

WARD: Gorse Hill

106156/FUL/21

DEPARTURE: No

Erection of waste reception, workshop and office buildings to facilitate a waste transfer station with associated parking and infrastructure.

Land At Trafford Park Road, Trafford Park,

APPLICANT: Lancashire & Cumbria Demolition Ltd

AGENT: Oaktree Environmental Ltd

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee as six or more representations from separate addresses have been received contrary to officer recommendation.

SITE

The application site is located within the allocated Trafford Park Core employment area, which is a key location for industry and business activity and principal location for employment in the Borough . The site is located on the northern side of Trafford Park Road, opposite the junction of Village Circle, where Trafford Park Road meets Wharfside Way.

The proposal relates to a brownfield site, which has been cleared of previous structures on the site, including a low level warehouse building. An electricity substation lies along the front boundary of the site and galvanised steel palisade security fencing lies around the perimeter of the site. A two storey commercial site serving a truck dealership bounds the site to the north and west. A large industrial site relating to the production of timber bounds the site to the east. Ashburton House, a two storey office / commercial building, lies to the south-west of the site on the opposite side of Trafford Park Road. This neighbouring building includes a part enclosed, part external café and bar to the eastern side fronting Village Circle.

PROPOSAL

The application proposes the creation of a waste handling facility, which would comprise of the following buildings and structures: -

1. A purpose built office and workshop building. The office and workshop building would lie to the southern end of the site and be open fronted to the north and west elevations and used for the tipping and sorting of non-hazardous and inert wastes. The proposed office and workshop building would form an 'L' shape,

measuring 5m to the eaves, 6.34m to the ridge, 34.38m in length to the southern elevation and 22.19m in length to the eastern elevation and have a maximum width of 10m.

2. A waste handling building, which would be a steel framed building with a mono-pitched roof sloping to the rear and open-fronted with side and rear walls comprising of box profile cladding, would lie adjacent to the northern boundary of the site. The waste handling building would measure 10.82m high to the front elevation, dropping to 7.07m high to the rear elevation and would measure 46.06m in length and 16.18m wide. The open fronted building would be used for the tipping and sorting of non-hazardous and inert wastes.
3. A two storey weighbridge office cabin / security cabin would be located centrally within the site. The two storey cabin would measure 5.18m high, 9.77m in length and 3.06m wide (not including the external staircase).
4. 4m high inter-locking concrete walls are proposed between the workshop and the waste handling building, to the eastern side of the site to form open storage areas.
5. A 3m high brick wall is proposed to the front boundary of the site. 2.4m high palisade gates are proposed to the main site entrance and 2.4m high palisade fencing is proposed to the side and rear boundaries.

Car parking, motorcycle parking and a cycle shelter would be located to the southern end of the site and HGV parking would be located adjacent to the western boundary of the site.

The applicant has detailed that the site would be operated by a private company, and would not be open to the general public. It would predominantly operate as a commercial and industrial waste transfer station with treatment primarily for the receipt of inert and municipal trade wastes from the operator's in-house waste collection services to local businesses and commerce. Inert waste is defined as being waste that is neither chemically nor biologically reactive and will not decompose or only very slowly. The most common types of inert waste include concrete, rubble, sand, clay, soil and chalk.

The proposed waste transfer station would also handle a small amount of household waste. The applicant has however confirmed that this would not be in the form of collecting bin bags and putrescible waste from households, rather householder type waste would come into the site comprising smaller fractions of larger skips of commercial / industrial waste. The applicant has already obtained an Environmental Permit from the Environment Agency for the proposed operations of the waste transfer station. The permit confirms that that only 160m³ will be stored at any one time with a maximum duration of storage of 72 hours. The development would operate strict turnaround times for any wastes which could give rise to odours to ensure that there would be a low risk of odour nuisance. If malodorous waste is deposited on site, it will be consigned to the skip for rejected waste and removed from the site immediately.

Floorspace

The total floorspace of the proposed development would be 1215m².

Value Added

Following advice from Officers, the applicant has submitted amended plans for the proposed front boundary treatment, reducing its height and changing the proposed material from concrete panels to brick with piers to ensure that the proposed boundary treatment is of a high quality finish, which in turn would positively impact on the street scene.

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.
- The **Greater Manchester Joint Waste Plan**, adopted 1st April 2012 now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L6 – Waste

L7 – Design

L8 – Planning Obligations

W1 – Economy

PROPOSALS MAP NOTATION

Trafford Park Core Industrial Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

TP1 - Trafford Park Core Industrial Area

PRINCIPAL RELEVANT GREATER MANCHESTER JOINT WASTE PLAN POLICIES

Policy 5 – Area Allocations

Policy 11 - Safeguarding of sites allocated for waste management in the Waste Plan and safeguarding of sites required for the delivery of the Municipal Waste Management Strategies

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 have been appointed to undertake an Examination in Public of the PfE Submission Plan and the hearings began in November 2022. Whilst PfE is at an advanced stage of the plan making process, for the purposes of this application it is not yet advanced enough to be given any meaningful weight, such that it needs consideration in this report.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DLUHC 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)

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated on 25th August 2022. The NPPG will be referred to as appropriate in the report.

NATIONAL PLANNING POLICY FOR WASTE (NPPW)

DLUHC published the National Planning Policy for Waste in October 2014. The NPPW is referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

93359/FUL/18 - Proposed new warehouse facility with 2 storey ancillary offices and associated service yard, level loading facilities and car parking following demolition of existing buildings – Approved with conditions 23.04.2018.

H05911 - Change of use of premises to the servicing and repair of commercial vehicles, storage thereof with ancillary parts store, offices etc. ancillary to the use as commercial vehicle main distributors and manufacture of ancillary equipment to complete the commercial vehicles – Approved 26.08.1977.

H01508 - Change of use from former vehicle and plant maintenance depot to warehousing and parking area – Approved 08.05.1975.

APPLICANT'S SUBMISSION

The applicant has submitted a Planning Statement, a Crime Impact Statement, a Phase 1 Preliminary Risk Assessment, a Noise Assessment, an Air Quality Assessment, a Drainage Statement, Drainage Strategy and a Traffic Management Plan in support of the application. The information provided within these documents is discussed where relevant within this report.

The applicant has also submitted a statement in response to the objections received. A summary of response provided is detailed below: -

- The proposed use requires an Environmental Permit, which will contain conditions to control emissions to air, land and water. As such operations at the site will be strictly regulated and controlled. National Planning Policy dictates that such control should not be duplicated under the planning regime.
- An environmental permit is in place for the proposed operation, reference: KB3807CR/A001, for the storage and treatment of household, commercial and industrial waste.
- The operation of the site will be regulated on a continual basis by the Environment Agency (EA), who will undertake regular compliance inspections to ensure the site operator is complying with stringent permit conditions.
- Odour is not anticipated to be an issue, the majority of wastes to be accepted will be of negligible odour potential. Appropriate measures will be in place to ensure emissions from odour etc. are adequately controlled. Strict turnaround times for any wastes which could give rise to odours will mean that the site will present a low risk of odour nuisance. If malodorous waste is deposited on site it will be consigned to the skip for rejected waste or removed from the site immediately.
- Short turnaround times will also control the risk of odour from municipal wastes, these are limited to 72 hours from receipt of the waste prior to it leaving the site. This is longer for inert construction and demolition wastes as it does not pose the same risks with regards to odour.
- The development will generate 50 HGV movements a day (25 in, 25 out). The Traffic Management Plan submitted with the application has confirmed that the proposals will result in a net reduction in Heavy Goods Vehicle (HGV) trips in comparison to the permitted site use and therefore a reduction in vehicle emissions will actually occur compared to consented use.
- A full Noise Impact Assessment as per BS4142:2104 has been carried out and the effects of noise from the site on nearby receptors is considered to be acceptable primarily as result of distance screening between the noise-generating operations and the nearby receptors. The surrounding area also has

high background levels as a result of the high levels of road traffic and the other adjacent industrial uses.

- The onsite operations together with the appropriate noise mitigation measures will result in levels whereby occupants of nearest residential properties will not be adversely affected by noise from the development. These comprise those situated off Eleventh Street and the prospective development at Trafford Park Hotel.
- The noise sources associated with the site will not be out of character based on the observations of the existing noise climate made during the onsite monitoring.
- The Environmental Permit contains specific conditions relating to dust control. The permit is not a static document and the EA can require amendments to management systems, including dust control measures at any time during the lifetime of the permit.
- In accordance with paragraph 7 of National Planning Policy for Waste (NPPW) and paragraph 188 of the National Planning Policy Framework (NPPF), the Waste Planning Authority must assume that the pollution control regime will operate effectively. Given that a permit has been issued, this is confirmation that the EA are satisfied that appropriate mitigation will be in place for dust.
- The majority of mechanical waste processing operations which have the greatest potential for dust emissions, such as shredding and screening, will be enclosed at the proposed site, providing containment of residual dust emissions, with the only external activities predominantly including the storage and movement of wastes.
- The site has planning permission for B8 use and therefore, any number of other heavily industrial activities with potential for dust emissions could be undertaken at the site without the need for further planning permission or indeed a permit.
- Trafford Park is one of the largest industrial estates in Europe and hosts a number of industrial processes, including heavy industry and waste management sites and is allocated for waste uses in the Trafford Council Unitary Development Plan. ITV plc obtained planning permission to undertake their operations at Trafford Wharf Road, immediately adjacent to the industrial estate (ref: 100219/FUL/20) and opted to locate their engineering operations inside the industrial estate.
- Having reviewed the Trafford Core Strategy and Greater Manchester Joint Waste Plan, clearly Trafford Park remains an area whereby industrial activities are sought to be situated. Indeed, the land uses within 750m of the site boundary include, but is not limited to; timber yards, fuel and oil terminals, dairies, large storage and distribution warehouses, dock haulage operations and indeed other waste operations such as Biffa off Trafford Wharf Road.
- It would be Six Trees Kitchen & Bar that would be out of place and considered ancillary to the wider industrial park use. Whilst it is accepted that the diversification is welcomed, the centre of Trafford Park remains an area for industrial/commercial development.

- With regards to ITV Studios, these have been located on the edge of the estate for just under ten years and were aware of the nature of Trafford Park prior to locating here. ITV took this into account as a large wall along the southern studio boundary and set facades screen the filming area from the surrounding industrial estate.
- The application site is recognized within the Trafford Waste Area Allocation, this is based on and refers to Policy 5 of the Greater Manchester Joint Waste Plan (2012). Policy 5 of the Waste Plan is supportive of waste related development within the highlighted areas, and 'Land at Trafford Park' (defined as 'TR17') is specifically referred to (which is consistent with the Policies map annotation).

CONSULTATIONS

Strategic Planning - The application site is located within Trafford Park Core Industrial Area and Main Industrial Areas. Core Strategy Policy W1: Economy identifies Trafford Park Core as a key location for industry and business activity and will be the principal location for employment development in Trafford. The policy states that the focus will be on the provision of modern industrial, storage and distribution and office development. The proposed use falls within the uses promoted by Policy W1.

Non-employment use in Trafford Park:

It is understood that a café/restaurant/bar is located near to the application site and that a number of objections have been received in relation to the proposed use and its impact on the existing café/restaurant/bar.

Core Strategy Policy W1 seeks to protect Trafford Park as the principal location for employment development in Trafford. Non employment uses within Trafford Park (and other employment places) would not usually be supported. Policy W1.6 states that Trafford Park is the principal location for employment development and that 'the focus will be on the provision of modern industrial, storage and distribution'. Trafford Park core is an important employment site for Trafford and the wider Greater Manchester City Region and the Core Strategy policies therefore seek to protect it from other uses, which would erode its primary function. This is reflected in Policy W1.12 which stipulates criteria planning applications for non-employment uses within Trafford Park would need to satisfy, including that the proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users.

In relation to the existing café/restaurant/bar, this is an ancillary use to the main function of Trafford Park and it should not therefore compromise core employment uses.

Waste

Policy L6.3 states: In determining applications for new waste management facilities within the Borough, the Council will have full regard to the environmental, social and economic impacts of such development, including the scope for securing long-term

benefits in improving the environment, the regeneration of areas in need of investment and co-location with other employment uses. The location of this site within Trafford Park is considered a suitable location with regard to Policy L6.3.

The Council recognises the importance of sustainable waste management and the need for Trafford to make an appropriate contribution towards enabling Greater Manchester to meet its waste management needs, including those requirements identified in the Greater Manchester Joint Waste Development Plan Document, and having regard to the Greater Manchester Municipal Waste Management Strategy.

The Greater Manchester Joint Waste Development Plan identifies the Trafford Park Area (ref: TR17) as suitable for built waste management facilities. It describes the 557 ha site as a large, well established industrial area likely suitable for:

- In Vessel Composting,
- Anaerobic Digestion,
- Material Recovery Facility,
- Mechanical Biological Treatment,
- Advanced Thermal Treatment,
- Conventional Thermal Treatment,
- Mechanical Heat Treatment (potential use vary depending on location within wider area).

Open Air Facilities are considered unlikely to be suitable due to potentially adverse impact on surrounding uses.

The proposed waste transfer station would be an appropriate form of development within Trafford Park: TR17, as designated within the Greater Manchester Joint Waste Development Plan.

Strategic Planning support the principle of the proposed development.

Environmental Projection: Nuisance – No objections. They accept the consultant's position that the control of environmental impacts such as noise and odours will fall to the Environment Agency through their Permit conditions, and that the guidelines advise against duplicating these as planning conditions. The EA has outlined how potential issues of nuisance can be addressed through the Environmental Management System required to be implemented by the Permit, should the cafe operator have reason for complaint.

Environmental Protection: Air Quality – No objections. The submitted Air Quality Assessment predicts that changes in annual mean concentrations of nitrogen dioxide do not lead to a significant impact at any sensitive receptors. The modelling also confirms that all concentration changes are negligible with reference to the Institute Air Quality Management significance criteria. However, incorporating mitigation into the scheme will help to reduce any increase in emissions associated with development traffic flows

and it is recommended that a condition is attached requiring the provision of electric vehicle charging points within the site.

Environmental Protection: Contaminated Land – No objections. The site investigation has confirmed the presence of contamination at the site which will require mitigation to prevent risk to future site users, namely:

- Asbestos in the form of chrysotile and amosite fibres / debris have been identified within the Made Ground deposits across the site. It will be necessary to design a phase of remediation and enabling works where methodologies are agreed to carefully manage these impacted soils and place them in a legislatively compliant manner that will negate any possibility of future exposure.
- Ground gas monitoring to date (ongoing) indicates the site falls into classification Characteristic Situation 2;

As such protection measures are required in the proposed commercial structure. Appropriate contaminated land conditions are therefore recommended.

LHA – No objections, request conditions relating to HGV and car parking and access arrangement, motorcycle parking, secure cycle parking and the submission of a construction method statement.

LLFA – No objections.

Environment Agency – No objections in principle. Advise that the development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12.

United Utilities - Surface water runoff must be restricted to maximum pass forward flow of 5l/s. A drainage condition is recommended accordingly.

There are two legal easements in the adjoining land over which the proposal shows HGV and vehicular access. Though these easements do not arise any restriction on the proposed use it is important that the developer is aware of these easements and that damage and endangerment of the assets should be avoided. A public sewer crosses the site and they may not permit building over it.

Electricity North West – Advise that the development could have an impact on their infrastructure and provide standing advice accordingly.

Health and Safety Executive – No objections.

REPRESENTATIONS

22 letters of objection have been received. 9 of these letters are from residents or businesses from within Trafford, of which 3 are from businesses within Trafford Park. All other representations received are from residents within Greater Manchester or they did not provide an address and/or name. A summary of the objections and concerns raised are: -

- It would result in the loss of the neighbouring business, Six Trees Café, Bar and Restaurant, resulting in a loss of jobs.
- The outdoor café bar is a real asset to the area, to allow a waste business within such close proximity would ruin the business. People cannot eat, drink and socialise in an outdoor venue with a toxic smell of waste so close and visible.
- A few roads away there are many residents and with slightly high temperatures the smell would increase, thus affecting people living nearby.
- It would result in inappropriate noise and smells to the immediate local area.
- Six Trees Bar and Restaurant opposite the site provides a regular, safe outdoor space for many people, including weekly football fans or families and friends enjoying food and drink during the week and at weekends. To have a waste disposal unit opposite would ruin this original and beautiful space that has become so loved in the heart of Trafford Park.
- The applicant has mentioned odour reducing measures so if this is required it will obviously be a major issue for their business facing directly onto the facility while expecting people to be comfortable in their large dining area
- The noise pollution would take away from the lovely atmosphere and the café.
- We have just seen the new urbanisation and beginning of a community to start in this area with local independent businesses taking pride in the area, opening it up as a pedestrianised space rather than industrial no man's land.
- There is a limited selection of food and drink establishments in the area and six trees have created an amazing place that lots of local businesses like to use to socialise. This would be ruinous for a young and excellent business providing valuable service to local businesses and residents. There are many other sites across Trafford Park that are not adjacent to outdoor food establishment
- Not appropriate to have waste management in such close proximity to other businesses.
- Would result in an increase in traffic and pose a danger with 24hr HGV operations on and off the site.

One of the objections received was on behalf of the neighbouring business ITV, who have raised the following concerns: -

- ITV has a number of production buildings in the vicinity of the site, notably the Coronation Street set on Trafford Wharf Road (approx. 300m from the site) and a production facility on Westbrook Road that backs directly onto the proposed waste site. They have concerns about potential for disruption to the operations of their business that could result from the proposals. Notably this includes noise disruption to filming on the Coronation Street set. Noise and particularly particulate pollution would be completely detrimental to this production facility on Westbrook Road.
- Coronation Street requires an extensive production schedule at the Trafford Wharf Road site. This includes a significant amount of outdoor shooting on the external set, where external noises and disturbances could give rise to significant disruptions and delays.

