

WARD: Broadheath

106507/FUL/21

DEPARTURE: No

Demolition of existing building and erection of 7 no. townhouses (Use Class C3) with associated vehicular access, car parking, cycle parking and wider associated works.

Liberal Democrat Headquarters, 43A Park Road, Timperley, WA14 5AD.

APPLICANT: Mr Konrad Keller, Landmark Property Group.

AGENT: Ms Heather Lindley-Clapp, Nexus Planning.

RECOMMENDATION: APPROVE

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

Executive Summary

The application relates to the former Liberal Democrat Social Club situated to the north of Park Road in Timperley. This is currently occupied by a single storey building and surrounding hardstanding with the site being on a lower level than Park Road. The applicant seeks full planning permission to clear the site apart from the access ramp and erect 7 No. dwellings (three pairs of semi-detached houses and a single detached dwelling) together with associated hard and soft landscaping including parking.

The proposed development is considered to be acceptable in terms of the principle of housing development on the site, its design and appearance, its impact on residential amenity and with regard to highway matters and all other material planning considerations. The proposal's design has been amended to ensure it would result in an acceptable visual impact in terms of its positioning, bulk, massing and detailed design.

As amended, the proposed development is considered to be in accordance with the development plan, and should therefore be approved without delay in accordance with NPPF paragraph 11(c). As such the application is recommended for approval, subject to the conditions listed in the main report.

SITE

The application site comprises of a 0.28ha rectangular plot set to the north-east of Park Road (the B5165). The plot currently accommodates a single storey building built in the 1970s which was previously used as the Timperley Taverners' social members club and concurrently as the local Liberal Democrat Headquarters, and is now occupied by a local charity. The site is set on a markedly lower ground level than Park Road such that access is provided by a ramp descending into the plot, with the part

of the site adjacent to the south-west boundary comprising of a part wooded embankment leading up to the road level. Park Road climbs as it moves south-east across the front of the site to cross the Bridgewater Canal.

The building is located towards the southern part of the site with the remainder taken up by hardstanding. The plot is bound by residential properties to the north-east, south-east and north-west, the latter comprising of an apartment block. The properties on the opposite side of Park Road comprise of an apartment block and a commercial row, the latter having several apartments at first floor.

Boundaries are marked by metal railings facing Park Road, and wood panel fencing to the remainder, these boundaries screened by mature vegetation including trees. The mature trees screening the Park Road frontage are protected by TPO 005 Park Road. The plot is located approximately 80m to the north-east of the Timperley tram stop.

PROPOSAL

Planning permission is sought to demolish the building and erect 7 No. 2.5 storey four bedroom dwellings (three pairs of semi-detached houses and a single detached house). The dwellings would face towards the north-east with their gardens adjacent to the south-west Park Road frontage. A set of steps with new gated access at the Park Road boundary would be installed along the eastern boundary to provide a separate and secondary pedestrian access to Park Road.

The dwellings would have dual pitched roofs and large rear dormers, with roof lights in the front and rear facing roof slopes. Internal layouts would comprise of a kitchen-dining room, living room and WC at ground floor; two bedrooms, office, utility room and bathroom at first floor; and two further bedrooms, both en-suite and one also with a walk-in wardrobe within the roof space. External materials would include buff brick, aluminium windows, aluminium clad dormers and first floor front facing lantern type windows, aluminium rainwater goods and slate roofs.

The current ramped access would be retained with a retaining wall added to separate this from the closest garden to the south-east. The access route would descend the ramp into the site and then turn south-east parallel to the front of the properties. Parking spaces would be added adjacent to and offset from the north-east boundary.

Each dwelling would have a private fence enclosed garden to their rear, with the detached dwelling located to the south-east, also having a garden to the side.

The proposal would require the removal of several trees within the site, with additional planting, including trees, proposed.

Value Added

Following a request from the assessing Officer the applicant has amended their proposal through reducing the number of dwellings from eight to seven and changed their design, as well as several changes to the wider plot. The applicant has also unilaterally extended the dwellings forward by 0.5m to the north-east.

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;
R2 - Natural Environment;
R3 – Green Infrastructure.

OTHER LOCAL POLICY DOCUMENTS

Revised SPD1 - Planning Obligations;
SPD3- Parking Standards & Design;
PG1 - New Residential Development;
PG24 Crime and Security.

PROPOSALS MAP NOTATION

Critical Drainage Area;
Metrolink 200m Buffer.

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.

RELEVANT PLANNING HISTORY

104868/TPO/21: Works to trees within TPO 005, specifically, the felling of 1 Lime (T3) and 3 Horse Chestnuts (T4, T5, T6), and the crown lift of 2 Limes (T1, T2) to a maximum of 6m. Approved 20 July 2021.

87360/TCA/16: Works to protected trees, specifically the felling of one Horse Chestnut tree and two Lime trees, together with the crown reduction by 30% of one Horse Chestnut tree and six Lime trees. Approved 18 February 2016.

H10301: Demolition of clubhouse and erection of new clubhouse with car parking area and construction of new access. Approved 8 November 1979.

H05705: Formation of new access. Approved 8 September 1977.

H02649: Erection of a meeting house. Approved 15 January 1976.

APPLICANT'S SUBMISSION

The applicant has submitted Planning and Design and Access statements in support of their proposal.

CONSULTATIONS

Strategic Planning – No objection.

Local Highway Authority – No objection subject to condition.

Servicing – No objection.

GMP Design – No comment received.

TfGM – No objection.

GMEU – No objection subject to conditions.

Arboriculturist – Awaiting final comment.

Environmental Health (Contamination) – No objection subject to conditions.

Environmental Health (Nuisance) – No objection subject to conditions.

LLFA – No objection subject to condition.

REPRESENTATIONS

Letters of objection have been received from 15 individuals (who have provided their names and addresses) to the originally advertised scheme, which raise the following issues:

- The proposal would result in an unacceptable visual impact. The proposed three storey dwellings would not fit in with the local context being of a different scale, character and appearance.
- It would result in an overdevelopment of the plot.
- It would result in an unacceptable privacy impact.
- The proposal would result in an unacceptable overbearing impact and would block light from neighbouring plots.
- The retained trees along the front boundary will tower over the proposed back gardens.
- The proposed three storey properties would undermine views from neighbouring properties.
- The proposal would undermine local residents' right to light.
- Park Road is already too busy and adding additional houses would make this situation worse. Park Road should be widened.
- The use of the access ramp by vehicles exiting the site would pose a danger to pedestrians who would not be able to see cars until they approach the road. Cars would need to block the pavement whilst they wait to join the busy road. Views along the road are regularly blocked by groups of school children attending local schools.
- To provide the required visibility to both sides of the access for vehicles exiting the site would require works to third party land.

