and approved prior to development taking place. The applicant is currently in discussion with UU to resolve any potential drainage issues.

PLANNING BALANCE AND CONCLUSION

28. While the proposed extension would result in the loss of a small amount of open space this area currently has limited recreational use and the impact of this small loss would be far outweighed by the significant enhancement of the existing, valuable sports, recreational and community facilities and the usability of the site, in line with Policy R5 and the NPPF.
29. While the proposal would result in increased use of the building and potentially additional comings and goings to the site, both pedestrian and vehicular, it is considered that this would not result in any significant additional noise or disturbance, nor would it result in any unacceptable highway safety impacts. Furthermore the LLFA has confirmed they have no concerns that the proposal would result in any unacceptable impact on drainage or flooding.
30. The extension and alterations are considered to be acceptable in terms of scale, siting and design and would have no detrimental impact on the street scene or character of the wider area in line with policy L7.
31. The proposed development therefore compiles with the development plan policies and relevant NPPF guidance and there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when weighed against the NPPF as a whole. It is therefore recommended that permission be granted subject to conditions.

RECOMMENDATION: GRANT subject to the following conditions:

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

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

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the plans submitted on 18th February 2022. Plan numbers:

- Proposed Site Plan PL103
- Proposed Ground Floor Plan PL105
- Proposed Elevations PL106

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

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

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

- 4 The premises shall only be open to the public between the hours of:
- 0800-2130 hours (Monday- Friday)
 - 0900-1400 (Saturday) and
 - 1000-1300 (Sunday and Bank Holidays)
- and not at any time outside of these hours.

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

- 5 Deliveries and waste collections to and from the development hereby approved shall not take place between the hours of 2100hrs - 0800hrs on Sunday to Friday and 2100 -1000hrs on Saturdays and no deliveries/collections shall take place on Sundays / Bank Holidays.

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

- 6 The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall be 5dB below the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises at the quietest time that the equipment would be operating/in use. Noise measurements and assessments should be compliant with BS 4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound"

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

- 7 The development shall be implemented in accordance with the approved Environmental Construction Management Plan submitted and received 23rd March 2022.

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

- 8 a) Notwithstanding the details shown on the approved plans, the extension hereby permitted shall not be brought into use until full details of both hard and soft landscaping works, have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks,

terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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

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

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

- 9 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (ii) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (iii) Foul and surface water shall drain on separate systems.

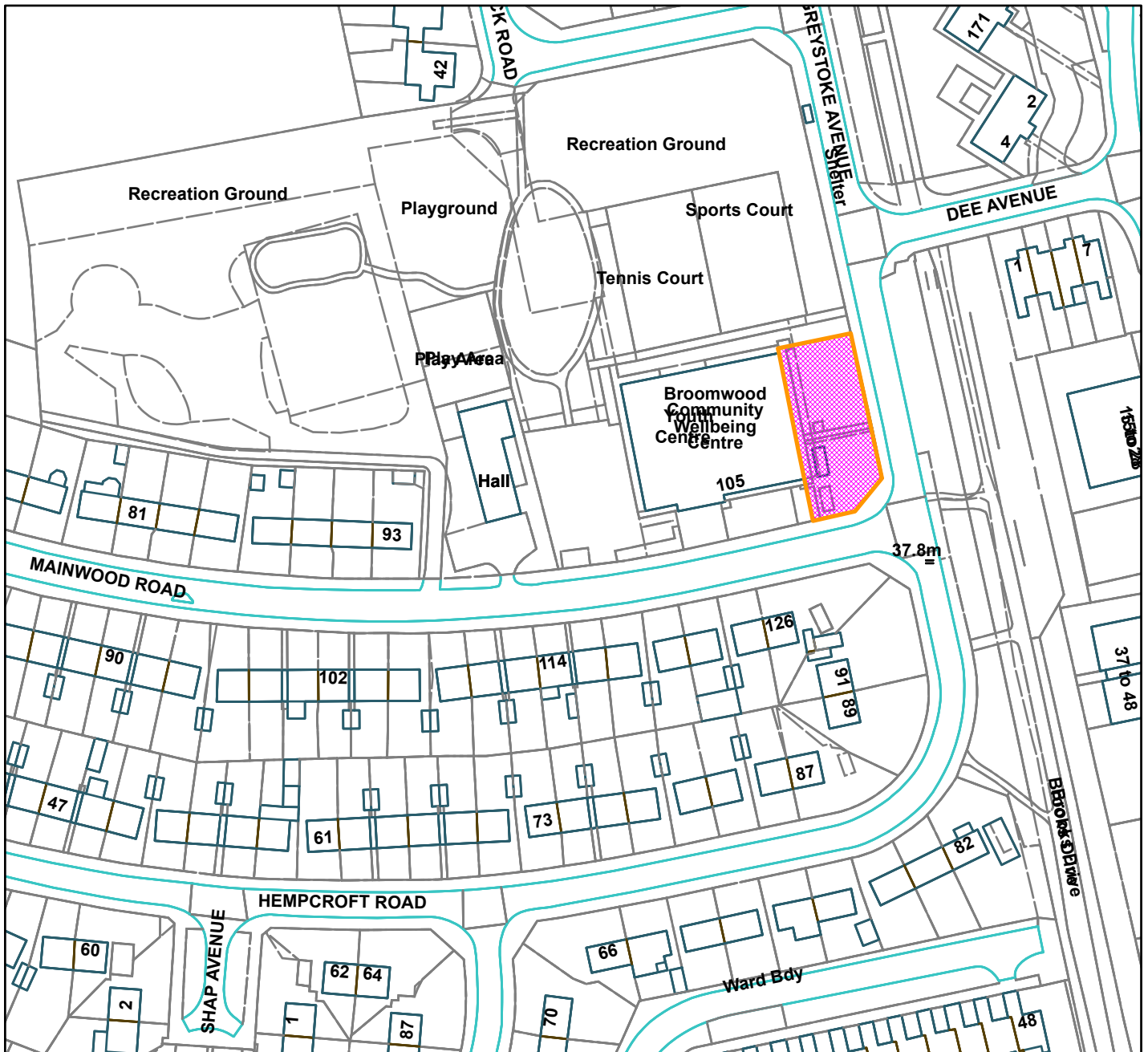
The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

JM



Broomwood Community Wellbeing Centre, 105 Mainwood Road, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date - 04/04/202
Date	04/04/2022
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