- Whilst the Environmental Noise Assessment refers to existing controls by an Environmental Permit, this does not take account specifically of neighbouring site conditions. In the Assessment the two ITV sites were not identified as receptor sites and no background monitoring was undertaken for any sites to the north of the application site.
- The nature of the use on the Coronation Street set should be considered as a particularly sensitive use for noise disturbance due to the degree to which it can disrupt filming.
- The hours of use and constant nature of the operations will also make a considerable impact when correlated with the extensive filming schedule required at the Coronation Street due to the number of broadcast episodes and its status as a continuing drama. Similarly, they will also impact on the visitor tours of the set, where visitors may be less able to hear the commentary by the tour guides and could negatively impact on their overall visitor experience.
- The proposals will generate air quality pollution that may affect ITV's operations. For example, the crushing of materials may create dust particles that could impact on the production activity on the ITV set at Westbrook Road. An Air Quality Assessment has been submitted with the application but this did not identify either of the ITV sites as sensitive receptors and considered only potential NO2 pollution.
- The proposed use will generate an increase in HGV traffic in the locality, which will also generate noise issues, which could include significant traffic impacts on Trafford Wharf Road.
- ITV plc acknowledge that the application site is within an established employment area and the proposed use is consistent with the current site allocation (E7 – Main Industrial Area; TP1 – 3 Trafford Park Core Industrial Area). However, these policies are from the Revised Unitary Development Plan (UDP) which was adopted in 2006. This is now somewhat dated, with the subsequent development of MediaCity (on the Salford side of the Manchester Ship Canal) and the changing role of Trafford Quays and Trafford Wharf Road in the preceding decade. This has led to a change in nature of this northern part of Trafford Park, with a diversification away from sole dominance by heavy industrial uses, as evidenced by the development of the Imperial War Museum and the siting of the Coronation Street set on Trafford Wharf Road North. These changes have not yet been properly reflected in current local planning policy.
- Policy TP1 seeks to protect the Trafford Park Core Industrial Area for business, industry, storage and similar appropriate uses. Whilst the current proposals are in accordance with this aim this does not mean that it would not be possible to develop the site for another use within these categories that does not prejudice the continuing operations of existing nearby businesses.
- The National Planning Policy Framework (NPPF) also protects existing businesses from noise impacts.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
2. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
3. As the application does not include any housing development, and as the most important policies in the development plan are considered to be 'up-to-date' the tilted balance referred to in Paragraph 11(d) of the NPPF does not apply. As such, the development should be approved 'without delay', providing it accords with the development plan.
4. Policy W1.6 of the Trafford Core Strategy states that Trafford Park Core will be a key location for industry and business activity within the Manchester City Region Inner Area. The focus will be on the provision of modern industrial, storage and distribution and office development. Policy W1.3 also identifies Trafford Park as one of the areas where the Council will focus employment uses.
5. Policy L6.1 states that "*The Council recognises the importance of sustainable waste management and the need for Trafford to make an appropriate contribution towards enabling Greater Manchester to meet its waste management needs, including those requirements identified in the Greater Manchester Joint Waste Development Plan Document, and having regard to the Greater Manchester Municipal Waste Management Strategy*".
6. L6.2 states that "*The Council will, therefore: (a) Work with other Districts through the Greater Manchester Joint Waste Development Plan Document (GMJWDPD) to identify, and where necessary safeguard, sites/areas for waste management in appropriate locations, including parts of Trafford Park and Carrington*".
7. The application proposes the creation of a waste transfer facility that would handle the recycling of waste. The applicant has detailed that the site would operate as a household, commercial and industrial waste transfer station with treatment primarily for the receipt of inert and municipal trade wastes from the operator's in-house waste collection services to local businesses and commerce. The proposal also includes the erection of a purpose built, open front building to be used for the tipping and sorting of non-hazardous and inert wastes.
8. Policy L6.3 states: In determining applications for new waste management facilities within the Borough, the Council will have full regard to the

environmental, social and economic impacts of such development, including the scope for securing long-term benefits in improving the environment, the regeneration of areas in need of investment and co-location with other employment uses. The location of this site within Trafford Park is considered a suitable location with regard to Policy L6.3.

9. The Council recognises the importance of sustainable waste management and the need for Trafford to make an appropriate contribution towards enabling Greater Manchester to meet its waste management needs, including those requirements identified in the Greater Manchester Joint Waste Development Plan Document, and having regard to the Greater Manchester Municipal Waste Management Strategy.

10. The Greater Manchester Joint Waste Development Plan identifies the Trafford Park Area (ref: TR17) as suitable for built waste management facilities. It describes the 557 ha site as a large, well established industrial area likely suitable for:
 - In Vessel Composting,
 - Anaerobic Digestion,
 - Material Recovery Facility,
 - Mechanical Biological Treatment,
 - Advanced Thermal Treatment,
 - Conventional Thermal Treatment,
 - Mechanical Heat Treatment (potential use vary depending on location within wider area).

It further states that 'Open Air Facilities' are considered unlikely to be suitable due to potentially adverse impact on surrounding uses.

11. The proposed waste transfer station would be an appropriate form of development within Trafford Park: TR17, as designated within the Greater Manchester Joint Waste Development Plan.

12. The proposed use of the site as a waste transfer station is consistent with the aims of Policies W1 and L6 of the Trafford Core Strategy and with the Greater Manchester Joint Waste Plan. The proposed development is therefore considered acceptable in principle.

DESIGN AND APPEARANCE

13. The NPPF states, in paragraph 126, that *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
14. Policy L7 of the Trafford Core Strategy states that “In relation to matters of design, development must: Be appropriate in its context; Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, Make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan”.
15. Policy L7 is considered to be compliant with the NPPF as it comprises the local expression of the NPPF’s emphasis on good design and, together with associated SPDs, the Borough’s design code. It can therefore be given full weight in the decision making process.
16. The application proposes the erection of a purpose built office and workshop building. The office and workshop building would lie to the southern end of the site and be open fronted to the north and west elevations and used for the tipping and sorting of non-hazardous and inert wastes. The proposed office and workshop building would form an ‘L’ shape, measuring 5m to the eaves, 6.34m to the ridge, 34.38m in length to the southern elevation and 22.19m in length to the eastern elevation and have a maximum width of 10m. A waste handling building is also proposed adjacent to the northern boundary of the site, which would comprise of a steel framed building with a mono-pitched roof sloping to the rear and open-fronted with side and rear walls comprising of box profile cladding. A two storey weighbridge office cabin / security cabin would also be located centrally within the site. The two storey cabin would measure 5.18m high, 9.77m in length and 3.06m wide (not including the external staircase).
17. The design, size, siting and layout of the proposed buildings associated with the development are considered acceptable and in keeping with the typical character of the main industrial area of Trafford Park. The proposed steel framed waste handling building would be located adjacent to the rear boundary of the site, with the proposed office and workshop building screening many views of the proposed waste handling building from Trafford Park Road. A condition is recommended that requires the submission and approval of all external materials, including colour finish, to ensure that all proposed buildings and structures within the site are of a good quality finish that is appropriate for setting of the site.
18. A 3m high brick wall, with decorative brickwork detailing and piers is proposed to the front boundary of the site. The proposed front boundary wall would screen

the proposed car park and significantly improve the existing street scene through replacing existing palisade and paladin fencing along the front boundary of the site. 2.4m high palisade gates are proposed to the main site entrance and 2.4m high palisade fencing is proposed to the side and rear boundaries. A condition is recommended that requires the brick for the wall to be approved and that the gates and fences are colour treated in an agreed colour to ensure that the resulting boundary treatment is of a high quality.

19. It is recognised that the site is currently vacant and located in a prominent position opposite Village Circle. It is therefore considered that bringing the site back into active use, with improved boundary treatment, would positively impact on the existing street scene and the character of the surrounding area more generally.

AMENITY

20. In relation to matters of amenity protection, Policy L7 states development must be compatible with the surrounding area; and not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.
21. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code.
22. Whilst it is noted that an objection has been received stating that there are many residents located "a few roads away", who would be affected by the development, in particular from odours, the application site is located within the industrial area of Trafford Park. From Council records the nearest residential houses and apartments to the site, within the Borough of Trafford are located over 0.5 miles (804 meters) away. This distance is across many surrounding industrial and commercial sites, including the World Freight Centre, railway lines and the Bridgewater Canal. The nearest residential apartments to the application site, within the Borough of Salford are located over 0.3 miles (535 meters) away within the area of Media City. This distance is also across many surrounding industrial and commercial sites as well as the Manchester Ship Canal.
23. A substantial number of objections have been received, which raise concerns regarding the impact of the proposed development on a neighbouring café / bar (Six Trees Kitchen and Bar), which is located within Ashburton House, on the southern side of Trafford Park Road, approximately 26m away from the front boundary of the application site. This neighbouring café and bar benefits from an outside seating area as well as large areas of indoor accommodation. The objections raise concerns regarding undue noise, disturbance and odours that would occur from the operations of the proposed waste transfer station.

24. An objection has also been received on behalf of the neighbouring business ITV, who have raised the following concerns regarding the impact of the development on a number of their production buildings in the vicinity of the site, notably the Coronation Street set on Trafford Wharf Road (approx. 300m from the site) and a production facility on Westbrook Road that backs directly onto the proposed waste site. Their concerns largely relate to potential noise and disturbance (a more detailed summary of the objections and concerns raised are detailed in the 'Representations' section of this report). It is noted that the ITV site on Westbrook Road that bounds the application site to the north is not used for filming purposes (of which it does not have planning permission to do so), but rather is an ancillary building to their main media production buildings within Media City, including the ITV Studios site, housing Coronation Street, on Trafford Wharf Road.
25. The applicant has submitted an Environmental Noise Assessment and Air Quality Assessment in support of the application. Following receipt of the objections, the applicant has also submitted comments on the objections raised, in particularly relating to odour, traffic management, noise, dust and the suitability of the location. They have also provided a Noise Technical Note, which expanded the area already covered by the originally submitted noise impact assessment and provided additional background monitoring. These comments and additional information have been reviewed by the Council's Environmental Protection Service, who confirm that the latest noise assessment demonstrates that the noise impacts to ITV would be insignificant. They have also confirmed that the noise levels to the most exposed receptor, which is the external seating area of the Six Trees Kitchen and Bar, have been modelled and should be below the existing noise levels, based on a worst case scenario of a crusher operating on site.
26. Notwithstanding this, it is also recognised that the application site is located within the main industrial area of Trafford Park, which is allocated in the Council's Proposals Map and Core Strategy as an area that will provide modern industrial, storage and distribution and office development. Trafford Park is also recognised within the Core Strategy and the Greater Manchester Joint Waste Development Plan Document as having areas suitable for waste management services. A café and bar use is one that is typically defined as a town centre use within the NPPF. The neighbouring café was opened in 2021. Planning permission was not sought for the use of the café; which is understood to have been carried out under permitted development rights, with the café falling within Use Class E, the same as the offices which previously occupied the site. Planning permission was granted for the external alterations to the building, forming a seating area, ref: 102528/FUL/20.
27. Policy W1 of the Trafford Core Strategy seeks to protect Trafford Park as the principal location for employment development in Trafford. Non employment uses

within Trafford Park (and other employment places) would not usually be supported. Policy W1.6 states that Trafford Park is the principal location for employment development and that 'the focus will be on the provision of modern industrial, storage and distribution'. Trafford Park Core is an important employment site for Trafford and the wider Greater Manchester City Region and the Core Strategy policies therefore seek to protect it from other uses, which would erode its primary function. This is reflected in Policy W1.12 which stipulates criteria planning applications for non-employment uses within Trafford Park would need to satisfy, including that the proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users.

28. The primary function of Trafford Park is therefore to provide employment uses, largely relating to industrial, storage and distribution, offices and waste management services. Other uses such as cafes and bars, whilst found within Trafford Park, are to act as secondary uses providing ancillary services for the workers and associated visitors of businesses within or close to Trafford Park. It is not the intention of the Trafford Core Strategy for the main industrial area of Trafford Park to become a leisure destination. The presence of this neighbouring café and bar should therefore not unduly restrict or compromise the uses permitted on the application site, which are in accordance with the Trafford Core Strategy, Proposals Map and the Greater Manchester Joint Waste Development Plan Document.
29. Furthermore, the NPPF sets out in paragraph 187 that *“Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed”*. Whilst the proposed waste transfer station is not an existing business on the site, it is recognised that the site has an ongoing lawful use as an industrial site. The industrial nature of the site should therefore not be comprised and restricted by the newer neighbouring use of a café and bar.
30. The applicant has detailed that the site would be open for all waste operations, including depositing, sorting, moving, storing and removing waste from 06:00 – 18:00 on Mondays to Saturdays and would be closed on Sunday and bank holidays. Though they have also noted that on rare occasions the site may receive deliveries throughout the evening and night time as well as Sundays, which would primarily comprise of materials arising from highways works undertaken throughout Greater Manchester during the evening. Very limited sorting / movement following the tipping of materials would take place however at these later / additional times.

31. It is noted that whilst the neighbouring café / bar business and ITV studios have raised concerns regarding potential noise and disturbance, it is recognised that the hours of use of the majority of surrounding businesses within Trafford Park, including those operating industrial and typically noisier activities, are not restricted and therefore evening, night time and Sunday activity is not uncommon within the surrounding area. It is therefore considered that it would not be reasonable to impose a planning condition restricting the hours of use of the business.
32. The applicant and a Council's Environmental Health Officer have confirmed that an Environmental Permit relating to the proposed waste transfer station requires an Environmental Management system to be implemented, which will ensure that pollution levels from dust odours and noise are kept within reasonable margins at local receptors. It is therefore considered that the proposed development would not unduly impact on the amenity of neighbouring residents and businesses.
33. Additionally, it is noted that paragraph 188 of the NPPF states that: *“The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.”*
34. Paragraph 7 of the NPPW also states: *“Local authorities should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced”*
35. It is therefore considered that it is not necessary or reasonable to impose controls and restrictions on the development that are already covered by the Environmental Permit.
36. It is recommended that a condition is attached requiring the submission, approval and subsequent implementation of an Environmental Construction Management Plan, to ensure that any potential disruption the neighbouring businesses during the construction phase is limited, including the management of dust and wheel washing facilities.

HIGHWAY SAFETY AND PARKING PROVISION

37. Policy L4 of the Trafford Core Strategy states that “when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local

Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way.”

38. Policy L4 also states that the Council will prioritise the location of development within the most sustainable areas accessible by a choice of modes of transport. Maximum levels of car parking for broad classes of development will be used as a part of a package of measures to promote sustainable transport choices.
39. Core Strategy Policy L7 states that 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.
40. SPD3’s objectives include ensuring that planning applications accommodate an appropriate level of parking; to guide developers regarding the design and layout of car parking areas; to ensure that parking facilities cater for all users and to promote sustainable developments.
41. Paragraph 111 of the NPPF states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety; or the residual cumulative impacts on the road network would be severe.”*
42. The applicant has submitted a Traffic Management Plan in support of the application, which has been considered by the LHA. The Traffic Management Plan states that the deliveries to the site will be managed to ensure that HGV vehicle movements are spread evenly throughout the day, with a maximum of 50 two-way (25 arrivals and 25 departures) HGV loads into the site each day. The LHA has confirmed that in comparison to the previous use of the site and permitted use for general industry purposes, that these forecast trip numbers would not have an unacceptable impact on the highway, thus resulting in a negligible impact in terms of existing traffic flows.
43. The application proposes the retention of an existing vehicular access off Trafford Park Road, which also forms a shared access to the adjacent business, a HGV dealership. Internally within the site, two separate gated points of access will be provided, one for staff and visitors and another solely for use by HGVs. The LHA has confirmed that they raise no objections to the proposed access/egress arrangements to and movements within the site.
44. The application proposes the provision of 17 car parking spaces, which includes 2 accessible parking bays, which would provide parking for staff and visitors. A further 6 are proposed for HGV parking and 2 motorcycle parking spaces. The LHA has confirmed that this provision and the proposed layout is considered acceptable.

45. The application also proposes the provision of a sheltered cycle store for 10 bicycles, which is also considered acceptable in this location. It is recommended that a condition is attached requiring full details of the proposed cycle store to be submitted and approved prior to the development being brought into use.
46. It is therefore considered that the proposed development is acceptable on highways grounds and accords with Policies L4 and L7 of the Trafford Core Strategy and the NPPF in this regard.

AIR QUALITY

47. Policy L5 of the Trafford Core Strategy advises that development which has the potential to cause adverse pollution will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.
48. The applicant has confirmed that any potential air quality impacts, including potential dust emissions to air from operations on site, will be controlled under the Environmental Permit obtained by the applicant, which is regulated by the Environment Agency.
49. The applicant has submitted an Air Quality Assessment in support of the application, which has been reviewed by the Council's Environmental Protection Service who have confirmed that it predicts that changes in annual mean concentrations of nitrogen dioxide do not lead to a significant impact at any sensitive receptors. The modelling also confirms that all concentration changes are negligible with reference to the Institute Air Quality Management significance criteria.
50. The applicant has also confirmed that all waste sorting operations will be undertaken within a building which will provide the control of potential dust emissions. They have identified that the main risk of dust will be from the crushing, screening and storage of inert wastes and soils and from mud/dust on the site surfaces. The applicant has detailed the control measures that will be implemented by the site management to minimise the risk of dust emissions. These have been reviewed by the Council's Environmental Protection Service, who have raised no objections to the application on grounds of dust.
51. However, it is considered that incorporating mitigation into the scheme will help to reduce any increase in emissions associated with development traffic flows and it is recommended that a condition is attached requiring the tow electric vehicle charging points shown on the submitted proposed site plan are provided prior to the first use of the site.

EQUALITIES

52. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.
53. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
54. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.
55. The proposed main office to the site would be located on the ground floor with level access. The proposed weighbridge building would provide access to rest facilities at ground floor, though it is noted that access to the first floor office space within the weighbridge building would only be from an external stairwell. It is recognised that this is not a public building and would be predominantly used by HGV drivers. Alternative ground floor office accommodation is available within the main building, which would be accessible for all, providing access for staff and visitors. Accessible parking spaces are provided within the car park for staff and visitors. It is therefore considered that the application would provide accessible facilities.