- The applicant is incorrect in their claim a bin wagon could safely reverse out of the site. It will be hard to service the site.
- The submitted transport documents are incorrect.
- Insufficient parking will be provided which will lead to parking on surrounding roads.
- It would result in an unacceptable loss of trees.
- The proposal would result in an unacceptable ecology impact.
- Several trees have already been removed from the site and the removal of additional trees should not be allowed.
- More information is required about the maintenance of the retained TPO trees along the front boundary and the additional hedgerow planting.
- The development would put additional pressure on local schools and other local services.
- The site was previously occupied by Timperley Taverners, a club/community facility which was an important asset to the local community. The site should be marketed for this type of use rather than being reused for housing.
- There is no need for the proposal with multiple flats in surrounding apartment blocks being vacant.
- The proposal will lower local house prices.
- Local residents should have a say on development proposals.
- The developer has not engaged with local residents.
- The applicant's claim that the site currently attracts anti-social behaviour is incorrect.
- The site is currently overgrown with trees within the site overhanging common boundaries and some hedges over 10 feet high.
- A concern that the building works would cause unacceptable disturbance to local residents.
- The applicant is already unloading building materials onto the site without the benefit of planning permission.

A letter of support has been received, which states the following:

- The proposal would provide much needed housing.

- It would be well positioned to access the adjacent Timperley tram stop.
- The development would result in an acceptable amenity impact on surrounding plots.
- It would result in an acceptable ecology impact.

Re-consultation on the amended scheme generated seven further letters of objection, with one of these letters of objection being from a neighbour who did not comment when the scheme was originally advertised.

The following comment has been received from a neighbour who previously objected to the proposal. All other additional comments referred to issues previously raised and all additional comments were a continued objection to the amended scheme:

- The Council previously committed to not allowing new buildings on site which are more than a single storey in height.

OBSERVATIONS

THE DECISION MAKING FRAMEWORK

1. S38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraphs 2 and 47 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an *up to date* (emphasis added) development plan, permission should not normally be granted.
2. The Council's Core Strategy was adopted in January 2012, prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly compliant with much of the policy in the 2021 NPPF, particularly where that policy is not substantially changed from the 2012 version.
3. The NPPF is a material consideration in planning decisions as the Government's expression of planning policy and how this should be applied; it should be given significant weight in the decision making process.
4. Paragraph 11 d) of the NPPF indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - I. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- II. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
5. Policies controlling the supply of housing, and the design, amenity and highways impacts of development proposals are considered to be 'most important' for determining this application when considering the application against NPPF Paragraph 11.
6. The Council does not, at present, have a five year supply of immediately available housing land and thus development plan policies relating to the supply of housing are partially 'out of date' in NPPF terms, in respect of the current housing requirement. Other elements of these policies remain up to date.
7. Policy L7 (Design – which includes amenity and highways/parking) is consistent with the NPPF and is considered up to date. Full weight should be afforded to this policy.
8. Nonetheless, the tilted balance is automatically engaged due to a lack of five year housing land supply.
9. It is concluded elsewhere in this report that there are no protective policies in the NPPF which provide a clear reason for the refusing the development proposed. Paragraph 11(d) (ii) of the NPPF is therefore engaged.

PRINCIPLE OF DEVELOPMENT

Housing Land

10. The site is not identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). The plot is located in a residential area.
11. The proposal would result in the demolition of the current building and the erection of 7 No. four bedroom dwellings which will be private market housing.
12. The site is located approximately 1.7km to the north of Altrincham town centre and 1.6km to the north-west of Timperley village. It is set within a primarily residential area, albeit with a commercial row to the south-west on the opposite side of Park Road.
13. The Council can currently demonstrate a housing land supply of 3.75 years, which is based on the standard method of calculating Local Housing Need and takes into account a 20% buffer applied for historic underdelivery. The most recent Housing Delivery Test figure is 79% - i.e. Trafford has delivered 79% of its LHN (including 20% buffer) in the three years to March 2021.
14. The proposal is considered to be broadly in compliance with Core Strategy Policies L1 and L2. Thus the development would result in the reuse/redevelopment of the current building thereby complying with Policy L1.7 which sets an indicative target

of 80% of new housing provision within the Borough to be built upon brownfield land.

15. In addition it is noted that the application site is in a sustainable location sited close to public transport links including the adjacent Timperley tram stop, local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 in terms of meeting housing needs and promoting high quality housing in sustainable locations of a size, density and tenure to meet the needs of the community.
16. The development would result in the provision of seven additional dwellings, contributing to the Borough's housing supply. The proposal would also acceptably comply with the requirements of Core Strategy Policy L2 through the development being located on a sufficiently sized plot, appropriately located to access existing community facilities, not harmful to local area character or amenity, and more generally in accordance with Core Strategy Policy L7, as outlined in the design/amenity appraisals below, (L2.2). The development would also likely result in a small economic benefit during its construction phase. The dwellings could be used as family housing.

Loss of Community Facility

17. *Paragraph 93 of the Framework resists the unnecessary loss of community facilities, stating that 'to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should.....c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs' and 'd) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community'.*
18. Whilst the proposal would result in the loss of this building, which was previously used as a community facility, a private members only social club where alcohol was sold, it is noted that this use ceased in March 2020 and the building is now occupied by a charity. The site is not identified on the Council's register of Assets of Community Value and it is noted that the Strategic Planning consultee has confirmed no objection to the proposal, including with reference to this issue. It is noted that there are several public houses in the local area. The loss of this building which was previously a community facility would not result in any reduction in the ability of the local community to meet its day to day needs and is not considered to be grounds for refusing planning permission.

DESIGN

19. *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.*

20. Paragraph 134 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.*
21. 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.*
22. Under paragraph 2.4 of PG1: New Residential Development, the guidance acknowledges the role of infill development in providing a valuable contribution towards the supply of new housing, however this document reiterates that the resulting plot sizes and frontages should be sympathetic to the character of the area and satisfactorily relatable to neighbouring properties.
23. Paragraph 2.4 states: *Development of small vacant sites or the retention of buildings and construction of new dwellings within their garden areas are all possible forms of development. Whilst the Council acknowledges that the development of smaller urban sites with small scale housing or flat developments makes a valuable contribution towards the supply of new housing in the Borough, the way in which the new buildings relate to the existing will be of paramount importance. This type of development will not be accepted at the expense of the amenity of the surrounding properties or the character of the surrounding area. The resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene. Both the new property and the retained dwelling should comply with the standards set out in these guidelines.*
24. The National Design Guide was published by the Government in October 2019 and sets out how well-designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing.
25. The draft Trafford Design Guide was published in July 2022. The guidance states that new homes should be designed to be attractive with thought and care in their detail regardless of who lives there, while materials and specifications should be robust, easy to maintain and built to last. New housing should respect and re-enforce the character of existing areas and create new areas of distinction and existing urban grain should be respected.

Siting and Footprint

26. The proposed dwellings would be set in a line off-set from the plot's south-west boundary, with the detached dwelling positioned to the south-east. The northern part of the plot would be given over to the internal access route and landscaped parking bays. The dwellings would not undermine a building line due to the site's

lower ground level compared to the buildings fronting Park Road. The dwellings would be set an acceptable distance from each other and from the wider plot's side boundaries. They would not result in an overdevelopment of the plot. It is considered that the reduction of the number of dwellings to seven and the mix of six semi-detached units and one detached unit results in a site layout that would sit comfortably within the established urban grain of the surrounding area.