DEVELOPER CONTRIBUTIONS

56. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'industry and warehousing' development, consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
57. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

58. The creation of the proposed waste transfer station on this site off Trafford Park Road, within the core industrial area of Trafford Park, would contribute to local and national waste recycling targets, whilst also bringing a vacant brownfield site back into active use. The applicant has also identified that the proposal would result in the creation of 20 full time jobs.
59. The proposed development is considered to be acceptable in terms of its design and appearance and is reflective of the industrial nature of Trafford Park. It is also considered that improvements to the front boundary treatment will have a positive impact on the existing street scene.
60. Concerns raised by neighbouring businesses have been considered. The applicant has demonstrated that the proposal would not result in undue noise or disturbance by way of odour and dust to nearby receptors. It has also been identified that the development would be controlled by their Environmental Permit, which is regulated by the Environment Agency. It is therefore not necessary or reasonable to impose controls and restrictions on the development that are already covered by the Environmental Permit. In any event, uses brought into operation under permitted development rights should not prejudice the wider allocation of Trafford Park for industrial activity, including the handling of waste.
61. It is therefore considered that the proposed development is compliant with Policies L4, L5, L7 and W1 of the Trafford Core Strategy, Greater Manchester Joint Waste Development Plan Document. The application is therefore recommended for approval subject to conditions.

RECOMMENDATION: GRANT subject to the following conditions

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 2980-004-02, 2980-004-04 Rev B, 2980-004-05, 2980-004-06, 2980-004-07 and 2980-004-09 Rev B.

Reason: To clarify the permission, having regard to Policies L4, L5, L6, L7, L8 and W1 of the Trafford Core Strategy and the National Planning Policy Framework.

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

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

4. The railings and gates hereby approved shall be powder coated prior to their installation in a colour which shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter the railings and gates shall be retained in that colour.

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

5. 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 (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;
 - f. wheel washing facilities;
 - 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;

- 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;

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.

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

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.

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

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

- 8. The development hereby approved shall not be occupied unless and until the electric vehicle charging points shown on the approved site plan, drawing number 2980-004-04 Rev B have first been installed and shall be retained thereafter.

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

- a. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place until a contaminated land remediation strategy has been submitted

to and approved by the local planning authority. The strategy shall be written by competent persons and shall include:

- i) an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.
- ii) full details of the remediation measures required and how they are to be undertaken
- iii) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The development shall thereafter be carried out in full accordance with the approved remediation strategy before the first occupation of the development hereby approved.

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

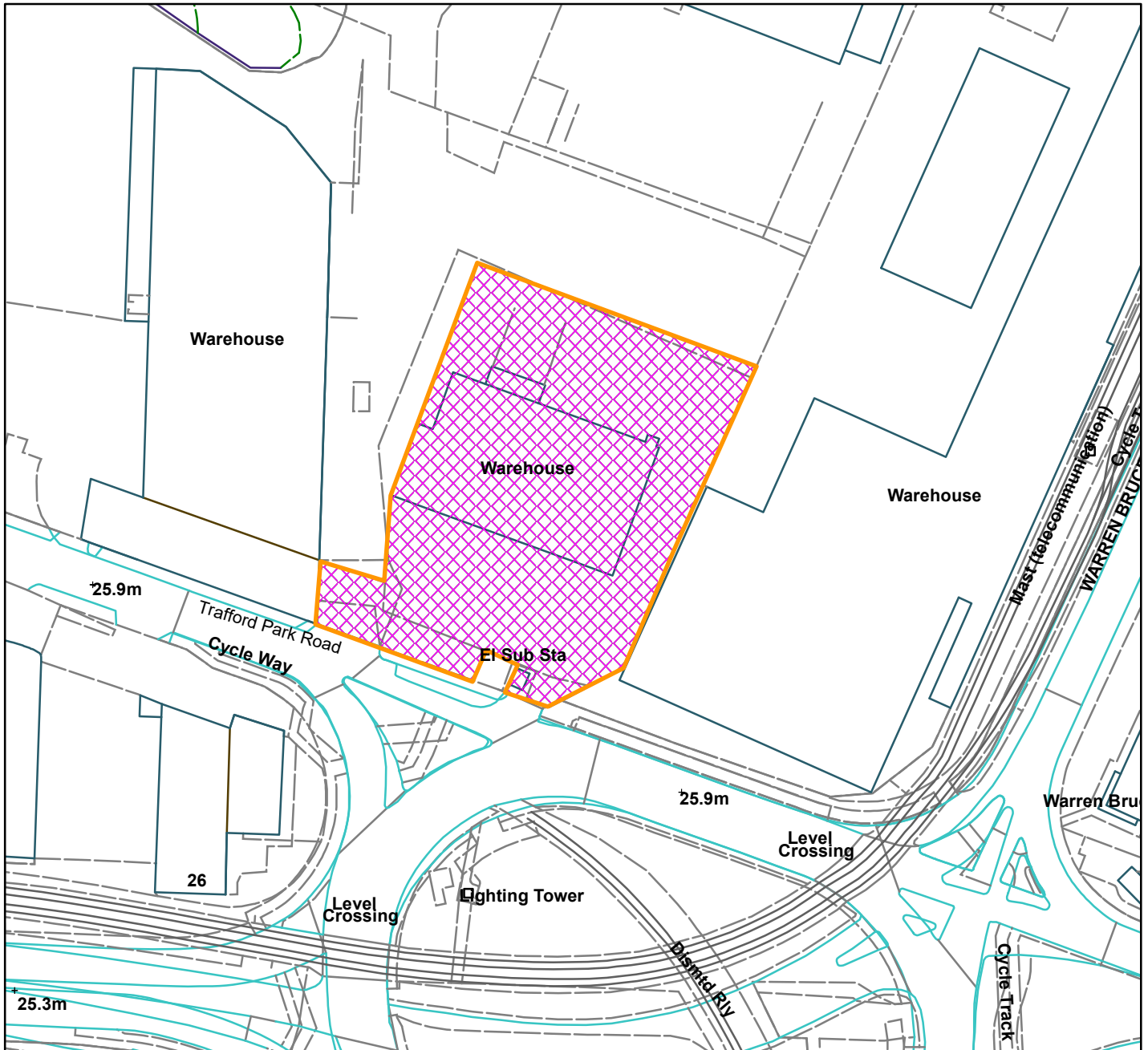
9. The development hereby permitted shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall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

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

VW



Land At Traffor Park Road, Trafford Park



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Comittee Date 19/01/2023
Date	05/01/2023
MSA Number	100023172 (2022)

Redevelopment of site for a mixed use including retention and extension of Hydro building to provide a 95 place children's day care nursery, erection of 51 bedroom care home, retention and conversion of 2 villas into 6 apartments, erection of 6 townhouses, demolition of all other buildings and structures on site and provision of car parking, landscaping and associated works.

The Bowdon Hotel, 5 Langham Road, Bowdon, WA14 2HT

APPLICANT: Patrick Properties (Bowdon) Ltd and New Care (Bowdon) Ltd

AGENT: Garner Town Planning Ltd

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

The application has been reported to the Planning and Development Management Committee due to six or more representations being received contrary to Officer recommendation.

EXECUTIVE SUMMARY

The application seeks full planning permission for a comprehensive redevelopment of the former Bowdon Hotel located on the east side of Langham Road and the west side of Marlborough Road in Bowdon, south of Altrincham town centre. The proposed development comprises conversion and extension of the Hydro building to provide a 95 place children's day care nursery, conversion of two semi-detached villas to provide 6 apartments, erection of a 51 bedroom care home and erection of 6 townhouses in two blocks. All other existing buildings on the site are proposed to be demolished. Access to the various parts of the development is proposed from both Langham Road and Marlborough Road.

The principle of development is considered to be acceptable and because the Council does not have a 5 year supply of housing land, the tilted balance in NPPF paragraph 11 d) is engaged.

A care home, children's day nursery and residential development are considered acceptable in principle on this brownfield site and which is in a sustainable location. The Council's Adult Social Care service has raised concerns over the need for a care home which are set out in full in the report.

The site is located within the Bowdon Conservation Area and adjacent to the Hale Station Conservation Area. The proposed development, by virtue of the amount of built-form proposed on the site and the siting and scale of the proposed care home, is

considered to result in minor harm to the setting and to the character and appearance of the Bowdon Conservation Area and negligible harm to the Hale Station Conservation Area. However it is considered that the public benefits of the scheme would outweigh the level of harm identified. As such, the proposed development would comply with the heritage policies of the NPPF and Policies L7 and R1 of the Core Strategy. In terms of paragraph 11 d) i), there would therefore be no clear reason for refusal of permission.

The impact of traffic generated by the proposed development on the highway network is considered acceptable having regard to the existing lawful use of the site as a hotel and it is considered that sufficient on-site car parking would be provided having regard to the Council's parking standards.

The impact of the proposed development on nearby dwellings is considered acceptable having regard to the separation distances between buildings whilst noise from the proposed day nursery would not have an adverse impact with the mitigation proposed.

Financial contributions towards off-site affordable housing, healthcare, education, open space, play facilities and sports facilities would be secured by a S106 agreement in order to comply with relevant policies and to mitigate the impacts of the development.

The Council cannot demonstrate a five year housing land supply thus the presumption in favour of sustainable development applies and the tilted balance is engaged. When the tilted balancing exercise is carried out the benefits of the scheme significantly outweigh any harm which would arise. The application is therefore recommended for approval, subject to appropriate conditions.

SITE

The former Bowdon Hotel (also formerly known as the Mercure Altrincham Bowdon Hotel) occupies a site on the east side of Langham Road, to the south of Altrincham town centre. The site extends to approximately 0.69 ha and has frontages to both Langham Road to the west and Marlborough Road to the east. The site lies within the Bowdon Conservation Area and adjacent to the Hale Station Conservation Area.

The site comprises a number of linked buildings on the southern side and a large area of car parking on the northern side which also extends alongside the front and rear of the buildings. The existing buildings include the former Hydropathic Establishment (the 'Hydro') which dates from 1871 and a pair of semi-detached villas (Hawthorn Lea and Langham Lea) which date from 1873. Other buildings on the site are later additions and have compromised the setting of these historic buildings. The site boundaries are defined by low stone and brick walls to Langham Road with vegetation behind, a hedge along the northern section of Langham Road and trees and a hedge to the Marlborough Road frontage. There is a noticeable difference in levels across the site, with the Marlborough Road side between approximately 1m and 5m lower than the Langham Road side.

The junction of Langham Road, Marlborough Road, Ashley Road and Stamford Road is to the north of the site, with a small triangular area of open space and trees located between the site and the junction. The surrounding area is predominantly residential in character although there are also a number of schools in the locality. To the east on the opposite side of Marlborough Road is Altrincham Grammar School for Boys and residential properties at the northern end of the road. To the south there are detached dwellings on Bowdon Rise and Marlborough Road, beyond which is Altrincham Preparatory School for Boys. To the west on the opposite side of Langham Road the area comprises predominantly detached dwellings, including on Holly Grange off Langham Road and Garner Close off Stamford Road. To the immediate south and adjoining the site there is a public footpath which connects Langham Road and Marlborough Road.

PROPOSAL

The application seeks full planning permission for a comprehensive redevelopment of the site for a mixed use development comprising the following elements: -

- Retention and extension of existing Hydro building to provide a 95 place children's day care nursery including an external play area;
- Erection of a 51 bedroom care home including courtyard garden;
- Retention and conversion of two existing semi-detached villas into 6 apartments;
- Erection of 6 townhouses in two blocks of 3 storey and 4 storey;
- Demolition of all other buildings and structures on site;
- Provision of car parking, landscaping, boundary treatments, substation, refuse and cycle stores and associated works.

Vehicle access is proposed from Langham Road utilising a one-way system that would serve car parking proposed on the Langham Road side of the site and two car parks with access from Marlborough Road are proposed on the Marlborough Road side of the site. A total of 63 car parking spaces are proposed within the site and cycle storage for each part of the development would also be provided.

The proposed townhouses would provide 2 x 4-bed and 4 x 5-bed dwellings and the converted villas would provide 4 x 2-bed and 2 x 3-bed apartments.

The total floorspace of the proposed development would be approximately 5,574 m².

Value Added – Amended plans and additional information has been submitted in response to concerns raised by Officers and in the consultation responses, including in relation to the layout and the design of the new buildings and the tree planting, landscaping and boundary treatment to improve these aspects of the scheme. Additional or updated documents have also been submitted during consideration of the application, including Bat Activity Survey and Mitigation Strategy, Arboricultural Implications Assessment and Method Statement, Flood Risk Assessment and Drainage

Strategy, Framework Travel Plan, Noise Impact Assessment and Supplementary Statement of Heritage Significance.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
L2 – Meeting Housing Needs
L4 – Sustainable Transport & Accessibility
L5 – Climate Change
L7 – Design
L8 – Planning Obligations
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

Conservation Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

ENV21 – Conservation Areas

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Revised SPD1: Planning Obligations (2014)
SPD3: Parking Standards and Design (2012)
SPD5.9 – Bowdon Conservation Area Appraisal (2016)
SPD5.9a – Bowdon Conservation Area Management Plan (2016)
SPD5.11 – Hale Station Conservation Area Appraisal (2016)
SPD5.11a – Hale Station Conservation Area Management Plan (2016)
PG1: New Residential Development (2004)
PG4: Residential Care Homes and Nursing Homes for the Elderly (1991)

PG5: Day Nurseries and Playgroups (1991)
Trafford Community Infrastructure Levy: Charging Schedule

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors have been appointed to undertake an Examination in Public of the PfE Submission Plan and the hearings commenced in November 2022. Whilst PfE is at an advanced stage of the plan making process, for the purposes of this application it is not yet advanced enough to be given any meaningful weight, such that it needs consideration in this report.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DLUHC 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)

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated on 25th August 2022. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance and will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

There have been a number of applications relating to the use of the site as a hotel, none of which are directly relevant to the proposed development. The most recent previous applications are as follows: -

H/55123 – Variation of condition no. 3 of planning permission H/44413 to allow retention of Langham Road entrance/exit. Approved 03.12.02

H45504 – Erection of a single storey function room extension and provision of 11 parking spaces. Approved 23.11.98

H45475 – Retention of two 4 metre high columns and floodlights to existing car park. Approved 24.06.98

H44413 – Erection of extension on Langham Road frontage to form accommodation for leisure facilities including swimming pool (amendments to previously approved scheme H/42262). Approved 28.07.97

H43220 – Display of internally illuminated double sided 'v' shaped board on Langham Road frontage and display of non-illuminated lettering above first floor windows on Langham Road elevation of hotel. Approved 12.02.97

H42262 – Erection of extension on Langham Road frontage to form accommodation for leisure facilities including swimming pool. Approved 19.06.96

H42261 – Change of use of silks bar to 8 bedrooms, provision of compound for airport parking for 27 cars. Rearrangement of access to form entrance only from Langham Road to the south of site (closing other Langham Road entrance) and exit only to Marlborough Road. Rearrangement of parking facilities to provide 156 car parking spaces. Approved 19.06.96

APPLICANT'S SUBMISSION

The following documents have been submitted in support of the application and are referred to as appropriate in the report: -

- Planning Statement
- Design and Access Statement
- Heritage Statement and Supplementary Statement of Heritage Significance
- Planning Need Assessment
- Air Quality Assessment
- Bat Activity Survey Report
- Carbon Budget Statement – Block A Townhouses
- Carbon Budget Statement – Block B Apartments
- Carbon Budget Statement – Block C Care Home
- Carbon Budget Statement – Block D Nursery
- Crime Impact Assessment
- Preliminary Ecological Appraisal
- Bat Scoping Report, Bat Activity Survey Report and Bat Mitigation Strategy
- Flood Risk Assessment and Drainage Strategy Report
- Ground Investigation Report
- Noise Impact Assessment
- Transport Assessment
- Preliminary Tree Report
- Arboricultural Implications Assessment and Method Statement
- Statement of Community Involvement

- Framework Travel Plan
- Noise Impact Assessment of proposed nursery
- Acoustics Ventilation and Overheating Assessment

The Planning Statement and Design and Access Statement make the following key points in support of the proposal: -

- The proposed development is in full accordance with the relevant paragraphs of the NPPF, along with the requirements of the policies of the Trafford Core Strategy.
- The granting of permission for the scheme is entirely in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 as the proposal is in line with the development plan.
- The proposal is located on previously developed land in a sustainable urban location.
- The proposal retains key historic buildings on the site and allows them to be viewed as assets by removing decades of inappropriate extensions.
- The site layout delivers a re-established landscaped setting and repaired street character.
- The proposed design seeks to establish a cohesive approach to repair and re-establish character; provide high quality care and nursery spaces to suit local demand with appropriate external spaces; provide a positive contribution to the historic assets and Bowdon Conservation Area; respond well to the frontages of Langham Road and Marlborough Road; respond well to the challenging site constraints and changes in levels; demonstrate a cohesive and high-quality of design throughout all elements of the scheme.

The applicant has undertaken consultation with the local community prior to submission of the application and this is set out in the submitted Statement of Community Involvement. The SCI confirms that this comprised a leaflet delivered to local residents within the locality of the site in February 2022 and which included website details for the applicants should the public have any queries.

CONSULTATIONS

Adult Social Care – Advise that they are unable to support the application for the following reasons: -

- Trafford already has an over-provision of care home beds and the continued level of vacancies has a negative impact on the business viability of existing care facilities and therefore market sustainability.
- All social care providers are experiencing difficulty in recruitment and retention of staff. Any more homes would destabilise existing provision leading to potential home closures and disruption for the residents.
- The health system is already over-stretched – additional beds would put further burdens on the limited services available resulting in either additional cost to the health system or to the Council.

- From 2025 council's will become responsible for the care costs of all older people in their borough when they have paid a certain contribution to their care costs. This is likely to mean the Council will become financially responsible for a significantly greater proportion of care home residents than at present which will present a significant financial pressure for the Council.

Altrincham & Bowdon Civic Society – Support the development and make the following comments: -

- Every attempt has been made to integrate new buildings with the old and provide adequate parking for residents and visitors and those who work on the site.
- Provision of bicycle storage needs to be considered.
- Concern over the number of places to be provided for the children's day care nursery and the outside play area seems to be small. It is suggested that the number of places is reduced.
- The increase in traffic on surrounding roads will present problems and may require alteration to the settings of the traffic lights on the Ashley Road, Marlborough Road, Langham Road and Stamford Road junction.
- On-road parking restrictions with double yellow lines will need monitoring and perhaps extension.
- Support this development which occupies a prominent site in a residential area which has become dilapidated over several years of neglect.

Bowdon Conservation Group – Object to the application in its current form and recommend that the application be refused. Comments summarised as follows: -

- The application represents over-development and will have a very negative impact on traffic flows and parking in the area. The proposed nursery is far too large given the characteristics of the site and amount of parking available.
- The design approach to the Langham Road side of the site appears attractive but the care home on the Marlborough Road side appears blocky and over-bearing.
- Less intensive use should be made of this important site.
- The nursery and care home will each result in a significant number of vehicle movements and create a risk of overspill parking on neighbouring streets.
- The analysis in the traffic assessment is 'generic' comparing the number of traffic movements generated by a modelled hotel with forecast number of movements generated by a care home and nursery.
- The analysis takes no account of existing congestion around the site, especially at peak times when Altrincham Grammar School for Boys pupils arrive or leave and when parents bring children to Altrincham Boys Preparatory School. The morning peaks of the school and prep school are likely to coincide with parents bringing children to the nursery.
- The number of parking spaces at the nursery is inadequate and there is no alternative of on street parking for drop off and collection without causing significant disruption to traffic at the very busy road junction.
- There are likely to be congestion problems in the afternoons, with pick-ups from the Prep School and nursery and pupils leaving the Grammar School potentially coinciding with higher visitor numbers at the care home.

- Concern about the amount of parking for the care home. At peak times there may be up to 25 staff and 13 staff car parking spaces may prove to be inadequate.
- An improved detailed landscape plan with more and larger trees should be incorporated in a revised application.
- The amendments have no impact on the substance of the original objection. Serious concern about the impact of a development of this scale on the traffic flows in the area around this important road junction. A full assessment of the traffic impact of the proposed development is essential and must focus on the junction at times of peak flow and how this will be impacted by additional movements onto and off the Bowdon Hotel site.

Trafford Education – A contribution of £24,753 towards secondary education is required.

GMAAS – Recommend that a historic building investigation of the 19th-century elements of the Bowdon Hotel is implemented prior to demolition. This could be secured through a condition.

GMEU – Recommend a condition requiring submission of a licence issued by Natural England authorizing the specified activity/development to go ahead, or a statement from the relevant licensing body to the effect that it does not consider the specified activity/development will require a licence. A condition relating to active birds' nests is also recommended.

GMP (Design for Security) – Support the application subject to a condition requiring the development to be designed and constructed in accordance with the recommendations and specification set out in the Crime Impact Statement.

Heritage and Urban Design Manager – The proposed development is considered to result in minor harm to the positive contributor, heritage assets and wider Bowdon Conservation Area and negligible harm to the setting of Hale Station Conservation Area. Comments are discussed in more detail in the Observations section of the report.

Historic England – HE has some concerns on heritage grounds and consider that the issues and safeguards outlined in their advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 199 and 202 of the NPPF. HE consider the scheme would lead to a low level of harm to the significance of the conservation area. Comments are discussed in more detail in the Observations section of the report.

Housing Strategy & Growth - No objections in principle to the application which will bring much needed housing into Bowdon. For this scheme there will be an expectation that 5 units would be affordable.

LLFA – Recommend conditions requiring a scheme to improve the existing surface water drainage system based on the submitted Flood Risk Assessment and Drainage

Strategy and a management and maintenance plan to secure the operation of the sustainable drainage scheme throughout its lifetime.

LHA – No objections in principle on highway grounds. Request a revised refuse strategy, clarification on cycle parking, amendments to the accessibility parking, and a Travel Plan (which has since been submitted). Recommend conditions requiring a Construction Method Statement, cycle parking and storage, Travel Plan, reinstated vehicle access, and improvements to the public right of way.

NHS Greater Manchester (Integrated Care Board) – Concern that the proposed care home will have a detrimental impact on General Practice and other health care providers. A contribution of £264,600 is required towards GP, nursing and other staff costs. The rest of the proposals would not necessarily impact on health care.

Pollution and Housing (Air Quality) – Recommend that the good practice control measures identified in the Air Quality Assessment are fully implemented and conditions are attached requiring a Construction and Pre-Construction Environmental Management Plan and provision of electric vehicle charging points.

Pollution and Housing (Contaminated Land) – Recommend conditions requiring investigation and risk assessment in relation to contamination, a remediation strategy and verification plan prior to commencement of development and a verification report prior to occupation.

Pollution and Housing (Nuisance) – Recommend conditions relating to noise from fixed plant and machinery, Construction and Pre-Construction Environmental Management Plan, Exterior Lighting Impact Assessment, and restrictions on when servicing, deliveries and waste/recycling collections take place. Further comments on the submitted Noise Impact Assessment will be reported in the Additional Information Report.

Trafford Sustainability & Climate Change Officer – Comments incorporated in the report.

Tree Officer – No objections. Comments incorporated in the report.

United Utilities – Recommend a condition requiring the drainage for the development to be carried out in accordance with the principles set out in the submitted Foul and Surface Water Drainage Strategy drawing and requiring surface water to drain at a restricted rate and not to drain directly or indirectly into the public sewer.

Waste Management – Comments incorporated in the report and any further comments will be reported in the Additional Information Report.

REPRESENTATIONS

Neighbours – 16 letters of objection received (and 5 further objections received in response to the submission of further information) and 53 letters of support received from separate addresses. In response to being re-notified of amendments to the scheme and further information, 9 further letters of objection and 1 letter of support have been received. The main issues raised are summarised below.

It is relevant to note that the letters of objection have been received from properties in close proximity to the site and those likely to be most affected by the proposals, whilst a significant number of the letters of support are from the wider area. It is also noted that a significant number of the letters of support are similar in format and content.

Scale of development and impact on the character of the area

- Overdevelopment of the site and not in keeping with the character of the Conservation Area.
- The care home extends beyond the building line and much closer to Marlborough Road than existing buildings and adjacent houses.
- Care home will be much bigger than other blocks on the site and in the vicinity and taller than adjacent houses.
- The care home will largely be built on part of the site where at present there is no building.
- The care home would be very prominent on the apex of a bend and radically change the character of Marlborough Road.
- 4 storey townhouses are not in keeping with 2 storey residential buildings in the area.
- Height and scale of the townhouses given the topography will dominate the skyline from the Marlborough Road side.
- The density and grain of development doesn't fit with the character of the Conservation Area.
- Mass overdevelopment from end to end and from side to side.

Traffic and highway safety

- Increase in traffic on Langham Road, Marlborough Road and the adjoining cul-de-sacs, particularly at peak times when there are a lot of children in the area.
- Proposals will further increase traffic problems on Marlborough Road and Langham Road.
- Proposed nursery will increase congestion on Langham Road at the start and finish of the working day. Hours of opening are likely to coincide with drop off and collection of the school's on Marlborough Road and Bowdon Prep School.
- Access to the nursery from Langham Road will present a dangerous traffic problem twice daily.
- Road safety will be seriously impacted.
- It is only a matter of time before a child is seriously injured or worse.
- The Transport Assessment trip calculations are hypothetical and the use of projections does nothing to alleviate concerns about overdevelopment of the site.

- The access onto Marlborough Road along with the traffic generated by the schools at both ends of the school day will make it extremely difficult for any car hoping to access or egress the apartment car park at these times.
- The Council should require comprehensive traffic management measures including yellow lines and restriction of construction traffic at peak hours.
- A complete review of the phasing of the traffic lights at the end of Marlborough Road during school rush hours is needed, including evenings.
- The indication that employees at the care home will prefer to travel on foot, cycle or public transport is not based on reality.
- Concern that the Council may be misled by the statements made regarding traffic generated by the former hotel.

Parking

- Insufficient staff and visitor parking for the proposed care home given the number of residents, employees, visitors and peripatetic workers.
- Insufficient parking provision for the proposed nursery. Nothing to prevent several parents arriving at a similar time and there not being enough parking within the site.
- The proposals will result in additional on-street parking on Marlborough Road and adjoining cul-de-sacs and exacerbate the continuing traffic congestion.
- There is already significant on-street parking on Marlborough Road throughout the day.
- The use of data from the Broadheath nursery to assess staff parking is not helpful as the demographic is completely different to Bowdon.
- Insufficient parking provision for the proposed townhouses and apartments.
- The applicant's assessment of car parking requirements is grossly underestimated in the light of Bowdon's use of cars and car ownership.
- Inadequate parking provision will increase on street parking, for which there is little scope. Road safety will be seriously impacted.
- Parking has recently been exacerbated by ABGS closing a 55 space car park and closure of the Brown Street car park.

Impact on residential amenity

- Overlooking and loss of privacy for a number of nearby properties.
- Loss of light to next door property caused by the care home being a storey higher and further to the edge of the site than the existing building.
- Loss of light, overshadowing and loss of privacy to Beaufort House.
- The townhouses are far too great in height and scale and will lead to loss of light and privacy to property on Marlborough Road.
- The proposals will be overbearing on Flanders on Marlborough Road.
- The townhouses will be able to see directly into Flanders on every level.
- The topography of the site exacerbates the impact on neighbours.
- Grafton House will be negatively impacted by the development due to the height and scale of the townhouses.

- The developer has failed to provide CGIs of the Marlborough Road elevations in order to limit/manage objections from impacted local residents.

Impact of care home

- Lack of capacity of Local Primary Care Facilities and formal objection to the scheme from the Clinical Commissioning Group. Concerns raised by Trafford CCG need to be resolved before any planning consent is given.
- The Council's own Adult Social Care Department have objected to the proposal, saying any more homes would destabilise existing provision, leading to potential home closures and disruption for the residents and that there will be a significant financial pressure for the Council.
- Trafford Council Social Services Department previously said they do not want any more care homes of this nature to be built in south Trafford; an application for a 64 bed care home on Bankhall Lane in Hale was refused in 2019 and a subsequent appeal was rejected by the Planning Inspectorate.
- The Adult Social Care and Well Being Department are still very much opposed to any more care homes of this nature being built in South Trafford.
- The care home will have a negative effect on existing care home providers in Trafford.
- There is already an acute shortage of care home staff in the area and any new homes created will further drain that resource.
- A planning moratorium should be introduced on building new care homes in Trafford.
- The developer has made false and misleading statements, including the allegation that a majority of care homes in Trafford are sub-standard and/or non-compliant with relevant regulations and "extremely vulnerable to closure".

Other comments

- Welcome redevelopment in principle, however the proposed scheme is inappropriate.
- This site would be far better suited to residential development on an appropriate scale.
- Not enough recreational space for the care home or nursery.
- Lack of suitably sized recreational areas in relation the properties.
- Additional noise disturbance and air quality issues from the traffic generated.
- Any permission must include strict conditions regarding working hours and times contractors' vehicles can access or egress the site.
- The local labour market is already stretched and a huge private nursery and care home will significantly exacerbate problems, including for existing local businesses.
- Lack of engagement/inadequate consultation with local residents undertaken by the developers. A leaflet drop for a project of this scale within a conservation area is inadequate. Local engagement was undertaken at the end of the process as a token gesture.

- The amended plans and further information have not taken into account any of the objections raised by local residents.

Comments in support

- The mixture of uses is ideal for the area as it provides a nursery for children, care home for more elderly residents, and high-quality housing.
- The site will provide jobs and much needed houses for the local community. There is a shortage of family housing and nursery places locally.
- Finding a care home placement in Trafford has been difficult as care homes are full (a list of 11 care homes that have no rooms currently available is provided, some of which have a waiting list).
- As a brownfield site in a sustainable location the development is encouraged by national and local government policies and should be welcomed.
- The site is clearly in need of redevelopment and the proposals are sympathetic to the surrounding area.
- Two historic buildings are being retained and enhanced to secure their longevity and viable future use in accordance with local and national planning policies relating to heritage assets.
- The hotel is in a poor state and is an eye-sore. The development is welcomed.
- The plans appear in keeping and will be a great improvement on the current inharmonious extensions.
- Delighted that the original hydro and semi-detached houses will be retained as they are full of character, history and in keeping with the area.
- Extensive landscaping is proposed which will enhance the character of the area and replace a sea of tarmac and untidy buildings.

Altrincham Grammar School for Boys comment that the proposals have the full support of the school. They advise that representatives of the applicant have been in contact to discuss the scheme and there are no changes which the school consider need to be made. They consider the development will serve to enhance the area by retaining the key important buildings and providing a range of uses and accommodation for all generations of the local community.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. 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. Whether a Core Strategy policy is considered to be up-to-date or out-of-date is identified in each of the relevant sections of this report and appropriate weight given to it.
3. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process. Paragraph 11 (c) states that development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
4. The Council's current housing land supply figure is in the range 3.47 to 3.75 years and the most recent Housing Delivery Test figure (2021) is 79%. This housing supply and delivery position automatically triggers Paragraph 11d) but does not automatically render development plan policies out of date. It is for the decision maker to determine what weight to give to development plan policies and this can take into account the specific characteristics of the housing land supply position such as the extent of the shortfall and the steps being taken to remedy it.
5. The footnote to Paragraph 11(d)(i) explains that the policies of the NPPF that protect areas or assets of particular importance include those which relate to habitats protection, designated heritage assets and flood risk. As the site is within the Bowdon Conservation Area, a designated heritage asset, Paragraph 11(d)(i) is engaged, requiring that planning permission should be granted unless the policies in the NPPF relevant to designated heritage assets provide a clear reason for refusing the development. The assessment of the scheme against NPPF policies relating to designated heritage assets (set out later in this report) does not lead to a conclusion that 'provides a clear reason for refusing the development proposed'. Paragraph 11(d)(ii) of the NPPF – the tilted balance – is therefore engaged.
6. Paragraph 11(d)(ii) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This

exercise is set out within the 'Planning Balance and Conclusion' section of this report.

Suitability of the Location

7. The NPPF states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes (paragraph 105). The policy objectives within the NPPF include providing new housing and other development in suitable locations which offer a good range of community facilities and with good access to jobs, services and infrastructure, including public transport. The Core Strategy, Policy L4 in particular, promotes development within the most sustainable locations, or where development comes forward in less sustainable locations in the Borough will deliver, or significantly contribute towards the delivery of measures to improve the sustainability of the location.
8. The site is in a highly sustainable and accessible location, close to public transport infrastructure and a range of retail, community and leisure facilities in Hale and Altrincham. The site is on a bus route and bus stops are within walking distance on Ashley Road to the north, Langham Road to the south and on Marlborough Road. The site is within walking distance of Hale district centre and railway station (approximately 425m) and Altrincham town centre and Interchange are also within walking distance (approximately 1,200m). In addition to proximity to public transport, walking and cycling would be a realistic travel option for some residents, staff and visitors given the location.
9. The site is not specifically allocated for development in the Core Strategy (as the hotel was operational at the time the Core Strategy was adopted), although it has since been identified on Trafford's Brownfield Land Register as a site considered appropriate for residential development.

Proposed Residential Development

10. The NPPF places great emphasis on the need to plan for and deliver new housing throughout the UK. The Government's current target is for 300,000 homes to be constructed each year to help address the growing housing crisis. Local planning authorities are required to support the Government's objective of significantly boosting the supply of homes. With reference to Paragraph 60 of the NPPF, this means ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.
11. Policy L1 of the Core Strategy controls the number and distribution of new homes across the Borough. The latest housing land supply calculation suggests that the Council's supply is in the range of 3.47 to 3.75 years (which includes a 20% buffer for historic under-delivery). Given the lack of five year housing land supply, and the

age of this policy (including the need to use the more recent 'standard method' of calculating housing need), it is now out of date and should be given limited weight.

12. Policy L1 states that there is an indicative 80% target of new housing provision to use brownfield land and buildings. The NPPF also requires policies and decisions to support development that makes efficient use of land and states that planning decisions should "*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs*" (paragraph 120c). The application site is previously developed land and would therefore contribute to the 80% target of new housing provision to use brownfield land. The site is also considered to be in a highly sustainable location as described above.
13. Policy L2 of the Core Strategy indicates that all new residential proposals will be assessed for the contribution that would be made to meeting the Borough's housing needs. Policy L2 remains up to date in respect of the requirement for the amount of affordable housing and in terms of site specific requirements for development (L2.2). Full weight can be given to this part of the policy. Other parts of this policy, for example in relation to dwelling mix, are not up to date and should be given limited weight.
14. Given that the Council cannot demonstrate a five year supply of deliverable housing sites and that this site constitutes previously developed land in a sustainable location and within a predominantly residential area, residential development on this site is acceptable in principle.

Housing Type and Mix

15. The NPPF at paragraph 62 requires the size, type and tenure of housing for different groups in the community to be assessed and reflected in planning policies. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided. Policy L2 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council's Housing Strategy and Housing Market Assessment. Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+beds) residential units, with 50% of the small homes being suitable for families. Policy L2 as a whole is generally consistent with the NPPF however references to housing numbers and housing land supply are out of date and less weight should be afforded to these aspects of Policy L2.5.
16. The proposed development would provide 12 new residential units; comprising 2 x 4-bed and 4 x 5-bed dwellings and 4 x 2-bed and 2 x 3-bed apartments. The proposed development therefore includes only four 'small' residential units (33%) which wouldn't reflect the target split of 70:30 small:large in Policy L2. Nevertheless the mix of unit sizes is considered appropriate for this location given that the target split of 70:30 is a Borough-wide target and schemes in lower density residential

areas such as Bowdon would be expected to provide a higher proportion of larger units, whilst schemes in higher density areas including the north of the Borough and town centre locations would normally be expected to provide a higher proportion of smaller units. This would be expected to balance out to achieve the 70:30 split.

17. The Council's Housing Needs Assessment (2019) identifies a particular shortage of 3 and 4 bedroom houses and 2 bedroom apartments in Altrincham and therefore the proposed 4-bed houses and 2-bed apartments (6 units in total) would make a contribution towards this identified need.
18. The proposed care home would provide 51 beds and contribute towards the Council's housing needs and specifically towards the Policy L2.18 target of 4% of the overall housing land target to be developed as new housing for older person households (notwithstanding concerns raised by the ASC service relating to need for this type of accommodation considered further below).