Bulk, Scale, Massing and Height

27. The proposed dwellings have been amended to remove their front facing dormers, and it is noted that due to the difference in ground levels only their upper floors would be visible from Park Road. The development would include contemporary detailing and materials (aluminium cladding and dormers and aluminium framed glazing) but would be predominantly faced in buff brickwork with slate roofs. It is considered that, as amended, the scale and massing and the proportions of the dwellings would relate acceptably to the scale and character of the surrounding inter war semi-detached dwellings. They are considered to have an acceptable visual impact in terms of their bulk, scale, massing and height with reference to the size of the plot and the surrounding context.

External Appearance/Materials

28. The proposed dwellings would have an acceptable design in terms of their external features, detailing and proportions. The proposed external materials are considered to be acceptable with reference to the development and its context. Planning permission would be subject to standard conditions requiring the submission of information relating to detailed design and materials.

Wider Plot

29. The proposed hard and soft landscaping areas are acceptable with reference to the surrounding context. The trees along the Park Road frontage (protected by Tree Preservation Order) would be retained and, whilst two trees would be removed on the western boundary, replacement planting and additional tree planting would be provided along the western boundary adjacent to the access road and to break up the car parking area on the northern boundary. Planning permission would be subject to a standard landscaping condition.
30. The development would be acceptably designed with reference to Core Strategy Policy L7, PG1 New Residential Development, the draft Trafford Design Guide and the NPPF.

IMPACT ON RESIDENTIAL AMENITY

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

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

Privacy

33. The development would introduce ground and first floor windows in the dwellings' front elevations. These would face the retained common boundary to the north-west at a distance of 13.5m, with the first floor windows 27m from those in the rear elevations of the facing properties on Kensington Grove, apart from 23m between the front facing windows of two of the proposed semi-detached dwellings and the two storey rear extension of No. 10 Kensington Grove, this property having two first floor bedroom windows at this point. The 27m distance between the main elevations would comply with the New Residential Development guidelines. The distance to the rear of No. 10 Kensington Grove is also considered to be acceptable because the 27m rule was intended to allow for properties to have subsequent 3m long rear extensions whilst still allowing for an acceptable separation distance for facing windows. However, in this case, this neighbouring property has an extension in place already and the proposed dwellings would not be able to erect front extensions without an express grant of planning permission and it is therefore considered that, given that the distance remains over 21m with no scope for further extensions under permitted development rights, this would not result in any unacceptable overlooking or loss of privacy to either the existing or proposed dwellings.
34. The proposed ground floor rear facing windows would have their views screened by the wooded embankment. Most of the proposed rear facing first floor windows would also be similarly screened, however those in the properties to the north-west, as well as the rear dormers, would have partly screened views towards the properties on the opposite side of Park Road, however these would be at least 30m away which would be acceptable.
35. The dwellings would have upper floor side facing windows, which would be close to internal common boundaries as well as a common boundary to the south-east, however these could all be conditioned to be obscurely glazed and non-opening up to 1.7m above floor level as none of them would be principal habitable room outlooks.

Overbearing/Overshadowing

36. The proposed detached dwelling to the south-east would present a gable elevation which would be faced, at an angle, by the ground floor habitable room windows of the adjacent neighbouring property to the east, No. 2 Park Close, with the separation distance, as measured in a direct line from the centre of the window, being 15m, which would comply with the New Residential Development guidelines and is considered to be acceptable.
37. The proposed semi-detached dwelling to the north-west would be directly faced by windows in the side of the adjacent apartment block to the north-west, at a distance

of approximately 12.7m, however this would be acceptable as none of these neighbouring windows are principal habitable room outlooks.

38. Whilst it is accepted that the proposed dwellings would result in some limited impact on neighbouring plots, it is considered that the proposed dwellings would be set far enough away from neighbouring boundaries to ensure that they would not have any unacceptable overshadowing or overshadowing impact.
39. It is considered that permitted development rights should be removed for extensions including roof extensions and outbuildings. This would prevent any uncontrolled extensions/outbuildings that could potentially result in loss of amenity to the detriment of surrounding occupiers.

Future Occupant Amenity Space

40. The proposal would provide an acceptable degree of internal and external private amenity space for future occupants. The proposed internal floor space would exceed National standards.

Noise/Nuisance

41. The Nuisance consultee has confirmed no objection to the proposal, subject to conditions.
42. The development would have an acceptable amenity/privacy impact on surrounding residential properties and future occupants with reference to Core Strategy Policy L7 and the New Residential Development SPG.

HIGHWAYS, PARKING AND SERVICING

43. Core Strategy Policy L4 states: *[The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.*
44. Core Strategy Policy L7 states: *In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, manoeuvring and operational space.*
45. The Parking SPD's objectives include ensuring that planning applications include an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments. The Council's parking standards indicate that the provision of three off-road car parking spaces is appropriate for four bedroom dwellings at this location.
46. The development would utilise the retained access ramp descending into the site with an additional pedestrian access route added adjacent to the plot's eastern

boundary. Each dwelling would have two parking spaces. This level of parking provision is considered to be acceptable by the LHA, given the sustainability of the location in close proximity to the Metrolink station. Bin stores would be accommodated within the dwellings' back gardens, which could also accommodate cycle stores.

47. The LHA and Servicing consultees have confirmed no objection to the proposal, the LHA comment subject to standard planning conditions.
48. It is considered that the development would not result in an unacceptable highways, parking and servicing impact.
49. The amended proposed 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, the New Residential Development SPG and the NPPF.

TREES AND ECOLOGY

50. The proposal would result in the removal of two trees with additional trees and vegetation planted. It is noted that the GMEU consultee has confirmed no objection subject to standard ecology planning conditions.
51. The Arborist consultee has yet to provide a final comment with reference to the amended plans pending receipt of the required Arboricultural Method Statement which is to also include an assessment of proposed pedestrian walkway's impact on the retained front boundary trees, and their formal response will be provided in the Additional Information Report to be published prior to the Planning Committee.
52. Subject to a final comment from the arborist consultee confirming no objection to the amended proposal it is considered that the development would not result in an unacceptable trees and ecology impact.
53. As such, and strictly subject to confirmation of no objection from the outstanding arborist consultee, it is considered that the amended proposed development would have an acceptable trees and ecology impact with reference to Core Strategy Policies R2 and R3 and the NPPF.

EQUALITY STATEMENT

54. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 127 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
55. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and to foster good relations. Having due regard for advancing equality

involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.

56. It is noted that the new dwellings would each have a level front door access which would comply with Part M of the Building Regulations. The applicant has confirmed they cannot provide a lift access to the upper floors although there would be scope to retrofit these in the future. Access to the site for all users would be via the retained shared vehicular / pedestrian access ramp and a separate secondary stepped pedestrian access at the other end of the site. The applicant has confirmed that an access ramp rather than steps for the separate pedestrian access was discounted due to the level changes from that area of the site to the road, meaning an access ramp compliant with Building Regulations would not be possible.
57. Whilst it is noted that the proposal does not include accessible parking spaces, it is noted that there is no express requirement under the Parking SPD to provide these for this type of proposal, and it is also noted that the LHA has not objected with reference to this issue.
58. It is noted that there are no planning policies in place which would require the inclusion of a lift or stair lift to the upper floors or a greater level of accessibility than that required through the Building Regulations.
59. No other benefits or dis-benefits have been identified to persons with any other protected characteristic.
60. Overall taking into account the constraints of the site and the scale of the development, it is considered that the measures proposed to provide a facility accessible to all (including those required through the Building Regulations application), would on balance provide an appropriate, practical and reasonable response to the equalities impacts of the scheme.