Affordable Housing

19. The NPPF confirms that affordable housing is required for major developments and Policy L2 of the Trafford Core Strategy seeks to secure appropriate levels of affordable housing in new developments. Policy L2 sets out the specific requirement for each part of the Borough; Bowdon is within a 'hot' market location where the policy states a 40% contribution will be sought under normal market conditions. With the Borough now in 'good' market conditions the affordable housing requirement is 45%, which would equate to a requirement for 5 affordable units within the scheme.
20. The NPPF defines affordable housing as: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It includes affordable housing for rent (including affordable rented and social rented), starter homes, discount market sales housing, and other affordable routes of home ownership (including shared ownership and rent to buy). Paragraph 65 indicates that with major developments, at least 10% of the homes should be available for affordable home ownership as part of the overall affordable housing offer, whilst the NPPG advises that 'First Homes' should account for at least 25% of all affordable units delivered.
21. The application states that all 12 proposed residential units would be market housing and therefore no affordable units would be provided, however the applicant has confirmed their agreement to meet the requirement through a financial contribution equivalent to providing 5 units on site. The NPPF, Policy L2.14 of the Core Strategy and SPD1: Planning Obligations state that the expected method of delivery for affordable housing will be on site. SPD1 also states however, that in exceptional circumstances it may not be possible or appropriate to deliver affordable housing on site and provision may be made on an alternative site, through payment of a commuted financial contribution, or an alternative form of delivery. It explains that these circumstances include where the affordable housing can be more effectively

secured by bringing existing housing back into use, e.g. empty properties in the private sector; where providing the affordable housing elsewhere is more likely to widen housing choice and encourage a better social mix, e.g. providing family homes in other areas of need. In this case it is considered appropriate to secure a financial contribution towards the provision of affordable housing elsewhere rather than require 5 of the units to be affordable given that a Registered Provider is unlikely to take on units of this size and having regard to their market value. The Council's Housing Strategy and Growth Manager has confirmed that this approach is acceptable in this case.

22. The commuted sum equivalent to providing 45% affordable housing has been calculated as £1,782,540, based on the difference between the open market value of the dwellings and the affordable housing value and based on an affordable provision of 50% townhouses and 50% apartments and a 50:50 tenure split between affordable rent and intermediate units (in accordance with Policy L2.14(c) and (d)). The applicant has confirmed that this contribution is accepted and a S106 agreement will be required to secure the contribution. SPD1 states that such a commuted financial sum will be put into a ring-fenced account for the provision of affordable housing and will be utilised for new affordable housing schemes, bringing vacant properties back into use as affordable housing and improving or converting existing housing for use as affordable housing. The Trafford Affordable Housing Fund was set up for such a purpose and thus far has helped to fund Bowker Court in Timperley.

Proposed Care Home

23. Policies L2, L4 and L7 of the Core Strategy are relevant to the proposed care home. The adopted Supplementary Planning Guidance 'Planning Guidelines: Residential Care Homes and Nursing Homes for the Elderly' is also of relevance, albeit only limited weight should be attached to this guidance given that it dates from 1991. This sets out various guidelines including the need to not cause undue noise nuisance to neighbouring residents; providing a landscaped private garden area; provide safe, adequate and convenient access and egress; provide car parking in accordance with the standards; and designed to be in character with and complementary to neighbouring development. An assessment of the proposed care home against the requirements of Policies L4, L7 and the criteria in the SPG is set out elsewhere in this report.
24. Policy L2.17 of the Core Strategy states that in order to meet the needs arising from the increasing longevity of the Borough's older residents, the Council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people. Policy L2.18 refers specifically to providing for the "frail elderly" and states that the Council will seek to meet their needs through allowing 4% (approximately 500 units) of the overall housing land target to be developed as new housing for older person households, suitable for a range of household circumstances (tenure and type), including 'extra-

care' housing. This reference to 'approximately 500 units' is however considered to be out-of-date, given the Council's current housing supply position.

25. The NPPG states that where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need. Advice in the NPPG is also clear that local planning authorities should count housing provided for older people, including Class C2 developments, against their housing requirement. It further advises that the ability of development proposals for homes specifically for older people to potentially free-up under-occupied local housing for other population groups may also weigh in their favour. Therefore, the ability of this development to contribute to meeting housing supply targets is important, particularly in the context of the Council's current housing land supply position set out above. That being the case however, it should be commented that a 51-bed care home in Class C2 (residential institution) use would not contribute 51no individual units to the supply position. The NPPG provides guidance on how to make an adjusted calculation of the contribution made by this type of accommodation, which takes account of the fact that, in turn, some housing would be released back into the market. When applying the appropriate formula, it has been calculated that a 51-bed care home would equate to approximately 28 no units in supply terms.
26. Whilst the application seeks to address the accommodational and care needs of this population groups, concerns have been raised by the NHS Greater Manchester (Integrated Care Board) (NHS GM) and the Council's Adult Social Care (ASC) service in a number of respects. These concerns can broadly be divided into three categories: the need for a care home of this type in this location; the financial impact on the Council/NHS associated with the development; and the impact of the development on GPs.

Need for the Facility

27. The application is supported by a Planning Need Assessment, prepared by the applicant, in respect of the proposed care home which states the following: -
- Based on 2024 (the earliest the proposed care home could be available) there would be a net need for 513 market standard care home beds in the market catchment and 787 in the Trafford Council local authority area.
 - The balance of provision for dedicated dementia beds indicates a need for 348 market standard beds in the market catchment and 448 in the local authority area.
 - This analysis makes no allowance for the closure of any existing, operational care homes before 2024.
 - Analysis of need for care home bedrooms providing full en-suite wetrooms shows a need for over 1,000 elderly beds in the market catchment and local authority areas, including almost 500 dedicated dementia beds.
 - Even when all currently planned new care homes are included, the shortfall in elderly en-suite bedrooms is expected to increase to 858 and 1,147 market

standard beds in the market catchment and local authority area respectively by 2034, assuming existing supply and prevalence rates remain constant.

- Trafford Council identifies key demand drivers for new care home beds, particularly for nursing and dementia care, given the expected growth in the elderly demographic.
- Based on the market catchment, a good proportion of those requiring care are likely to be self-funded, and their choice of care home will therefore be based on location, quality of care and accommodation, and proximity to friends and family, rather than funding alone.
- The proposed care home will be capable of caring for residents of all dependency levels including those who require dementia care within a specialist unit, with well-specified, flexible, COVID-19 compliant care accommodation to enable care to be administered most effectively.

28. Notwithstanding the applicant's assertions, the ASC service advise that Trafford already has an over-provision of care home beds, and in particular in this geographical area. They advise that Trafford has robust and skilled residential and nursing care providers in this locality, who have effectively supported our residents and the Council over the years, and notably through Covid, ensuring continuity of high quality provision in the most difficult of circumstances. The ASC service confirm that there are currently 218 vacancies and that this is likely to be an underrepresentation. They also advise that the number of placements does fluctuate but they have never had as many vacancies overall as currently. It is noted that data regarding vacancy levels are reviewed frequently by ASC in order to inform the appropriate placement of individuals, and there is a consistent supply of available beds to meet the demand arising at any one time with no evidence of waiting lists. The continued level of vacancies has a negative impact on the business viability of the existing care facilities and therefore market sustainability. The Council is working closely with providers to maintain existing facilities to ensure that people who are placed there do not have to suffer the disruption and trauma of having to be moved in the last years of their life to unfamiliar surroundings, with new staff and new companions. It is advised that a care home in this area would bring no added value as there are not sufficient local older people wishing to relocate into care homes, as the high level of vacancies indicates; indeed this current level of vacancy in nearby homes could absorb the claimed unmet need that the application proposal seeks to address.

29. Although being 'out-of-date', it is noted that the 500 unit figure put forward in Policy L2, which relates to all forms of older persons' accommodation has already been exceeded, taking into account completed and committed development within the plan period. For example, a 62-bed care home approved in 2014 (ref. 84381/FUL/14), a 71-bed extra care facility approved in 2012 (ref. 78436/FULL/2012) and 81no extra-care apartments approved in 2014 (ref. 83156/FULL/2014) have been completed. It is understood that a total of 528no care home, extra care and supported living beds have been completed within the plan period. Moreover, this situation has arisen by (and indeed before) 2022, which is

only part way through the plan period. That this is the case supports the ASC service's position regarding the existence of an adequate stock of such provision.

30. Furthermore and in terms of future need, this pool of supply is expected to increase and continue to meet demand once other planned developments are factored in, for example the strategic development of Trafford Waters (ref. 85282/OUT/15) incorporates a new care home of up to 150 beds (and a reserved matters application has now been submitted for this proposal). Data has also been provided by ASC which identifies that new admissions to care homes has been reducing for a number of years (since before the Covid-19 pandemic), whilst from 2018 to 2022, the number of care home beds purchased by the Council has reduced by 35% (over 200no beds), despite the number of older people increasing in line with demographic projections. This further supports the conclusion that future need can be met without the care home currently proposed, and that the trend for older persons' accommodation is away from facilities such as this.
31. The Council's Older Peoples' Housing Strategy 2020-2025 is referred to by the applicant, however this is intended to enable older people to live independently, as stated in its Vision: "*Work together to provide a range of quality, affordable and attractive housing options to enable older people to live independently in Trafford*". The Strategy itself focuses on housing types which enable older people to live in their own homes, i.e. sheltered housing, retirement housing and extra care housing; a care home such as that proposed does not fall within any of these accommodation types. As such, the relevance of this document is limited in relation to this application, other than insofar as it seeks to allow older people to remain in their own homes as far as possible (in line with the findings of the consultation exercise referred to in the Strategy).
32. The model for catering for the needs of the Borough's frail and elderly population that is encouraged by ASC is one in which people are supported and cared for in their own home for as long as possible, in line with national best practice and the Older Peoples' Housing Strategy, which has resulted in a reduction in the number of beds commissioned (as per the figures above). The opportunity that this model affords is reflected in Policy L2, with this policy providing no direct support for the provision of new institutional-type care homes, other than 'extra care' accommodation which in itself is based upon a form of independent living.
33. In line with national policy directives, Trafford's Locality Plan and Living Well at Home approach, Trafford Council are committed to supporting people to live for as long as possible in their own home in accordance with their preferences, remaining amongst familiar surrounds, maintaining friendships and relationships in their local community and continuing to live with people that they know and love. This has resulted in Trafford's take up of residential and nursing provision reducing steadily over the years, as described above. The ASC service advise that they are continuing to reduce the number of permanent placements, instead increasing the spend on homecare packages.

34. The ASC service further advise that all social care providers are experiencing difficulty in recruitment and retention of staff to a greater to lesser degree. Trafford is an economically vibrant area, and turnover in Trafford care organisations is higher than in other local boroughs – staff often leave to join the retail and hospitality sector on a permanent or seasonal basis. Staff vacancy levels in Trafford care homes varies from home to home, but it is clear that there is not sufficient capacity in the local labour force to support existing care homes, particularly managerial and clinical staff, and the development of any more homes would destabilise existing provision leading to potential home closures and disruption for the residents. Currently only 4 homes in Trafford have no staff vacancies and there are high levels of vacancies in some care homes.
35. Having regard to the above, it is considered there is currently sufficient care home capacity to meet the needs of the Borough's older residents and therefore there is no need for a care home in this location. Furthermore a new care home is likely to create an additional financial burden on the Council and add to difficulties for other care homes in the recruitment of care home staff. In the absence of there being a need for the proposed care home the provision of this accommodation does not carry any weight in favour of the application as a whole, other than the benefit that the scheme will deliver the equivalent of 28 no. units to the Council's housing land supply as a result of accommodation released in the housing market as summarised above.
36. In response to the ASC service's comments above the applicant has referred to various issues in the care home sector, suggesting that closure rates not just in Trafford but on a national scale will accelerate as a result of a range of issues. The applicant refers to Trafford's stock of care home beds being characterised by smaller scale converted stock and the most vulnerable to closure; the number of vacant beds with ensuite facilities is misleading as very few homes are true ensuite with shower, WC and sink provided; safe social distancing is more difficult in non-purpose built facilities; the cost of living/energy crisis creating pressure on the running costs of smaller inefficient homes; and other issues. This at a time when demand for elderly care accommodation is predicted to rise. The applicant has stated these factors coupled with the fact that 66% of Trafford's homes are older non purpose built settings which don't meet modern Building, Fire and CQC regulations, lack 100% ensuite provision and are 40 beds and under, means the Borough's care home stock is extremely vulnerable to closure. The applicant also takes issue with the statistical information provided by the ASC service and states that contrary to the comments above, occupancy in care homes has actually increased over the period stated.
37. Not all of the assertions made by the applicant above have been evidenced and the ASC service dispute some of the above. The ASC service comment that the statement regarding care homes not meeting modern Building, Fire or CQC regulations and being extremely vulnerable to closure has been made without

evidence and if this was the case the buildings would be failing their CQC inspections. In response to the above the ASC service also note the highest number of vacancies are in the larger homes, suggesting that people still choose the smaller homes and are happy with the offer. In addition CQC have reviewed and assessed those homes as meeting both building and care standards – the homes that are of poorer quality tend to be the larger homes and this is the case across the North West. GMFRS also regularly review the homes and make recommendations where required. The smaller care homes are not more vulnerable to closure – they are run by small companies and families in the main who have a lifetime of dedication to caring for Trafford residents. Services rarely close and instead they are often sold or repurposed and have never been closed due to the fabric of the building. In summary the assertions made by the applicant do alter the ASC service's view that additional care home beds are not needed in Trafford at this time.

38. ASC state that their experience of need for older persons' accommodation in Trafford is that people want to stay in their own homes, near their loved ones and in familiar surroundings. Extra care facilities provide an acceptable option for many residents who still want their own front door and they are keen to work with providers who would like to develop extra care facilities or mixed/general needs dwelling which provide a suitable environment for people who may develop disabilities or frailties as they age. However, these other types of older persons' accommodation are not coming forward in any numbers and it is possible that care home proposals are suppressing the supply of other types of older persons' accommodation, by reducing the availability of suitable sites (of which this would be one).
39. However, although the lack of need for additional care homes of this type is identified by ASC, this would not represent a justifiable reason for refusal of the application, but would only temper the weight that could be given to the contribution the development would make to the Borough's housing land supply. This is because the Council's development plan policy (both adopted and emerging) and national planning policy currently has a presumption that all types of older persons' accommodation are needed in the light of a growing elderly population, and does not differentiate need between supported housing, extra care housing and care homes.
40. The target of 500 units of older persons' accommodation in the adopted Core Strategy is based on c. 4% of an overall target for new homes in Policy L1 of 12,210 (between 2012 and 2026). However, as referred to elsewhere in this report, this figure is out of date. The current and up to date housing need figure is calculated using the Standard Method, and is 1688.4 units per annum, or 25,326 over an equivalent 15 year period. 4% of this uplifted figure would be 1013, or 67 units per annum. The 528 units of older persons' accommodation delivered to 2022 would not meet this uplifted target. The emerging Local Plan (2021) goes further than that, and requires 1943 units of the overall housing land target to be delivered as older persons' accommodation.

41. This also explains why, as suggested by one of the representations, it would not currently be possible to impose a moratorium on new care homes, despite ASC's comments. This would require a substantial revision to the emerging Local Plan policy, based on up to date evidence and differentiating between the need for different types of older person's accommodation accordingly. This policy would need to be tested for soundness at a Local Plan Examination as it would run counter to national planning policy and would therefore need to be properly evidenced and justified. Even then, it might be set aside by an Inspector in the face of a lack of five year housing land supply.
42. Nevertheless, it is being investigated whether it would be considered expedient to draw up a specific care homes policy once the Local Plan progresses, and work has begun in this regard. This is not only because of a lack of need for care homes, but also because it appears that care home proposals may be suppressing the supply of other types of older persons' accommodation, such as extra care, for which there is an identified need. At the present time however, there is no local or national planning policy in place on which to refuse this application on the basis of a lack of need for the care home and such an approach would not stand up to challenge.

Financial Impacts of Proposal

43. Discussions with the ASC service have drawn attention to a number of challenges facing the public sector as a result of the existing care home market in Trafford. It is advised that there are issues associated with the number of 'self-funders' in Trafford, which the majority of residents attracted to the development are expected to be. Self-funders are those care home residents who pay for their own care due to having sufficient personal capital. However, when a self-funding resident's funds are exhausted then it falls to the local authority to assist financially. The financial implications of this are significant in Trafford in view of the number of care home places together with high fee rates. The expectation is that the resident would stay in their current home in these circumstances and there is no guarantee that reduced local authority rates will be forthcoming.
44. The ASC service advise that the Council work closely with NHS GM and Manchester Foundation Trust in providing the necessary community health services and primary care support to our care homes. They comment it is clear that the health system is already over-stretched and experiencing resourcing difficulties and the ASC Team are concerned that additional beds would put further burdens on the limited services available resulting in either additional cost to the health system or to the Council, where providers choose to purchase their own healthcare and then pass the costs onto the Council and other purchasers through the bed price. It could also result in residents not being able to access care in a timely fashion.
45. The ASC service further advise that although there are some placements in Trafford from other local boroughs, over half of the people living in Trafford care homes are self-funders, not all of whom come from Trafford. As noted above, currently when

self-funders' assets are depleted, they become the financial responsibility of the Council within which their care home is located, regardless of where they have previously lived. The legislation will change in 2025, and Council's will become responsible for the care costs of all older people in their borough once they have paid a certain contribution to their care costs. This is likely to mean that Trafford Council will become financially responsible for a significantly greater proportion of care home residents than the present position. This will present a significant financial pressure for the Council and whilst this cannot be taken into account in granting or refusing a planning decision, it is important for the Committee to understand the full context within which this decision is being made.

46. Whilst the above concerns are acknowledged, Officers are required to have regard to relevant planning case law. In this case, appeal ref. APP/R0660/A/12/2188195 is of relevance and relates to a 'care retirement community'. This appeal decision is clear that financial concerns such as those raised by the ASC service are not material planning considerations and should not therefore weigh against the proposed development. This is further supported by the Health and Safety Executive v Wolverhampton City Council & Victoria Hall Ltd [2012] UKSC 34 case.