DEVELOPER CONTRIBUTIONS

61. 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).
62. 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 at three trees per dwelling, totalling 21 trees net of clearance. Such details would be secured through an appropriately worded landscaping condition.

OTHER MATTERS

63. The LLFA consultee is yet to provide their final comment with reference to the amended scheme and the updated drainage report. Their comment will be provided in the Additional Information Report, which will be published prior to the Planning Committee Hearing.
64. Considering the other concerns raised by objectors not addressed in the above assessment, Officers would note as follows:
65. The proposal is not a major development amounting to 10 plus dwellings, and any additional pressure on local schools and other local services would be limited and would not be a valid reason for refusing planning permission.
66. The fact that surrounding apartment blocks are vacant is not a valid reason for refusing planning permission. The Borough has a high demand for housing, and especially family housing.
67. The proposal's impact on local house prices is not a material planning consideration.
68. Whilst prior consultation with local residents by the developer is encouraged, the applicant is not required to do this and this would not constitute a reason for refusing planning permission.
69. Planning permission, if granted, would be subject to a Construction Management Plan Condition which would seek to limit the amenity and highways impacts of future development activities.
70. The fact that the applicant is unloading building materials onto the site without the benefit of planning permission is not a reason for refusing planning permission.
71. Whilst a representation has been received stating that there was a previous commitment to limit the future redevelopment of the site to single storey buildings, officers are not aware of any statement to this effect and planning applications need to be considered on their own merits in relation to current planning policies which do not specifically restrict the number of storeys for new buildings on this site.

PLANNING BALANCE AND CONCLUSION

72. The scheme complies with the development plan, the starting point for decision making, which would indicate in itself that planning permission should be granted.
73. The proposed development would provide seven additional dwellings. All detailed matters have been assessed, including the principle of the proposed development location, together with the proposal's design, amenity, highways, servicing, ecology and tree impacts. These have been found to be acceptable, with, where appropriate, specific mitigation secured by planning condition. All relevant planning

issues have been considered and representations and consultation responses taken into account in concluding that the development is appropriate for the site.

74. The proposal is considered to be acceptable and in accordance with the development plan as a whole, the Planning Obligations SPD, the Parking Standards and Design SPD, the New Residential Development SPG, the Crime and Security SPG and the NPPF. As such, in terms of NPPF paragraph 11 d) i), there is no clear reason for refusal of the proposed development.
75. It is considered that the impacts of the proposal, subject to appropriate mitigation through conditions, would comply with the development plan and relevant policy in the NPPF. In terms of NPPF paragraph 11 d) ii), there are no adverse impacts that would significantly and demonstrably outweigh the benefits of granting planning permission. It is therefore concluded that the application should be approved subject to appropriate conditions.

RECOMMENDATION

GRANT subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 02001 P01, received by the Local Planning Authority 25 November 2021; 05001 P03, ST 05002 P03, H 05002 P03, 05003 P03, 05004 P03, 05101 P03, 05102 P03, ST 05201 P03, H 05201 P03, 05202 P03, 05203 P03, 05301 P04, 05302 P02, 05401 P03, 05402 P03, 05403 P02, 05411 P03, 05412 P03, 05413 P02, 05414 P02, 05421 P03 and 05422 P02, received by the Local Planning Authority 25 August 2022; and M3420-PA-01-V6, received by the Local Planning Authority 23 September 2022.

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

3. No above ground works shall take place unless and until a schedule of design intent drawings have first been submitted to and approved in writing by the Local Planning Authority. The schedule shall provide details in the form of 1:20 drawings and sections of all window and door reveals and recesses; feature brickwork panels; deep raked mortar joints; eaves and verge joints, rainwater goods; external façade structures including meter boxes; and flat roof trim details including proposed materials. Development shall be carried out in accordance with the approved schedule of design intent.

Reason: In the interests of visual amenity and design quality, specifically to protect the original design intent of the architect and the quality of the proposed development, having regard to Core Strategy Policy L7 and the National Planning Policy Framework, and the National Design Guide.

4. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples of all materials to be used externally on the building, the boundary treatment, retaining walls and bin stores, and the hard landscaping (including shared surfaces, car parking spaces, paths and patios) 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. Sample panels shall be constructed on site, and retained for the duration of the build programme, illustrating all proposed brickwork, including decorative brickwork, the type of joint, the type of bonding and the colour of the mortar to be used. 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.

5. No above ground works shall take place unless and until full details of the proposed pedestrian access walkway have first been submitted to and approved in writing by the Local Planning Authority. The schedule shall provide details in the form of 1:50 drawings and sections. Development shall be carried out in accordance with the approved schedule of design intent.

Reason: In the interests of visual amenity and design quality, specifically to protect the original design intent of the architect and the quality of the proposed development, having regard to Core Strategy Policy L7 and the National Planning Policy Framework, and the National Design Guide.

6. 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 21 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), 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.

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

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

8. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with the tree protection plan reference MY884/FLCT/03 Rev C, contained within the approved Murray Tree Consultancy Arboricultural Report reference PM/FULL/20/09/22, received 23 September 2022, and 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.

9. The landscaping scheme approved in relation to Condition 6 shall be carried out in accordance with the approved proposed car park tree planting measures shown on plan number GBU-Standard-3112 – Tree Product Packages, received by the local planning authority on 23 September 2022.

Reason: In order to protect the trees proposed to be planted within the development's car parking area and 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.

10. 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.

11. The development hereby permitted shall not be occupied unless and until the approved external parking spaces and the areas for the movement, turning and parking of vehicles 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.

12. 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.

13. Prior to the commencement of the development, a Construction and Pre-Construction Environmental Management Plan (CEMP) shall be submitted and approved in writing by the Local Planning Authority, including details of the proposed measures to manage and mitigate the main environmental effects. The CEMP shall address, but not be limited to the following matters:
 - a. Suitable hours of construction and pre-construction (including demolition) activity (see below);
 - b. the parking of vehicles of site operatives and visitors (all within the site);
 - c. loading and unloading of plant and materials, and deliveries to the site (all within the site), including times of access/egress;
 - d. storage of plant and materials used in constructing the development;
 - e. the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
 - f. wheel washing facilities and any other relevant measures for keeping the highway clean during demolition and construction works;
 - g. measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions;
 - h. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site);

- i. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity (refer to BS5228);
- j. information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors;
- k. information to be made available for members of the public;
- l. nuisance complaints procedure;
- m. contact details of site manager to be advertised at the site in case of issues arising.

The development shall be implemented in accordance with the approved CEMP.

Reason: 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. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

14. The development hereby approved shall fully comply with the recommendations and mitigation measures contained in the Nova Acoustics Noise Assessment reference 6007KK, dated 27 May 2021. The residential units hereby permitted shall not be occupied unless and until a verification report confirming that the measures contained within the acoustic assessment have been implemented in full has been submitted to and approved in writing by the Local Planning Authority.