Impact on GPs

47. The NHS GM has raised concern that an additional 51 care home beds as proposed in this application will have a detrimental impact on General Practice and other health care providers. It is noted that care homes are now aligned to a particular GP practice, which involves the practice registering all the patients and coordinating their care, which is labour intensive and it is unclear if there is the capacity to look after a 51 bed care home. Concerns are raised regarding the capacity of GPs to deliver the care set out in the Enhanced Care Home Specification, whilst there is also likely to be a knock-on impact on front line care. Whilst there is additional government funding for looking after these beds, it is understood that this doesn't compensate for the time required to manage these patients who often have complex needs. The ASC service also advise that the care home will put additional pressure on the Council's already stretched health and social care services, in particular GP/primary care support as local GPs do not have the capacity to provide additional support to new care homes. The ASC service advise that GPs have withdrawn support from care homes in the vicinity and that the NHS GM are working to commission additional support which is a financial burden.
48. In response the applicant has advised that GP capacity has been discussed directly with the nearby St John's Medical Centre and that this practice has advised it has the necessary capacity to cope with the proposed care home. The applicant has also advised that St John's indicated it is probable many of the future residents will already be registered at this practice given that they will be from the local area. The applicant has further advised that New Care are willing to adopt some of the suggestions made by the surgery as to how the home would work with the surgery, whilst also providing clarity on how the home will be equipped to prevent and limit

referrals via a reliance on a sufficient complement of both clinical and experienced care staff and by adoption of up to date technologies that would simplify the interface of the care home setting with the surgery. It was also acknowledged by St John's Medical Centre that the new modern setting would assist with their ward round requirements and there was an acceptance that St John's would openly work with the new facility. The applicant has also referred to the fact that New Care homes operate and utilise the very latest technology to ensure the highest possible standard of care for residents and has set out in detail the level of care provided for residents. A further response from New Care has also been submitted setting out why they do not consider a financial contribution to be necessary.

49. The NHS GM maintain that the proposed care home will have an impact on existing healthcare facilities and that without mitigation this will have a detrimental impact on General Practice and other health care providers. Although the applicant has suggested that St John's Medical Centre has capacity, the Practice has since advised that they had a general conversation with the applicant but made no commitments regarding the proposed care home. The Practice would be required to register all the patients and coordinate their care, which the NHS GM confirm is labour intensive. It is clear there is a workforce shortage and the demand of looking after patients in care homes is significant. With regards to patients already registered with GPs, patients moving into these facilities will have to register with the practice that is taking on the care home and the workload in registering these patients is again significant. Furthermore the NHS GM advise that St John's are only one part of health care cover for care homes and that whilst the impact on GP's specifically is a concern, there are also concerns regarding availability of community staff (therapists, dieticians, Speech and Language Therapists) involvement in Multidisciplinary Team Assessment (MDT's), which St John's have recently confirmed. In addition there is a lack of dental provision for care home residents. Therefore given the recent concerns regarding the lack of capacity by other health care providers it is considered some provision should be made by the developer to cover the costs of these staff.
50. The NHS GM has provided a calculation based on that used for another service and advise that a contribution of £264,600 is required to cover a five year period for the additional work associated with the proposed care home. The St John's Medical Centre has advised that this sum should be sufficient. The applicant has questioned this cost and the methodology applied but has nevertheless agreed to this contribution, provided that it is divided into five annual payments, with the initial payment made upon first occupation, and provided that the applicant is afforded the opportunity to audit the expenditure as a review at the end of each year and reclaim any expenditure that has not legitimately been allocated against the care home. These terms are agreed in principle by the NHS GM, with the detail to be considered when the S106 agreement is drafted.
51. On this basis, notwithstanding the concerns associated with need set out above, Officers are satisfied that the impact of the care home on GPs and other health care

providers could be appropriately mitigated with such a contribution, which can be secured by a legal agreement.

Proposed Children's Day Nursery

52. There are no specific policies within the Core Strategy relating to children's day nurseries, although Policy L7 requires all development to be compatible with the surrounding area and to not prejudice the amenity of the occupants of adjacent properties. The adopted Supplementary Planning Guidance 'Planning Guidelines: Day Nurseries and Playgroups' is also of relevance, albeit only limited weight should be attached to this guidance given that it dates from 1991. This states that the main effects of such uses are noise and disturbance, highway safety and convenience and appearance. It states that locations in residential areas are appropriate but suitable premises in mixed or commercial areas may also be possible and more appropriate for the larger nurseries. It states that detached houses are suitable so that nuisance through a party wall doesn't occur and houses that are set well back from the road so parents are less likely to park on the road. The site should be sizeable in area so comings and goings and outdoor play are not inevitably close to neighbours and so that parking and manoeuvring space can be provided satisfactorily and should be well screened and with large garden. The guidelines also state principal roads are not suitable for day nurseries for reasons of safeguarding traffic flows and highway safety.

53. Having regard to the above, the proposed site is considered an acceptable location in principle for a children's day nursery, where it can serve the surrounding residential areas of Bowdon, Hale and Altrincham, subject to its impact on the highway, car parking requirements and impact on amenity which are considered below. The Hydro is a large detached property in a predominantly residential area and which is capable of providing sufficient off-street car parking for the proposed nursery (discussed further below) and an outdoor play area. It is close to residential areas likely to use the facility and which are within walking distance and is an accessible location on the main road network, close to bus stops on Marlborough Road, Ashley Road and Langham Road, and Hale railway Station. It is acknowledged that the SPG states principal roads are not suitable for day nurseries for reasons of safeguarding traffic flows and highway safety. In this case however, it is recognised that the proposed site has a lawful commercial use (hotel) and the traffic that this could generate is a material consideration (considered further in the highways section of this report). The main issues are considered to be the impact of the proposal on highway safety and on the amenity of nearby residents and these matters are considered below.

Summary on Principle of Development

54. The proposed re-development of previously developed land in a sustainable location within the urban area accords with the Development Plan and NPPF. A mixed-use development would also promote healthy and safe communities in accordance with

NPPF paragraph 92. The proposed dwellings and apartments will make a much needed contribution to housing supply and contribute towards meeting the Council's housing needs. The proposed care home would also contribute towards the Council's housing supply with the associated 'freeing-up' of some local housing. A financial contribution equivalent to a policy compliant level of affordable housing will be secured. The proposed care home and day nursery are considered acceptable in principle in this location, subject to the highways and amenity impacts which are considered elsewhere in this report. Whilst the ASC service has confirmed that there is no need for a care home in this location at this time, the care home would not be contrary to the Development Plan.

IMPACT ON HERITAGE ASSETS

Policy Background

55. The site lies within the Bowdon Conservation Area, with the site boundary with Marlborough Road forming the eastern extent of the Conservation Area. The northern edge of the site along Marlborough Road also adjoins the Hale Station Conservation Area.
56. In determining this application there is a statutory duty under section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
57. The Government has set out its planning policies for design and the historic environment in the NPPF and the accompanying National Planning Practice Guidance. Both the NPPF and the NPPG are material considerations relevant to this application and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process.
58. In relation to heritage assets, paragraph 194 of the NPPF states that "*local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*"
59. Also of relevance to the determination of this application is paragraph 195 of the NPPF: "*local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal*".

60. Paragraph 197 of the NPPF states that *“In determining applications, local planning authorities should take account of..... c) the desirability of new development making a positive contribution to local character and distinctiveness”*.
61. Paragraph 199 of the NPPF states that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*. Significance is defined in the NPPF as *“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”*.
62. Paragraph 200 states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*.
63. Paragraph 202 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.
64. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance, including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of ‘substantial’ and ‘less than substantial harm’ in the NPPF. Whilst R1 is inconsistent with the NPPF it is not considered to be out-of-date for the purposes of the determination of this planning application.
65. The Bowdon Conservation Area Appraisal (CAA) and Conservation Area Management Plan (CAMP) are both relevant to the proposed development. The CAMP notes that the established built scale within the Conservation Area generally does not exceed two or three storeys, with the exception of landmark buildings such as the Mercure Hotel. It states this is a good indicator of its largely domestic and residential character, with landmark buildings at intervals which add some variety (paragraph 2.9.1). Policies within the CAMP of particular relevance to this application include the following: -

Policy 41: Any new development should be of high quality and should take inspiration from the established architectural styles within the Conservation Area. Appropriate features, materials and detailing are to be integrated into the design.

Modern design should be: sympathetic to its historic context; of a high standard; of an appropriate scale; and use appropriate, high-quality materials.

Policy 43: The scale of any new development should respect the existing building and plot sizes. The Council reserves the right to refuse applications where any proposed development imposes on the building density of the wider area and/or the characteristics of the Conservation Area. The division of existing large properties into smaller units may be acceptable, providing there are no detrimental effects to the exteriors of the properties.

Policy 45: Buildings identified as positive contributors with inappropriate additions or features are encouraged to carry out changes that are more in keeping with the original character of the building and Conservation Area.

Significance of the Heritage Assets

66. Bowdon Conservation Area is generally a residential area characterised by a variety of dwellings predominately dating from the 19th century with smaller numbers of houses from the 17th century or earlier and 20th century. These houses vary in architectural style and have been developed during various periods and this variety reflects the development of the area over time. The most characteristic material for large dwellings is cream brick however red brick is common on smaller properties with some examples of render and half timbering. There is a high level of architectural integrity and detail. It is the contribution of individual buildings as well as the space around them that defines the unique quality of the Conservation Area as a whole. Houses are set in spacious gardens, which are characterised by a variety of mature trees and shrubs. Boundaries are often defined by low sandstone walls with native hedging above which gives the area some unity. The plots are smaller closer to the historic core area with larger plots elsewhere. Because of the large front and/or back garden sizes of even the smaller house types, there is throughout a substantial impression in the street scene of trees and planting.

67. The site lies within Character Zone C as set out in the Bowdon Conservation Area Appraisal, which is described as the 'early Victorian Expansion Area' and comprises Stamford Road and the downhill sloping area to Langham Road, as well as the larger houses on the south side of Langham Road, some of South Downs Road and the historic Bowdon Cricket Club. This area is primarily residential, although it has always had a number of schools and includes the historic sports club south of South Downs Road. It is characterised by the topography, with many houses designed around the views they can enjoy. Although there is a range of plot and house sizes and materials, the predominant impression is of large houses, built in Bowdon 'white' or cream brick, set in gardens with mature trees and shrubs and stone walls and gateposts. Several villas are designed in the Italianate style and constructed from white Bowdon brick, blue slate, stone dressings and a high level of architectural detailing. Further information on the significance of the Bowdon Conservation Area is

set out in the comments of the Council's Heritage and Urban Design Manager and appended to this report.

68. The significance of Hale Station Conservation Area derives from the rapid expansion of the village to an affluent suburb in the late 19th & early 20th centuries following the arrival of the railway in 1862. The station buildings provide a focus for the Conservation Area with a densely developed retail area along Ashley Road leading to a wealth of Victorian & Edwardian suburban villas designed in the Arts & Crafts style. The predominate building material in the Conservation Area is Cheshire common brick often with sandstone, red brick or contrasting polychromatic detailing, roofs are pitched, clad with blue slate. Windows are painted timber and buildings are typically between two to three storeys in height. Hale Station Conservation Area is subdivided into five character zones. Character Zone D- Urban Villas West encompasses the western end of Ashley Road and junction with Marlborough Road. Grafton House and Beaufort are sited on Marlborough Road adjacent to the application site and are identified as a positive contributor in SPD5.11 for the following reasons; *“These two semi-detached villas are typical of the substantial houses seen elsewhere on the edges of the Conservation Area. They are built of brown brick with buff brick detailing and feature elevations articulated with canted bay windows and gables”*.
69. The site occupies a prominent location in the Bowdon Conservation Area, adjacent to the junction of Langham Road and Marlborough Road with key views along the former as the road gently curves to the west. Due to the sloping topography of the site towards the junction and also to Marlborough Road, the existing buildings are 3/4 storeys to the rear and visible from Hale Station Conservation Area. There are views of Grafton House and Beaufort, a pair of Cheshire interlocking semis [positive contributors], from Langham Road across the site. Views out of Hale Station Conservation Area are possible from the junction with Ashley Road and Marlborough Road and also along the eastern boundary of the site taking in Langham Lea and Hawthorn Lea.
70. The Bowdon Hotel comprises a number of buildings, including two heritage assets; the former Bowdon Hydro (Malvern House) and a pair of semi-detached villas (Langham Lea and Hawthorn Lea). The Hydro is to the southern end of the existing hotel and was built in 1871 and Langham Lea and Hawthorn Lea further to the north is a pair of typical Bowdon white brick semi-detached villas built in 1873. The Bowdon CAA notes that the Bowdon Hotel originally developed as the Bowdon Hydropathic Establishment and provided residential treatment for ill people. It also notes that it has been subject to inappropriate modern extensions. Despite some alteration, both buildings retain their form and architectural detailing and contribute positively to the Bowdon Conservation Area and the setting of the Hale Station Conservation Area. The CAA identifies the Bowdon Hotel as a positive contributor to the Conservation Area and describes the buildings as follows: *“This dates from 1871 as Malvern House and was later known as the Hydro or Bowdon Hydropathic Establishment. It has a landmark quality and illustrates the historic development of*

the area despite the inappropriate modern extensions". The Bowdon Hotel is listed on the Greater Manchester Historic Environment Record (ID 7797.1.0) and has recently been nominated for inclusion in the Council's impending Local List of Heritage Assets. Further information on the significance of the Hydro and semi-detached villas is set out in the comments of the Council's Heritage and Urban Design Manager and appended to this report.

71. Historic England comment that the two historic buildings are of considerable visual and architectural interest and contribute positively to our understanding of the evolution of the area, however they also note they have been subsumed within a grouping of less sensitive modern extensions, creating a sense of overdevelopment. Historic England also note the contribution of the site to the conservation area has been diminished by the introduction of considerable areas of hard landscaping, and by the patchiness of the boundary treatments.

Impact of Development on Heritage Assets

72. The application is accompanied by a Heritage Statement that provides a description of the Bowdon Hotel, wider site and Bowdon Conservation Area and which has considered the effect of the proposed development on the significance of the heritage assets. The assessment concludes that *"the effect of the proposed development on the significance of all the heritage assets - designated and non designated - would be (at worst) neutral to positive and could reasonably be described as moderately positive"*. A Supplementary Statement of Heritage Significance has been submitted in response to concerns raised by Officers and GMAAS with regards the initial assessment of the late 19th century and early 20th century additions to the rear of the Hydro that are proposed to be demolished. An assessment on the effect of the proposed development on the Hale Station Conservation Area has also been provided since the original Heritage Statement.
73. The redevelopment of Bowdon Hotel provides an opportunity to enhance the contribution the historic buildings and wider site make to Bowdon and Hale Station Conservation Areas. The retention, refurbishment and re-use of the former Hydro building and the semi-detached villas is welcomed. The demolition of the late 20th century extension which sits between the Hydro and the villas and the demolition of the 1970s extension and health club is also welcomed, as they detract from the setting of the original Victorian buildings and their wider context. The extensions to the rear of the Hydro proposed to be demolished are late 19th/early 20th C. The applicant's Supplementary Statement of Heritage Significance considers that these additions are of modest design quality and of limited significance. Notwithstanding the applicant's assessment, it is considered that the removal of these historic extensions rather than incorporating them into the redevelopment of the wider site is harmful to the significance of the positive contributor. It is nevertheless accepted that the removal of these additions has been justified in order to secure the redevelopment of the wider site and it is also acknowledged this would reinstate the original plan form of the original Hydro building.

74. The site is currently dominated by the existing group of buildings and extensive areas of hard landscaping and only limited soft landscaping exists on the site, primarily comprising trees and hedges along the Langham Road and Marlborough Road frontages. The proposed redevelopment of the site provides an opportunity to increase the amount of soft landscaping to an amount more appropriate to the Conservation Area. The Design and Access Statement provides the following comparison between the existing and proposed extent of buildings and hard and soft landscaping on the site (these figures reflect the scheme as originally submitted):

	Existing sqm	Existing %	Proposed sqm	Proposed %
Building footprint	1613	23	1896	27
Hard landscaping	4611	66	2847	41
Soft landscaping	731	11	2222	32

The above demonstrates that the proposals would result in a reduction in hard landscaping and an increase in soft landscaping but also an increase in built-form on the site.

75. Although there would be an overall increase in built-form, the proposals would create a more spacious setting around the Hydro and the semi-detached villas when viewed from Langham Road, which would be more in keeping with the prevailing spacious character and urban grain of development within the Conservation Area. The proposals would also result in the built-form being spread across the site, rather than being concentrated at one end of the site as at present which would better reflect the urban grain of the Conservation Area. Whilst this would diminish the open character of the northern part of the site, as a car park this area does not make a positive contribution to the character or appearance of the Conservation Area and its value as open space or relief to the built-form is limited. It is also noted that any development at this end of the site will benefit from the adjacent area of open space and trees to the north as part of its setting. Development in this area is therefore considered acceptable in principle.

76. The re-introduction of a gap between the Hydro and the semi-detached villas is considered a significant benefit to the Conservation Area that would be delivered by the scheme, allowing these historic buildings to be read independently from Langham Road (as they would have been when originally built) whereas their setting and contribution to the Conservation Area at present is significantly compromised by the infill block connecting the buildings. Historic England comment that this element of the scheme, allowing the two historic buildings to be read as separate entities, would have a positive impact on their contribution to the conservation areas significance.

77. The proposed care home would be visible between the Hydro and the semi-detached villas and its presence would reduce the benefit of creating this gap to some extent, particularly as it would fill the entire gap between the buildings. The

applicant has sought to lessen the impact this part of the care home would have from Langham Road by introducing a break in the roof line and, in combination with its set back from Langham Road and the screening provided by trees proposed within and in front of the courtyard garden, this section of the care home would not be prominent in the Langham Road street scene. This would still enhance the setting of the retained buildings compared to the existing situation and consequently the contribution they make to the character and appearance of the Conservation Area. The southern end of the proposed care home would also be visible in views north along Langham Road and impact on the setting of the Hydro. In response to concerns raised regarding the roof mass of this section, the roof has been reduced in height by 1.35m and the design amended to a dual pitched roof.

The Hydro – proposed children’s day nursery

78. The Hydro building is to be retained and extended with a two storey extension on its southern side. The original part of the building would be converted utilising the existing internal layout, although some limited removal of internal walls is proposed to create larger rooms and removal of part of the floor is required to accommodate a lift. The original building would accommodate play space along with reception, kitchen, meeting space and toilets. The proposed two storey extension would provide further play space on both floors. This would extend 13.5m to the side and for a depth of 11m alongside the Hydro with a recessed link section between the original and new elements. Although the extension would be two storey it would appear as single storey from Langham Road due to the difference in levels between Langham Road and Marlborough Road. It would be a contemporary design, constructed in Bowdon ‘white brick’ with recessed stone panels defined by brick piers, timber framed windows within the recessed bays and a sedum/green roof. The proposed extension is subservient in scale to the Hydro and in terms of its form and design quality is considered a significant enhancement on the existing building that sits on this part of the site and would enhance the setting of the Hydro building.

79. In response to concern over the length and appearance of the retaining wall and balustrade proposed from the Hydro up to the site boundary on the Langham Road side of the site, along with the proposed ramp and railings, the alignment of the wall has been amended to form two elements, a recess constructed in stone has been incorporated into the wall, a wider planting bed provided adjacent to the ramp to enable larger planting stock, climbing plants will be used, and the height of the railings has been reduced. In combination this will soften the impact of the proposed wall and railings.

Langham Lea and Hawthorn Lea – proposed apartments

80. The existing semi-detached Victorian villas are proposed to be retained and converted into six apartments, with some demolition to the rear and external and internal alterations. The alterations include demolition of a two storey rear extension and part of the rear elevation and construction of a new rear wall in reclaimed brick

to match the existing with natural buff stone to the central section, new and replacement windows to the rear elevation, new wall to part of the south elevation in reclaimed brick to match, and new white painted timber windows. There are a number of concerns with some of the proposed alterations, including the proposed bricking up of an existing door and the removal of existing windows, and an update on these matters will be included on the Additional Information Report. The return of these buildings to residential use is welcomed and, subject to revised drawings in respect of some of the details, the extent of demolition and alteration is considered appropriate and will ensure that the character of the buildings is retained.

Proposed townhouses

81. The townhouses proposed at the northern end of the site comprise two blocks with three dwellings in each. The southern block (adjacent to the retained villas) would be 4 storey and the northern block would be 3 storey, although both would be 3 storey as viewed from Langham Road. The height of the blocks would be similar to the semi-detached villas, with the height reducing slightly towards the northern end of the site to reflect the fall in level along Langham Road. The design approach is intended to be reflective of the scale, form, proportions and materials of traditional villas in the locality but in a 'contemporary' style.
82. The increase in built form and reduction in spaciousness resulting from the proposed townhouses is a concern. In particular the size, scale, massing and siting of the town houses. The two blocks are positioned close to one another and leaves little visual separation to the retained villas. The impact of this, in conjunction with the massing and size of the blocks and reduction of spaciousness will result in some harm to the setting of the positive contributor and the wider Conservation Area. There will be some harm to kinetic views along the curve of Langham Road as the siting of the blocks will result in the appearance of one unbroken line of development with little visual separation. Furthermore, existing views of Hale Station Conservation Area, including the positive contributor, will be restricted from Langham Road and the development will appear prominent in views from the junction looking southwards along Marlborough Road.
83. The townhouses would be constructed in Bowdon white/cream brick as the predominant material with smooth natural buff stone to the ground floor and to the double height projecting bays to the front elevation. The buildings feature projecting gables, double height projecting bays, stone surrounds and mullions to first floor and second floor windows, feature stone banding between ground/first floor and at eaves, natural slate roof and brick chimneys. Various amendments have been made in response to the comments of officers, including a wider gap provided between the two blocks and a greater level of detailing incorporated including a brick dentil course between first and second floor and below windows, overhanging eaves, amendments to window proportions and alignment, windows confirmed as timber framed sliding sash and separation of the porches from the projecting bays, all to better reflect details characteristic of historic properties in the surrounding area

including the villas and Hydro on the application site. The side elevation facing the adjacent area of open space to the north incorporates appropriate detail with gable, double height bay and windows to provide interest in the street scene at this prominent location. Overall it is considered that the proposed townhouses are of an appropriate scale, form and design quality for their location.

84. Historic England raise concern that the designs of the new buildings lack the subtle and varied detailing of the historic buildings of the site and wider area and that this lack of detail is exacerbated by the scale of the buildings, although note that improvements have been made to the proposals since the original submission.

Proposed care home

85. The proposed care home fronting Marlborough Road would be a part 3 part 4 storey building, although the third floor in the 4 storey part is largely within the roofspace giving the appearance of a 3 storey building. The building comprises two linked blocks, with a lower recessed section linking the blocks. Both blocks would be of red brick construction, with gabled roofs in natural slate, large vertically aligned windows set within PPC aluminium frames, some with smooth buff stone cills and surrounds, and darker red brick soldier course between floors and below eaves. The building also includes a 3 storey flat roof section to the rear constructed in Bowdon white brick with predominantly glazed elevations and which would be physically linked to the Hydro (although not connected internally) with a lower glazed section. Two courtyard gardens are proposed to the rear of the main block.

86. The use of red brick would be in contrast to the Bowdon 'white brick' of the retained historic buildings and proposed new buildings on the Langham Road side of the site, which will provide variation between the buildings on each side of the site and avoid a concentration of buildings in the same materials. Red brick would also reflect the school buildings on the opposite side of Marlborough Road and therefore respond to its different context. The north side elevation, which will be prominent from Marlborough Road, includes an appropriate level of fenestration, detail and a dual pitched roof that will provide interest in the street scene.

87. The proposed care home has a significant footprint, extending for a length of 50.5m along Marlborough Road and would be positioned relatively close to the road, set back between 3.8m and 5m from the back of pavement (with the projecting entrance extending to within 2.9m of the back of pavement). This siting would be further forward than the buildings at Altrincham Grammar School for Boys opposite the site and the detached houses on Marlborough Road south of the site. Given its length, height, massing and proximity to Marlborough Road it would be prominent in both directions along Marlborough Road and appear dominant in the street scene, impacting on the setting of the heritage assets and the wider character of the Conservation Area. The applicant has been requested to set the building further back and reduce its massing to address these concerns. In response the building has been set further back (although only by a nominal amount of 425mm further

back than originally proposed), the roof form to both blocks amended and height reduced as described above, and the gables have been omitted from the Marlborough Road elevation to reduce the bulk and dominance of the proposed building within the street scene. A greater level of detailing has also been incorporated to the elevations to better reflect historic properties in the surrounding area, including stone surrounds to windows and brick headers to others, fascia boards, and an amended entrance detail constructed in natural buff stone rather than aluminium.

88. Historic England share Officer's concerns and comment that the care home element continues to read as a large building, despite efforts to break it up with glazed links. They note it is contemporary in appearance, though respecting historic forms in terms of roof scape and general proportions but that it lacks finer level detail and articulation which could help break up the mass and dominance further. The design of the building lacks the subtle and varied detailing of the historic buildings of the site and wider area and that this lack of detail is exacerbated by the scale of the building. HE consider that the care home element still presents itself as a very large building with limited detailing and articulation, which is made more apparent given its size leading to a very simplistic looking building which does not reflect the architectural quality of the wider conservation area.

89. Despite the amendments and improvements to the design as summarised above, the overall scale and massing of the building and its proximity to Marlborough Road remains a concern. The large footprint and linking to the Hydro would not reflect the fine urban grain of the existing historic villas, the spaciousness of the site or the surrounding context. The proposed care home would appear dominant in the street scene and it is considered it would have a harmful impact on the character and appearance of the Bowdon Conservation Area.

Other structures

90. The proposals include a substation on the Marlborough Road side of the site and refuse stores for the care home and day nursery adjacent to the southern site boundary. The proposed substation would be constructed in Bowdon white brick with perforated brickwork to the north and south elevations and a green roof. The refuse store for the care home would be set back from Marlborough Road and adjacent to the southern boundary, constructed in red brick with perforated brickwork to the north and west elevations and a green roof. The refuse store for the children's day nursery would be set back from Langham Road and adjacent to the southern boundary, constructed in Bowdon white brick with perforated brickwork to the west elevation (facing Langham Road) and a green roof. The siting and design of these structures is considered acceptable, subject to appropriate screening in the case of the substation between the building and Marlborough Road.

Landscaping and boundary treatment

91. Policy R5 of the Core Strategy states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. The Policy is considered to be up-to-date in terms of the NPPF and so full weight can be afforded. Paragraph 130 of the NPPF states that planning decisions should ensure that developments are “*visually attractive as a result of...appropriate and effective landscaping*”. Further guidance on the Council’s expectations for green infrastructure, including appropriate levels of provision for tree planting and/or other forms of green infrastructure within developments, is set out in SPD1.
92. The proposed soft landscaping includes new trees and hedges to the site boundaries, including a line of semi-mature pyrus (pear) trees and a hedge (common yew) along Langham Road which the Design and Access Statement states will redefine the green edge and create rhythm, formality and amenity in keeping with the Conservation Area. The hedge is indicated as being maintained to a height of 1.8m high which will screen the proposed car parking adjacent to the boundary. Trees are also proposed along the Marlborough Road boundary and pleached trees, native hedge and other planting is proposed to the front of the care home along Marlborough Road. In total, 53 trees are proposed whilst 17 trees/groups of trees are proposed to be removed (considered below). Proposed areas of green space within the development include two courtyard gardens to the rear of the care home and gardens to the rear of the townhouses and to the side of the apartments. The proposals would result in an overall increase in soft landscaping on the site compared to the existing situation and it is considered that the green spaces, trees, hedges and other planting would provide an attractive setting for the retained and new buildings and help soften the built-form.
93. The landscaping scheme has been reviewed by the Council’s Arboriculturist and the proposed tree planting has been amended in response to the advice provided, with a reduced number of new trees on the Langham Road side of the site to ensure the trees have sufficient rooting volume to live out their entire lifespan and the crown space to mature along this boundary. A number of the proposed new trees are adjacent to the proposed parking bays and will require tree pits and a raft system to protect the roots from compaction; tree pit details have subsequently been provided for trees adjacent to hardstanding and will ensure these trees can be planted and will have sufficient rooting volume.
94. Car parking would be provided alongside Langham Road behind a wall and hedge, with the spaces at an angle (‘chevron’ parking) and two areas of car parking are proposed on the Marlborough Road side of the site. The internal road on the north side of the site and the parking areas would be tarmac whilst the parking bays would be block paving and delineated by contrasting block paving. Pedestrian routes leading up to the entrances of each building would be block paved. The proposed use of block paving will provide some variation across the site in contrast to and

limiting the use of tarmac and the proposed surface materials are considered acceptable.

95. It is proposed to retain and make good the existing stone and brick walls to Langham Road, reinstate a stone boundary wall where there is currently a hedge, and plant a new mature native hedge behind. To Marlborough Road a low stone wall with 1.2m high railings is proposed between the rear gardens of the proposed townhouses and Marlborough Road and 1.8m high black railings and native hedge with Espalier tree planting behind is proposed between the care home and Marlborough Road. The existing boundary wall forming the boundary with the open space to the north of the site is to be retained and made good and 1.2m high railings erected on the wall. Tall metal railings are not considered an appropriate form of boundary treatment in the Conservation Area, as advised in SPD5.9a at Policy 22. The proposed 1.8m high close boarded fence to divide the rear gardens of the proposed townhouses is also not considered appropriate. These elements of the scheme therefore need to be revised and an update on any amendments will be provided in the Additional Information Report. Low brick walls or green screens would be more suitable to form the property boundaries. The boundary to the public footpath along the southern boundary of the site is proposed as a combination of retained brick walls with new black railings (amended from a 1.8m high close boarded fence originally proposed). Subject to an appropriate alternative form of boundary treatment to railings and close boarded fencing as discussed above, the proposed boundary treatments are considered appropriate to the Conservation Area and would be an improvement on the existing condition of the boundary treatments.

Archaeology

96. GMAAS comment that the Heritage Statement makes no reference to the significance of potential below-ground archaeological remains, and there is no other supporting documentation with the application that considers archaeology. In this respect, GMAAS comment it is debatable whether the guidance provided by NPPF paragraph 194 has been addressed adequately. However, having reviewed all the information that GMAAS has on file, including the Greater Manchester Historic Environment Record, GMAAS are satisfied that there are no known below-ground remains of archaeological interest that warrant investigation. As such, archaeological matters do not require any further consideration. GMAAS recommends that a historic building investigation of the 19th-century elements of the Bowdon Hotel is implemented prior to demolition. This could be secured through a condition should the Council be minded to approve the application.

Heritage balance and conclusion

97. The Council's Heritage and Urban Design Manager has concluded that, taking into account the heritage benefits to the scheme and the impact caused by the proposed development, it is considered the overall level of harm to the positive contributor, heritage assets and wider Bowdon Conservation Area is minor and therefore less

than substantial. The harm to the setting of Hale Station Conservation Area is considered to be negligible.

98. Historic England conclude that whilst some improvements have been made to the proposals, the scheme would lead to a low level of harm to the significance of the overall conservation area.
99. The overall amount of built-form proposed on the site and the scale, massing and siting of the proposed care home are considered to result in minor harm to the setting of the Bowdon Conservation Area and negligible harm to the Hale Station Conservation Area. This level of harm equates to 'less than substantial harm' in NPPF terms.
100. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (NPPF paragraph 199). As harm has been identified, a clear and convincing justification needs to be provided and a balancing exercise undertaken of the harm against the public benefits of the scheme as required by paragraphs 199, 200 and 202 of the NPPF. The balancing exercise should be undertaken bearing in mind the statutory duty of Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and Policies R1 and L7 of Trafford's Core Strategy. Paragraph 202 of the NPPF states that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"*.
101. In this case it is considered there are a number of public benefits associated with the proposed development and these are set out in full in the Planning Balance and Conclusion section of this report. These benefits are considered to outweigh the harm to the heritage assets identified above. In arriving at this conclusion, considerable importance and weight has been given to the desirability of preserving or enhancing the character or appearance of the conservation areas.
102. In conclusion it is considered that in undertaking the balancing exercise required by the NPPF, that the benefits of the scheme outweigh the less than substantial harm identified to heritage assets and in heritage terms the development is considered to be acceptable. In respect of paragraph 11 (d) i. of the NPPF the development does not provide a clear reason for refusal in this respect. Any permission would require suitably worded conditions relating to materials and detailing to ensure that these are high quality and appropriate to their context.

LAYOUT, SCALE AND DESIGN

103. Policy L7 of the Core Strategy states that, in relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and make appropriate provision for open space, where appropriate, in accordance with Policy R5. Policy L7 is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on good design and, together with associated SPDs, the Borough's design code. It can therefore be given full weight in the decision making process.
104. Paragraph 126 of the NPPF states that *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. Paragraph 130 lists criteria which are necessary for well-designed developments, including ensuring that they add to the overall quality of the area, are visually attractive and are sympathetic to local character and history. Paragraph 134 states that *"Development that is not well designed, should be refused, especially where it fails to reflect local design policies and government guidance on design..."*.
105. 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. The guide states at paragraph 120 that *'Well designed homes and buildings are functional, accessible and sustainable'* and goes on to state at paragraph 122 that *'Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by'*.
106. The assessment of the scheme above in relation to impact on heritage assets has concluded that, in terms of its layout, scale and design, the proposed care home and amount of development proposed would result in some harm. The other elements of the scheme are considered to have acceptable impact in the street scene and on the character of the area. The proposed townhouses, care home and extension to the Hydro incorporate a level of detailing and articulation that will add depth and interest, help break up the massing and ensure they would be compatible with the character of the surrounding area. Appropriate materials are proposed. Whilst there are elements of the scheme that do not comply with the policy and guidance referred to above, it is considered that the scheme as a whole is acceptable having regard to the requirements of Policy L7 and relevant guidance in the NPPF and National Design Guide.

IMPACT ON RESIDENTIAL AMENITY

107. Policy L7 of the Core Strategy requires new development to be compatible with the surrounding area and not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way. Policy L7 is considered to be up to date for decision making purposes and full weight can be attached to it. Policy L5 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put into place.
108. In addition to ensuring that developments are designed to be visually attractive the NPPF at paragraph 130 advises that planning decisions should create places that provide a high standard of amenity for existing and future users.
109. The Council's adopted SPG for new residential development (PG1) provides guidance on separation distances to be retained between proposed residential development and residential properties. Although this document is of some age (2004), it does still carry some weight in the decision making process. With regards privacy the guidance states that where dwellings of three or more storeys are proposed, the minimum distance between dwellings which have major facing windows is 24m across public highways and 30m across private gardens. Distances to rear garden boundaries from main windows should be at least 13.5m for houses or flats with three or more storeys. In situations where overshadowing is likely, a minimum distance of 15m should normally be provided between a main elevation and a blank two storey gable.

Visual Impact and Privacy

110. On the opposite side of Marlborough Road to the site is a detached dwelling (Flanders) and a pair of semi-detached dwellings (Beaufort and Grafton House). The proposed townhouses would be positioned directly opposite Flanders at a distance of 23m at their closest. Although this would be marginally less than the guideline of 24m, the shortfall only relates to the distance between the rear elevation of one of the proposed dwellings and the projecting gable elevation to the front of Flanders. A distance in excess of 24m would otherwise be retained between the proposed townhouses and this property. It is acknowledged there is a difference in levels between the application site and Flanders, with the site at a higher level, however Officers are satisfied that sufficient distance would be retained between habitable room windows to avoid the townhouses having an overbearing impact or resulting in an unacceptable loss of privacy. The proposed landscaping scheme includes tree planting within the site along the Marlborough Road boundary which could further mitigate any impact with the careful positioning and selection of species (albeit this isn't considered necessary in order to make the development acceptable). In relation to the garden of Flanders which is to the side of the property, the windows from ground to second floor in the proposed townhouse directly opposite the garden

would retain a distance of approximately 25m and the ground floor terrace would retain approximately 23m which complies with the guideline of 13.5m to be retained between main windows and gardens. Overall, whilst there would be a minor shortfall between the townhouses and Flanders relative to the guidelines, it is considered the townhouses would not be overbearing or result in a level of overlooking that would prejudice the amenity of the occupants of this property.

111. In relation to Beaufort and Grafton House the proposed townhouses would be positioned at an oblique angle relative to their main front windows and at a distance of over 28m which complies with the above guideline and ensures the townhouses would not be overbearing or result in unacceptable overlooking. In relation to the garden of Beaufort which is to the side of that property, the proposed townhouses would retain a distance of approximately 16m which complies with the above guideline of 13.5m to be retained between main windows and gardens.

112. There are three detached properties to the south of the site, two on Bowdon Rise and one on Marlborough Road, separated from the site by a public footpath. The proposed care home would be positioned approximately 15m from the boundary of 17 Marlborough Road at its closest and 22m at its closest from the house itself. This separation is considered sufficient to ensure the care home block would not be overbearing from its windows or garden and it would not result in overshadowing given it would be to the north of this property. The south side elevation of the care home nearest no.17 Marlborough Road includes upper floor windows to a staff room and a hallway, however at a distance of over 16.5m retained to the boundary this complies with the above guideline and with the intervening trees along the footpath, these windows would not result in overlooking. The proposed side extension to the Hydro would retain approximately 14.5m to the boundary of no.7 Bowdon Rise which is considered sufficient distance to ensure it would not be overbearing from its rear windows or garden or result in loss of privacy.