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

15. No works involving the erection of any building hereby approved shall take place until existing and proposed site levels and finished floor levels for the proposed building(s) relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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

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

contamination ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site. iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The development shall thereafter be carried out in full accordance with the approved remediation strategy before the first occupation of the development hereby approved.

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

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

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

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

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. The ecological survey is required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could unacceptably impact potential nesting birds on site.

19. The development hereby permitted shall not be occupied unless and until biodiversity enhancement measures have been incorporated into the development in accordance with details (including the location and specification of bat and bird boxes) that have first been submitted to and approved in writing by the local planning authority. The approved measures shall be retained thereafter.

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

20. No above ground works shall take place until drawings demonstrating the full details of the proposed cycle and bin stores, including their detailed external appearance, have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied unless and until the proposed cycle and bin stores have been provided in accordance with the approved details. The approved cycle and bin stores shall be retained thereafter.

Reason: To secure sustainable transport options and in the interests of local visual amenity in accordance with Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the windows in the side elevations of the dwellings hereby permitted 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.

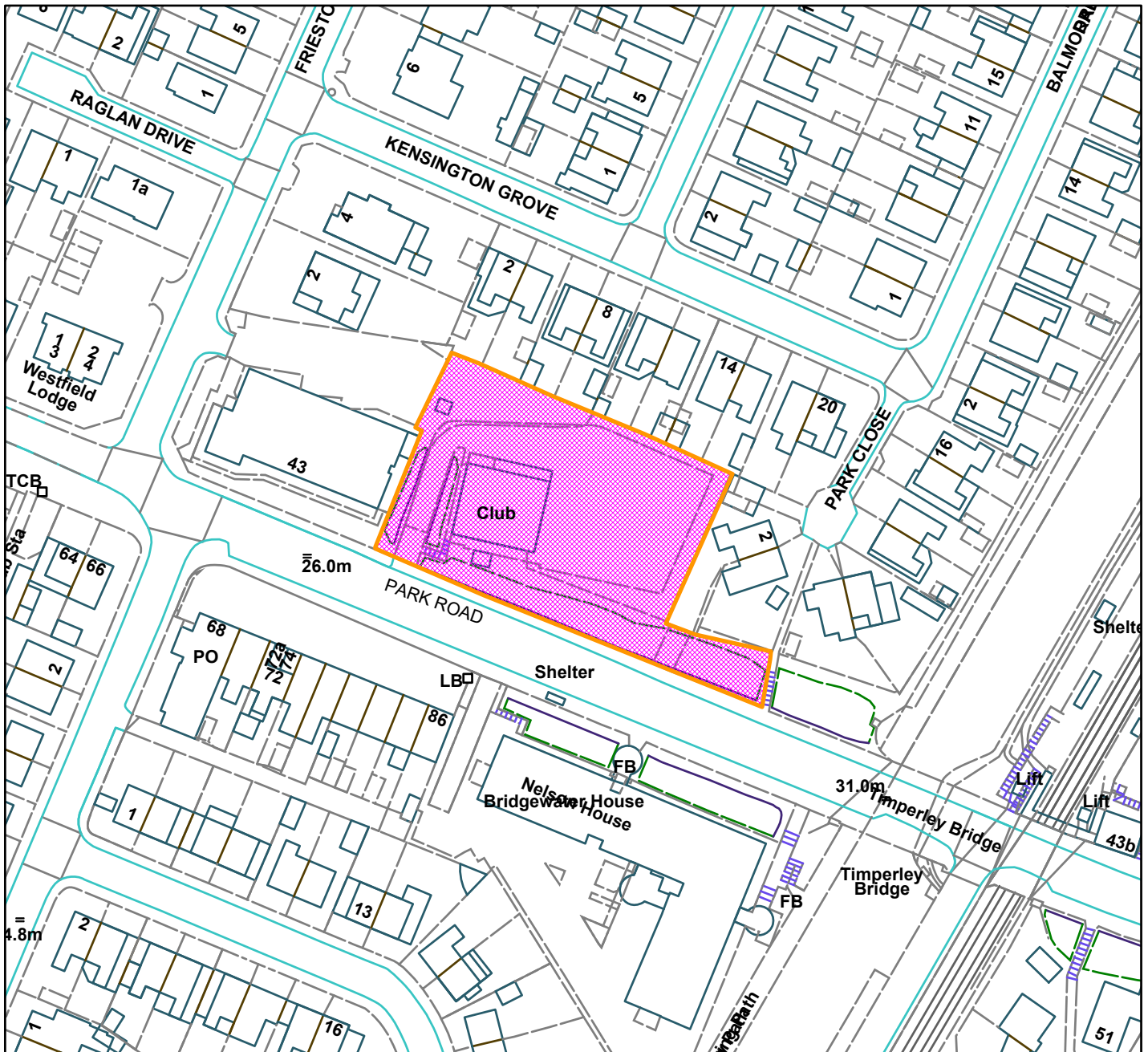
22. The development permitted by this planning permission shall only be carried out in accordance with the approved Drainage Strategy Report (Brennan Consult - 2672 – Rev E) which includes:
 - Drainage Plan in accordance with Dwg No: 2672-100 – F;
 - Provision of up to 24m³ attenuation flood storage on the development area to a 1 in 100 +CC standard;
 - Limiting the surface water run-off generated by the 1 in 100 +CC critical storm so that it will not exceed 6.3 l/s and not increase the risk of flooding off-site.

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

TP



Liberal Democrat Headquarters, 43A Park Road, Timperley, WA14 5AD (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 08/09/2022
Date	23/08/2022
MSA Number	100023172 (2016)

WARD: Longford

108407/HHA/22

DEPARTURE: No

Retrospective application for the erection of a part single, part two storey side extension and single storey rear extension. Proposed alterations to the roof shape including rear dormer and other external alterations.

8 Hapton Avenue, Stretford, M32 8JN

APPLICANT: Mr Singh

AGENT: EBR Designs

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

The proposal has been referred to the Planning and Development Management Committee due to receiving over 6 objections contrary to officer recommendation.

SITE

The site is a 2-storey semi-detached dwelling on Hapton Avenue, a small cul-de-sac between Kings Road and Edge Lane in Stretford.

The site is on the North side of the street and to the front of the dwelling is an area of hardstanding for parking. There is a hipped roof 2-storey side extension in addition the original roof has a hip-to-gable extension with a large box dormer across the rear roof slope and to the rear a flat roof ground floor extension, which adjoins a further pitched roof extension that replaced a previous detached garage on site.

The extensions as built on site do not accord with a previous planning permission and as such they are currently unauthorised.

PROPOSAL

The proposal seeks retrospective permission for the erection of a part single, part two storey side extension and single storey rear extension and proposed alterations to the roof shape including rear dormer and other external alterations.

As detailed within this report planning permission has previously been granted for the erection of a two storey side extension and a single storey rear extension, however as the development was not built in accordance with the approved plans all extension currently on site are considered unauthorised.

This planning application seeks retrospective permission for the erection of a two storey side extension and a single storey rear extension, along with consent to construct an alternative roof (to what is currently on site) over the original house and two storey side extension and amend the scale of the rear dormer.

The two storey side extension extends to the side boundary and along the depth of the original house, with a 0.75m set back of the front elevation at first floor. To the rear is a single storey projection of 3.7m, which connects to a pitched roof extension with a depth of 5.1m (total depth adjacent to no. 10 is 8.8m).

The amendments to the current built form on site includes reinstating a hipped main roof, extending over the two storey side extension and reducing the scale of the flat roof dormer on the rear roofslope, along with the addition of one rooflight on the rear roofslope and removal of one the rooflights from the front roofslope.

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DCLG published the latest version of the 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)

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated on 5th April 2022. The NPPG will be referred to as appropriate in the report.

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.

RELEVANT PLANNING HISTORY

H/55580 - Alterations and extension, including increased height, to existing garage.
Approved with Conditions 15.04.2002

91805/HHA/17 – Erection of a part single, part two storey side extension and single storey rear extension.
Approved with Conditions 9.10.2017.

97351/HHA/19 - Erection of a two storey side extension and a single storey rear extension. – ***Approved with conditions 10.07.2019.***

101432/HHA/20- Retrospective application for part single, part two storey side extension, single storey rear extension and roof alterations including a hip to gable enlargement and rear dormer extension.
Refused 12.11.2021 – Appeal dismissed 11.03.2021

APPLICANT'S SUBMISSION

None

CONSULTATIONS

None

REPRESENTATIONS

In total 7 letters of objection were received from addresses on Hapton Avenue. These have been summarised below.

- Loss of light to side windows of 10 Hapton Avenue

- Visual unattractive
- Loss of Privacy/overlooking
- Excessive size to extensions
- Lack of parking causing obstruction to highway
- Only impacts on the roof, remainder of extensions still dominate street-scene
- Insufficient parking, original application included garage
- Changes to the roof are insufficient when overall extensions are too large
- Over development of site, over 50% of curtilage of site has been occupied by building contrary to Part 1 Class A Paragraph B of the TCPA 2015.
- Extension, including roof not in keeping with area
- Crosses boundary lines above and below ground- not addressed in the amended plans
- False declaration in relation to land ownership
- Concern about '4 year rule' and should be a complete review of original decision and the most recent application
- Lack of consideration for neighbours by applicants
- Clear breaches of planning mean shouldn't even consider the new plans

It is noted that there is a dispute with reference to the boundary between 8 and 10 Hapton Avenue. Amended plans were received which acknowledged the existing plans extend beyond the boundary and the proposed plans show no aspect of the dwelling crossing this boundary, as determined by the single joint experts report. Following these amended plans, a re-consultation was conducted with neighbours.

Further responses were received and have been summarised below:

- False declaration on section 11 of the application form (land ownership)
- Extension remains too large and out of character
- Insufficient parking
- Overlooking due to dormer
- Gutters/drains not shown on proposed plans to the side elevation
- Unfair to further drag process out
- Issues with drawings (boundary not shown on all floor plans, no drain/downpipes, chopped eaves off in line with building)
- Single storey rear extension still overhangs
- More than one retrospective application has been made

Further comments related to frustrations/confusions with the enforcement process.

With reference to the objection based on "*Class A Paragraph B of the TCPA 2015*", this relates to extension/alterations constructed under permitted development under the General Permitted Development Order. As the applicant is seeking formal planning permission this legislation is not relevant.

Furthermore, there is no concern over a '*4 year rule*' as enforcement action has been taken by the council with an enforcement notice being issued on 27.04.22 This application

is a direct result of this notice. The '4 year rule' relates to extensions becoming lawful after 4 years when no enforcement action is taken.

An assessment of the design of the proposal, its impact on amenity and on highway safety will be conducted below.

OBSERVATIONS

BACKGROUND

1. In July 2019 planning permission was granted (reference: 97351/HHA/19) for the erection of a 2-storey side and single storey rear extension. During the construction of these approved works, the applicant also constructed a hip-to-gable roof conversion and a rear dormer across the width of the main house. Enforcement complaints were received and it was found the works were not built in accordance with the approved plans.
2. A planning application was then submitted to regularise the works constructed which varied from the previously granted permission. This subsequent application (101432/HHA/20) was refused by the council on grounds of design, with the following reason given:

The extensions, by virtue of their dominant form and massing would significantly conflict with the character of the existing property and streetscene, with the rear dormer addition in particular being overly dominate within the roofscape of the dwelling, appearing incongruous within the surrounding environment, causing harm to the character and appearance of Hapton Avenue. The proposal would be contrary to policy L7 of the Trafford Core Strategy (2012), the National Planning Policy Framework (2019), the National Design Guide (2019), National Planning Practice Guidance (as updated online) and the Supplementary Planning Guidance titled 'A Guide for Designing House Extensions and Alterations' (2014).

3. An appeal was lodged against this refusal by the applicant, which was subsequently dismissed. The inspector stated *"The alterations to the roof of the property have introduced an alien roof form which does not reflect the appearance of the host property, its attached neighbour or the area as a whole. Furthermore, the setback of the side extension has resulted in a smaller hipped element to the roof at a lower level than the gable, which reads as an incongruous and harmful addition to the dwelling. The development has unbalanced the pair of semis of which it forms part, even taking account of the extension to the neighbour. As a consequence, the contribution that the host dwelling makes to the character and appearance of the area has been significantly eroded. Moreover, the rear dormer does not reflect the form of the existing roof and reads as a top-heavy and overly dominant addition to the dwelling due to its scale, bulk and positioning. It is an intrusive, over large, bulky addition, which has significantly altered the roofscape of the host property and semi-detached pair."*

4. It is noted the Inspector's report does not refer to the side/rear extension as contributing the reasons for refusal and solely relates to the roof design, including the dormer. Therefore the general form massing of the side and rear extensions has been accepted by the inspector.
5. Following the dismissal of the appeal, the structure on site did not comply with the approved plans condition of the permission granted in 2019 and as such an Enforcement Notice was served in April 2022 requiring either:
 - a) Remove the part single, part two storey side extension, single storey rear extension and rear dormer extension and return the property to its condition before the breach took place; or
 - b) Make alterations to the dwellinghouse to achieve compliance with planning permission ref: 97351/HHA/19.
6. In response to the Enforcement Notice the current application was submitted. This current application varies from the 2019 approval by:
 - Habitable rooms with a window to the front elevation, to the ground floor of the side extension and not a garage/store with garage style door
 - New hipped roof structure over original property and to 2-storey element, with overhang above 1st floor extension to the front
 - One rooflights in each the front and rear roof slopes
 - Decreased set back of side extension at 1st floor level (set back from front elevation reduced from 0.9m to 0.75m)
 - En-suite to large bedroom in 1st floor of the side extension (previously 2 smaller bedrooms)
 - Increased depth to ground floor extension, with increased depth of flat roof section from 3.3m to 3.7m which adjoins pitched roof extension (depth 5.1m) on side adjacent to no. 10. This results in an overall increase in depth from the 2019 approval of 8.4m to proposed 8.8m. Pitched roof extension now includes bi-fold doors to side and rear.
 - Flat roof rear dormer to rear roofslope.
7. The images below are extracts of the elevations from the approved planning permission (97351/HHA/19), refused planning permission (101432/HHA/20) and the current proposed application to provide a visual of the extent of the changes.

Approved



Refused



Proposed



PRINCIPLE OF DEVELOPMENT

8. Householder extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property and local area through unsympathetic design or harm to the amenity of neighbouring properties or highway safety through increase parking pressure.
9. The proposal has been considered/assessed against Core Strategy with Policy L7 and guidance contained in SPD4.

DESIGN AND APPEARANCE

10. The design has been considered in line with Policy L7 and guidance contained in SPD4.
11. SPD4 sets out detailed guidance for householders wishing to extend their property or carry out other domestic alterations. The Council will seek to ensure that extensions and alterations are of high standard design, are compatible with and not harmful to local character, do not adversely affect the amenities of neighbouring occupiers, take account of existing landscaping and trees and have adequate off-street parking provision and access arrangements.
12. In regards to side extensions SPD4 states (para 3.1.1.), *Side extensions should be appropriately scaled, designed and sited so as to ensure that they do not: - Appear unacceptably prominent, - Erode the sense of spaciousness within an area - Detract from a dwelling's character. - Adversely affect the amenities of neighbouring properties.*
13. In regards to rear extensions SPD4 states (section 3.4.), *all rear extensions should avoid overshadowing, physically dominating or overlooking neighbouring dwellings. Large extensions which restrict light to a large part of a neighbouring garden for sitting out and/or which block light to the habitable rooms of a neighbouring dwelling will not be considered acceptable. Normally, a single storey rear extension close to the boundary should not project more than 3m from the rear elevation of semi-detached.... If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary (e.g, if an extension is 1m from the side boundary, the projection may be increased to 4m for a semi-detached or terraced extension).*
14. In respect of dormer roof extensions SPD4 states (section 3.6), *dormer windows should be proportionate to the scale of the property and reflect the style and architectural character of the original house. The design of a dormer window should complement the parent roof. And Dormers should match the style and*

proportions of the windows below and as far as possible be vertically aligned with openings below.

15. The proposal would create a homogenous roof structure over the original and extended property, incorporating a hipped roof design. This would more closely reflect the original design of the property. In terms of massing, the roof would be similar to those approved at 4 and 6 Hapton, extending to the site's side boundary, although without the full set back from the front elevation.
16. Typically, the roof over two storey side extensions should be set down from the main roof ridge, this is often to enable a set-back of the front elevation of an extension and to reduce the prominence of a side extension. However in this instance the proposal is to set back from the front elevation of the extension, but with a continued ridge line of the main roof, resulting in an overhang of the roof over the set-back first floor element of the front elevation.
17. This section of Hapton Avenue does not have an opposing frontage of dwellings, which would typically provide a greater degree of a streetscene character. Instead the application property fronts the tree lined embankment of Edge Lane, which is at a raised level. Of the five properties along this section of Hapton Avenue fronting Edge Lane, four have had two storey side extensions (including the application site). Besides the application site as existing, all incorporate a hipped roof design and although the extensions of the other three properties have set the roof of their extension down from the main ridge and back from the frontage, there is variation to the extent of the set-backs. It is therefore considered that the proposal hipped roof would restore a key characteristic of this section of street scene and whilst would not include a set down ridge line, would on balance provide a coherent roof design and frontage.
18. The proposed rear dormer is not considered to dominant the rear roofslope and whilst set up to the ridge line, it would have an adequate set up from the eaves and seeks to reflect the fenestration of the main property below. Compared to the existing, unauthorised dormer there would be reduction in width from 6m to 3.2m, appearing less dominant and more subservient to the main roof.
19. It is considered the proposed roof design and dormer would provide a satisfactory visual appearance to the property and whilst there are elements which may detract slightly from the character of the area, on balance the proposal is considered to restore features which have been lost through the unauthorised development, specifically the hipped roof.
20. The side extension would maintain a generous set back from the front elevation at first floor, which ensures it is recognisable as an extension to the dwelling. Whilst the side extension is not set away from the boundary by 1m, as now required by SPD4, given the previous approvals and prevailing character of extensions along this section of road this is considered acceptable. The majority of the massing as proposed was as approved by the 2019 householder application (97351/HHA/19)

and the appeal decision which did not take issue with the side extension in principal.

21. The increased depth of the ground floor rear extension (compared to the 2019 approval) is considered appropriate to the site with sufficient rear garden space being retained. The proposal is not considered to harm the overall spaciousness or proportions of the dwelling on site. The flat roof section of the ground floor rear extension is also typical of single storey residential extensions and considered acceptable. Overall the extensions at the rear are not considered to be overly large or disproportionate to the host property.
22. Minor external alterations, including the removal of the garage door and replacement with windows and bi-fold doors to the side and rear are considered acceptable and not to harm the character of the property. In addition the rooflights to the loft are also considered to be acceptable additions to the property.
23. As outlined above and when taking into consideration the approved plans from the 2019 scheme and the wider residential setting it is considered on balance that the proposal is an acceptable form of development in terms of design and appearance.

RESIDENTIAL AMENITY

24. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
25. 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, 3.4 and 3.7). 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 6 Hapton Avenue

26. The rear projections at ground floor level would be within the parameters of SPD4, given the extension at no. 6 and separation to the boundary. The two storey side extension would be set on the opposing flank of the property and similarly is not positioned as to cause an undue amount of visual intrusion or loss of light to this property.
27. The proposed dormer is not considered to be overly dominant or have a harmful impact on amenity through being overbearing or causing overshadowing. In terms of overlooking, the windows at ground floor level would be screened by the boundary treatment (1.8m timber fence). The additional 1st floor window would be

placed on the far side of the dwelling and not cause an undue loss of privacy. The window to the dormer is not considered to cause an undue loss of privacy above what is typical of linear semi-detached pairs.

28. Overall it is not considered an undue loss of amenity would occur to 6 Hapton Avenue.

Impact on 10 Hapton Avenue

29. This extension varies from the 2019 approval by having an increased depth at 1st floor level towards the front of the dwelling. This additional section to the front is not considered to result in the two-storey side extension having an undue impact on the residential amenity of no. 10.

30. The 2-storey side projection would have a degree of impact on outlook and light levels provided to the 2 small windows in the side elevation of no. 10 and also to the passageway to this side of no. 10. However these are not primary windows for the rooms they serve and whilst the passageway provides access to the rear, it is not considered as an area of amenity. Therefore it is not considered the two storey side extension would have a harmful impact on light levels, or be unduly overbearing on no. 10.

31. Similarly, the rear projection is not considered to result in a greater degree of harm to amenity than the 2019 approval given the siting of no. 10, slightly further back within the site than no. 8. The proposed flat roof (as built on site) section, rather than the previously approval pitched roof is not considered to lead to an undue amount of visual intrusion or loss of light.

32. Although the further pitched roof extension would extend further into the garden than the 2019 approval, the additional projection of less than 1m is not considered to result in harm to amenity to warrant refusal of this application.

33. The proposed rear dormer would be sited on the far side of no.8 and therefore it is not considered to be an unduly visually intrusive or overshadowing to the garden area of no. 10.

34. In terms of privacy, the windows at ground floor level would not face towards no. 10 and would be screen by the boundary treatment and by the rear extension along the boundary with no. 10 and thus not result in harmful overlooking of the garden.

35. The additional window to the 1st floor and to the dormer are not considered to cause an undue increase in overlooking compared to the existing situation.

36. Whilst the comments regarding land ownership and encroachment are acknowledged, it is also noted that the proposed plans have been modified following discussions with a 3rd party.

37. Overall it is not considered an undue loss of amenity would occur to 10 Hapton Avenue.

Impact on 12 Hapton Avenue

38. The main rear projections at ground floor level would retain a separation of approximately 8m to the rear boundary, with the extended pitched roof element set 2.2m from the rear boundary, whilst there would be approximately 11.5m to the rear dormer extension.

39. Given the scale of the proposal and separation to the boundary with no. 12 it is not considered the extension would harm outlook or be unduly overbearing.

40. Whilst the proposed extensions breach the guidelines within SPD4 in regards to privacy distances, the rear of the application site faces the side of no. 12 Hapton Avenue and not directly towards habitable room windows, but towards the garden. Given the rear boundary fence the views towards no. 12 from the ground floor extensions are obscured and not considered to result in due overlooking. The dormer would provide views over the garden of no. 12, however given the scale of the proposed dormer and context of the site, in that there is existing unilateral overlooking of rear gardens, it is not considered the dormer would be cause a loss of privacy through overlooking to an extent so as to be considered harmful.

41. Overall it is not considered an undue loss of amenity would occur to 12 Hapton Avenue.

PARKING AND HIGHWAYS

42. The entirety of the front of the site has been converted to hardstanding, with no boundary treatment to the front. This had a width of 9.4m and depth of 5.7m.

43. SPD3 states that driveways off-street parking provision should have a minimum depth of 5m (when not in front of a garage) and a width of 3.1m for a single space and 5.5m for a double space.

44. It is noted the tree in front of the property does provide some obstruction to the driveway however it is still understood access for 3 no cars onto the drive can be facilitated.

45. SPD3 states a maximum levels of car parking for different types of development. For dwellings of 4 or more bedrooms this number is 3. Therefore it is consistent with SPD3. It is also considered to be a highly sustainable location in close proximity to Stretford Metrolink station and bus routes along Chester Road and Edge Lane.

46. The setting of maximum levels of parking is not consistent with the NPPF.

47. The NPPF states *“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.”*

48. It is not considered an unacceptable impact on highway safety occurs as a result of this proposal.

DEVELOPER CONTRIBUTIONS

-This proposal would create less than 100m² and so is below the threshold for the Community Infrastructure Levy (CIL).

- No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

49. The development has been assessed against the development plan and SPD4 guidance and it is considered that the proposed alterations to the roof, including the change in roof form, size of dormer to the rear roof slope, two storey side extension, single storey extensions and other alterations to the property by reason of their scale, massing and design do not result in an incongruous form of development. On balance it is considered to have an acceptable impact on the character and appearance of the host property and surrounding area when viewed from within the street scene and neighbouring gardens to warrant refusal.

50. As such, the proposal is considered to comply with Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document 4: A Guide to Designing House Extensions and Alterations, February 2012 and advice contained within the National Planning Policy Framework.

51. The extensions and alterations on site are largely supported by the fallback position of the approved plans under 97351/HHA/19. The alterations beyond this permission are on balance considered acceptable and address the harm identified in the previous refused application and current unauthorised development on site.

52. 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers; A0.3 Rev B; A0.4 Rev B; A0.5 and A0.6.

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

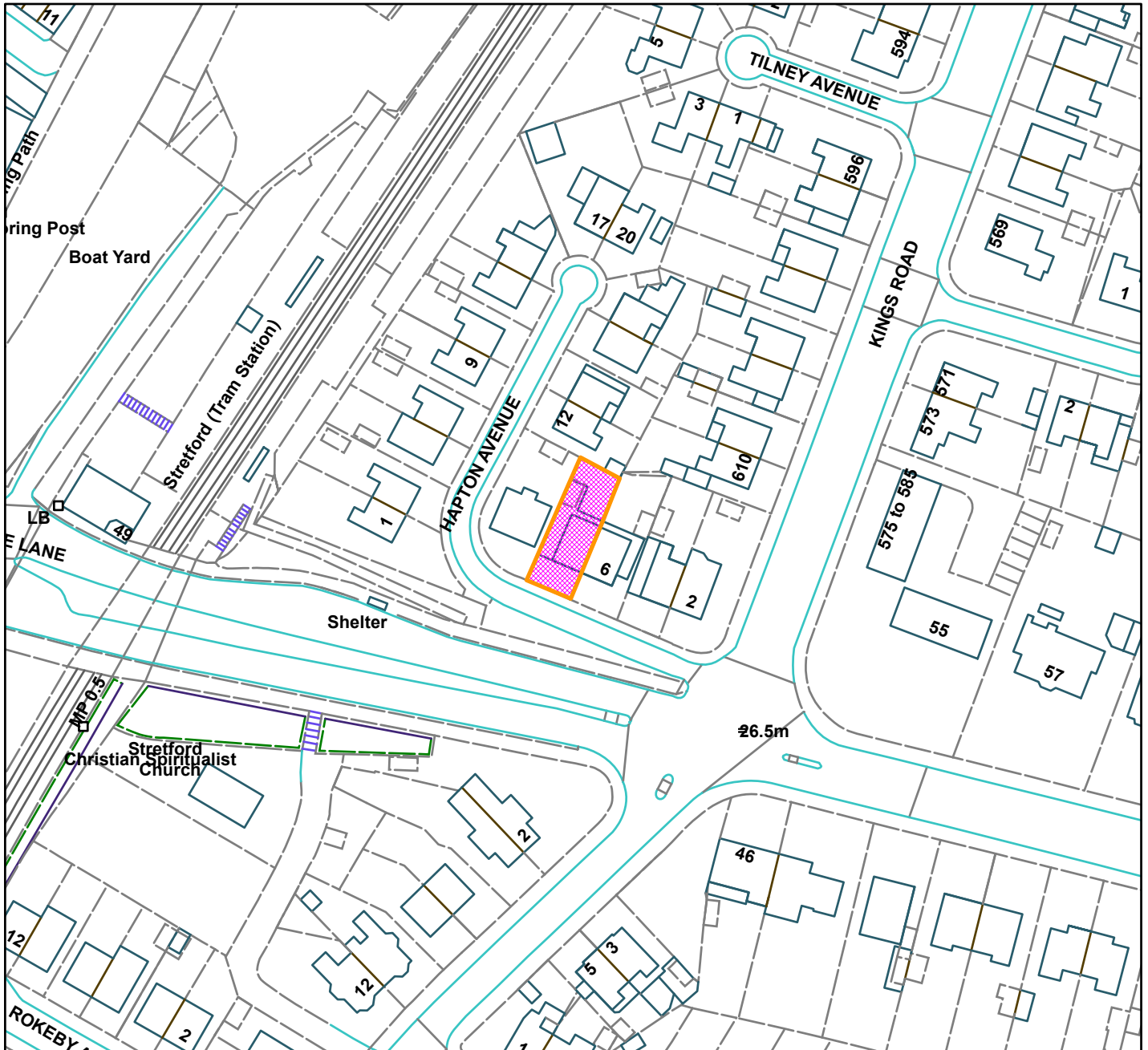
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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.

NB



8 Hapton Avenue, Stretford, M32 8JN (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 08/09/2022
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