113. In relation to properties on the opposite side of Langham Road on Holly Grange and Garner Close, the proposed townhouses would retain over 25m in accordance with the above guideline.

Noise

114. The proposed children's day nursery would be located close to existing residential properties in Bowdon Rise and Marlborough Road and has the potential to impact on neighbouring residents in terms of noise and disturbance from outdoor play activities, given the external play area is proposed close to the boundary, and also from the additional activity of children being dropped off and collected.

115. With regards noise from outdoor play activities, it is unlikely that 95 children would be outside at any one time, although the application and Noise Impact Assessment don't indicate how many. The NIA concludes that the cumulative calculated noise emissions from the proposed nursery are LAeq 53dB to the nearest

existing dwelling, which equates to a “None/Not Significant” impact when assessed in accordance with the Institute of Environmental Management and Assessment’s Guidelines for Environmental Noise Impact Assessment and will be below the Lowest Observed Adverse Effect Level, as defined in the NPPF and PPG. The NIA takes into account that a 2.5m high acoustic timber screen enclosing the play area will be provided and also confirms that a comprehensive management plan will be implemented, including limiting the number of children in the garden at any one time and to establish breaks in play sessions throughout the day. Comments from the Council’s Pollution and Housing section on the submitted NIA will be reported in the Additional Information Report, however it is considered that whilst noise associated with children playing outside is likely to be heard from the nearby dwellings this is unlikely to result in levels of noise above that which would be unreasonable in a mixed use area and where there is background traffic noise.

116. There would also be additional activity and potential noise from the dropping off and collection of children, however this would be limited to only certain times of the day i.e. when dropping off and collection occurs. This would also coincide with prevailing levels of traffic noise at these times.

117. The proposed hours of opening have been indicated as 7:30am until 6.30pm Monday to Friday with no opening on Saturdays, Sundays or Bank Holidays. These hours are considered acceptable and a condition restricting the use to these times is recommended.

118. It is further acknowledged that the lawful use of this site as a hotel with gymnasium, swimming pool and function rooms has historically been subject to a degree of activity in terms of the comings and goings of guests/visitors, staff and deliveries, including vehicles entering and leaving the site.

119. The Council’s Pollution and Housing section recommended conditions relating to noise from any fixed plant and machinery associated with the proposal and servicing, deliveries and waste/recycling collections to be limited to between 08:00 and 21:00 hours on Mondays to Saturdays and not on Sundays and Bank Holidays.

Lighting

120. In relation to the impacts of any lighting associated with the development the Pollution and Housing section recommend a condition requiring an Exterior Lighting Impact assessment to be submitted for approval prior to the first occupation of the development to ensure lighting provided in the scheme is erected and directed so as to avoid nuisance to residential accommodation in close proximity and that any impact into habitable windows, either within or off-site, would be within acceptable margins.

Construction

121. A condition requiring a Construction Environmental Management Plan is recommended to ensure that noise, dust and other potential nuisance impacts can be controlled appropriately to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway.

Amenity for Future Occupiers

122. The proposed townhouses and apartments comply with the 'Technical housing standards – nationally described space standard' published by DCLG which sets out standards for internal space within new dwellings.

123. The guidance in PG1 states that most new dwellings, including new build and conversions, should provide some private outdoor space. It states whether the amount of private outdoor space is adequate will mainly depend upon the type and size of dwelling and the nature of its surroundings, however as a guide it suggests that around 80 sq. m of garden space will normally be acceptable for 3 bedroom semi-detached houses in an area of similar properties whilst for flats it suggests that 18 sq. m of adequately screened communal area per flat is generally sufficient for functional requirements. Each townhouse would have its own private garden of around 80 sq. m or larger which is considered appropriate to the size of the dwelling and its surroundings. Outdoor space for the proposed apartments includes a garden/amenity space to the side and to the rear providing a total area of approximately 144 sq. m (equivalent to 24 sq. m per apartment). This total includes areas of planting and therefore the amount of useable amenity space for residents would be somewhat less than this total, nevertheless the lawn areas and landscaping combined is considered sufficient outdoor space provision for the number of residents, subject to appropriate landscaping, seating, etc. being provided in the larger, more private area to the side.

124. The positioning of the proposed dwellings relative to each other also ensures there would not be any overshadowing or overlooking between dwellings.

125. The proposed care home includes two courtyard garden spaces to the rear for residents. The larger garden comprises a lawn, paved areas, timber pergola, terrace seating areas, raised planters, wood sculpture, and ornamental tree, shrub and sensory planting. The smaller garden includes a lawn, patio, and ornamental shrub beds. The Design and Access Statement includes a sun study for the larger courtyard showing that sunlight reaches across the courtyard throughout spring, summer and autumn, and states that the variation of sun and shade within the space offers flexibility for residents and can help to avoid the issue of overheating for those in care. Internally the care home includes amenity space on the ground floor providing a lounge and dining area and a hair salon is also included.

126. The potential for external noise intrusion to the proposed development (which primarily consists of traffic noise), has been assessed in the submitted Noise Impact Assessment (NIA). The NIA advises that internal sound levels within the residential

dwellings and care home will not exceed LAeq 35dB during the daytime and LAeq 30dB and LAfmax 45dB at night. The NIA also advises that the care home and day nursery are likely to have mechanical services equipment and as the design of the mechanical scheme is yet to be finalised, a maximum permissible cumulative sound level limit for all new plant has been set. With regards the day nursery, the NIA indicates that sound levels in the vicinity preclude using partially open windows whilst achieving internal sound level criteria for nursery classrooms set out in BB93, therefore a mechanical ventilation scheme or comfort cooling would be required to nursery classrooms with line of sight to Langham Road and acoustic passive ventilation to classrooms to the southern façade facing Marlborough Road. The NIA concludes that the site is suitable for the proposed development, subject to implementation of controls as set out in the report.

127. The potential for noise associated with the proposed day nursery to affect occupiers of the proposed care home and apartments has been considered in the NIA which concludes that cumulative calculated noise emissions from the nursery are LAeq 53dB to the most affected properties. This equates to a “None/Not Significant” impact when assessed in accordance with the Institute of Environmental Management and Assessment’s Guidelines for Environmental Noise Impact Assessment and will be below the Lowest Observed Adverse Effect Level, as defined in the NPPF and PPG. As noted above, the assessment includes benefit of the proposed 2.5m high acoustic timber screen enclosing the play area and also states that a comprehensive management plan will be implemented.

128. The Pollution and Housing section has reviewed the NIA and raise no objections. Conditions are recommend relating to noise from fixed plant and machinery, lighting nuisance and Exterior Lighting Impact Assessment and timing of servicing, deliveries and waste/recycling collections.

ACCESS, HIGHWAYS AND CAR PARKING

129. Policy L4.7 of the Core Strategy states that “*The Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured*”. Policy L4.8 of the Core Strategy states that “*when considering proposals for new development that individually or cumulatively will have a material impact on the functioning of the Strategic Road Network and the Primary and Local Highway Authority Network, the Council will seek to ensure that the safety and free flow of traffic is not prejudiced or compromised by that development in a significant adverse way*”. Paragraph 111 of the NPPF states that “*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*”.

130. Policy also L4 states: [The Council will prioritise] the location of development within the most sustainable areas accessible by a choice of modes of transport. Paragraph 105 of the NPPF states “*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health*”.
131. Policy L4 is considered to be largely up to date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up to date in that it includes reference to a ‘significant adverse impact’ threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a ‘severe’ impact’. Nevertheless it is considered that Policy L4 can be afforded substantial weight.
132. Policy L4.14 to L4.16 sets out the requirement to comply with the adopted maximum car and cycle parking standards as set out in Appendix 3 to the Core Strategy and within adopted SPD3. The setting of maximum parking standards as set out in section L4.15 and Appendix 3 is inconsistent with the NPPF and in that regard is considered out of date and less weight should be afforded to this part of the policy.
133. Policy L7 states that 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, maneuvering and operational space.

Accessibility

134. Langham Road and Marlborough Road are both bus routes and there are bus stops within walking distance of the site on Langham Road, Marlborough Road and on Ashley Road to the north. The site is also within 425m walking distance of Hale railway station. The site is close to a range of facilities in Hale and Altrincham such that walking and cycling are genuine alternatives to using the car. The site is also within walking and cycling distance of residential areas such that some future employees could walk or cycle and parents using the day nursery could walk. The site is therefore accessible by sustainable modes of transport; namely walking, cycling and public transport and is considered to be in a highly accessible location.

Impact on Highway Network

135. The site is adjacent to two busy roads and close to a busy junction. The proposal must be considered in the context that this is a busy location with regards traffic and pedestrians, in particular around school start and finish times given that Altrincham Grammar School for Boys and Altrincham Preparatory School for Boys are both on

Marlborough Road in the immediate vicinity of the site. As the site benefits from a lawful planning use as a hotel and could return to this use without the need for planning permission, this is also a relevant consideration in the assessment of the proposal in terms of traffic generation.

136. The application is supported by a Transport Assessment (TA) which includes a comparison of the anticipated level of traffic associated with each proposed use against the lawful hotel use of the premises. Trip rates for hotels have been extracted from the TRICS database based on the category 'larger sites with additional facilities open to the public, such as gyms, restaurants and conference facilities' and the TA states that a hotel of this size could generate up to 398 vehicle movements throughout the day. For the proposed uses and quantum of development, also based on outputs from the TRICS database, the TA suggests the proposed development could generate up to 266 vehicle movements throughout the day. This comprises 121 vehicle movements associated with the proposed day nursery, 98 vehicle movements associated with the proposed care home and 47 vehicle movements for the proposed residential development. The TA therefore indicates that there would be an overall reduction in vehicle movements to and from the site comparing the proposed development to the existing hotel use, with 132 fewer two way vehicle trips throughout the day.

137. In the peak periods (between 08:00 – 09:00 hours and 17:00 – 18:00 hours) the TA indicates that the lawful hotel use could generate 38 vehicle movements (15 arrivals and 23 departures) in the AM peak and 34 vehicle movements (21 arrivals and 13 departures) in the PM peak. For the proposed development the TA indicates that there could be 39 vehicle movements (18 arrivals and 21 departures) in the AM peak and 36 vehicle movements (17 arrivals and 19 departures) in the PM peak. The TA therefore indicates there would be a net increase of 1 vehicle movement to and from the site compared to the existing hotel use in the AM peak and a net increase in 2 vehicle movements in the PM peak. The TA states this would be undetectable on the highway network and on this basis there would be no significant difference in traffic to and from the site at peak times between the lawful use and the proposed development. The TA concludes there will be no impacts arising on the local highway network as a result of the traffic generation of the proposals.

138. The peak drop-off times for the proposed day nursery are indicated in the TA as between 07:30 – 08:00 hours on a typical weekday, with the number of drop-offs reducing between 08:00 – 09:00 hours and reducing further from 09:00 hours onwards whilst the peak pick-up times have been indicated as between 17:30 – 18:30 hours. The traffic likely to be generated by the day nursery would mostly be spread over these periods and whilst there would be some overlap with peak traffic associated with the schools in the vicinity, it is considered this can be accommodated on the immediate road network. The implications of potential on-street parking associated with the day nursery are considered below.

139. The TA has been reviewed by the LHA and they advise that they have no additional comments to add. On the basis of the submitted TA and assessment by the LHA it is considered that the residual cumulative impacts of the development on the road network would not be 'severe' and as such the development should not be refused on highways grounds (as set out in NPPF paragraph 111).

140. Representations received have raised concern over the use of TRICS data for the existing hotel use and suggest that this doesn't accurately reflect the previous hotel operation and that the TA doesn't take into account specific local conditions in that the immediate road network is often congested, especially at school start and finish times. With regards the previous hotel use, the existing lawful use of the site as a hotel is the baseline position against which any scheme for redevelopment must be considered and this includes the hotel operating at full capacity and by any potential operator. Similarly with regards existing conditions, the correct analysis is to have regard to the vehicle movements that could be generated by the existing lawful use of the site and compare the proposal to this position in order to help determine whether or not the proposed development could have a severe impact on the road network, rather than preclude re-development on the basis that a road is already congested and/or there are existing highway safety issues. If a proposed development itself won't make a situation any worse than the use that could already lawfully take place on the site it would be unreasonable to withhold permission for that development. As noted above, the applicant's transport consultant has used TRICS to forecast vehicle trip numbers for both the existing and proposed uses. TRICS is an industry standard database which is widely used across the country and accepted practice within the industry. It is acknowledged that the system is flexible, though practitioners are encouraged to comply with the Good Practice Guide to ensure use of correct procedures and consistency. The TA includes all the TRICS data which has generated the results summarised above.

141. Given the above, the LHA and Officers are satisfied that the application is accompanied by appropriate supporting information, and that the proposed development would accord with the requirements of the Core Strategy and NPPF in respect of its impact on the highway network.

Access Arrangements

142. Vehicle access to the parking for the children's day nursery and the townhouses is proposed from Langham Road utilising a one-way system, with the entrance and exit points on Langham Road in the same position as the existing vehicular access and egress arrangements to the site. Vehicles would enter the site from the northern access and egress at the southern end of the site.

143. Two car parks with access from Marlborough Road are proposed, one of which would re-use an existing access close to the southern boundary for the proposed care home and a new access is proposed north of an existing access onto Marlborough Road to serve the car park for the proposed apartments and the

remainder of the care home spaces. The existing egress on Marlborough Road will be closed off and the footway reinstated.

144. Visibility splays at each of the above access points are a minimum of 2.4 x 43 metres, which are acceptable to the LHA.
145. The proposed amendments/closure of the vehicle crossovers will require a separate (highway) application to be made by the developer. The LHA also advise that should it be necessary to replace, remove, or divert any part of an existing highway drainage systems, street lighting, or statutory undertaker cables, pipes, or other equipment the applicant will be wholly reasonable for covering all costs associated with the works. The applicant should also be aware that the removal/relocation of a streetlight may require other columns in the area to be relocated, the costs for which would need to be met in full by the applicant.
146. Pedestrian and cycle access would be via the vehicle entrances described above and a number of separate pedestrian access points along Langham Road are also proposed. The care home would have direct access from Marlborough Road. The vehicle exit on Langham Road has been amended to include a footpath alongside the road in order that parents walking to the nursery can get to the building entrance without having to walk on the road. The proposed pedestrian and cycle access arrangements are considered to be acceptable.

Car Parking

147. The Council's parking standards are set out within Supplementary Planning Document 3 'Parking Standards and Design' (SPD3) and for each of the different uses proposed are set out below. SPD3 indicates that the maximum standard will be appropriate in most circumstances. It states the provision of adequate parking facilities and their design should be appropriate to the scale, nature, location and users of the proposal. Where a developer seeks to provide a lower level of parking than the standard set down in the Core Strategy this will need to be fully justified and will need to demonstrate what measures e.g. design, location or operation are to be taken to minimise the need for parking (paragraph 5.1.2).
148. A total of 63 car parking spaces are proposed within the site, comprising the following: -
- 51-bed care-home – 21 spaces comprising 14 spaces alongside the southern boundary of the site with access from Marlborough Road and 7 staff spaces to the north of the care home with access from Marlborough Road;
 - 95-space children's nursery – 14 spaces located in front of the proposed nursery with access from Langham Road;
 - 6 townhouses – 12 spaces located to the front of the houses with access from Langham Road;

- 6 apartments – 9 spaces to the rear of the apartments with access from Marlborough Road;
- A further 7 spaces at the front of the site with access from Langham Road will be available for visitor use and parent drop-off/pick up. The TA states these spaces will be dual-use and available when the nursery is closed and when people are most likely to have visitors i.e. evenings and weekends.

149. The standard for residential care homes require 1 space per 5 beds which equates to a requirement for 10 spaces in this case. The provision of 21 car parking spaces as proposed exceeds that required by the standards and is therefore considered acceptable.

150. For day nurseries SPD3 refers to 1 space per member of staff and drop-off spaces to be determined on a case-by-case basis. It also states that the total amount of parking including staff and drop off will usually be assessed based on a ratio that goes up to 11 spaces for a day nursery with 60 children. Applying this rate to a 95 place day nursery would require 18 spaces and the LHA has indicated that in this case the standards would require 18 parking spaces. 14 parking spaces are proposed to the front of the proposed day nursery and a further 7 spaces are proposed that will be dual-use, which the TA states would be available for parent drop-off/pick-up and for resident's visitor parking (and presumably could also be used by occupiers of the residential properties). This would result in a total of 21 spaces available for the proposed day nursery, although it is considered likely that some of the 7 spaces shared with the residential properties would be occupied by residents at nursery drop-off or pick-up times, particularly in the morning, therefore not all 7 spaces would necessarily be available at all times for nursery use.

151. In support of the amount of parking for the proposed day nursery, the TA states that 95 places relates to the total number of children on the books rather than the maximum number of children attending the nursery each day and that not all children will attend nursery every day and some will only attend for part of a day. The TA assumes that 60 children will attend the nursery each day. The TA then refers to a nursery in Broadheath operated by the applicant and states that based on surveys, 69% of parents travel by car to that site. A similar percentage travelling by car to the proposed nursery would equate to 42 vehicle trips in and out per session. The TA also states this doesn't take into account that some pupils will attend for an afternoon only, or that some parents will have more than 1 child attending the nursery. The TA suggests peak drop-off demand is likely to occur between 07:30 – 08:00 hours on a typical weekday with 19 vehicles between these times, 14 vehicles between 08:00 – 09:00 hours and 9 vehicles after 09:00 hours. For staff the TA states that 31% travel by car at the Broadheath site and as a robust assessment it has been assumed that 50% of staff will travel by car to the proposed site. Of the 14 parking spaces assigned to the nursery, 4 will therefore be occupied by staff, leaving 10 spaces for drop-off and pick-up. The TA states given that drop-off's will typically take less than 5 minutes, there is more than sufficient space available for the nursery. In addition to the allocated parking, there are a further 7 spaces for dual-

use with the residential development. The TA concludes that given the location of the site in a highly accessible and sustainable position and given the operational knowledge of other nursery sites, the proposed level of parking is more than adequate and there will be no off-site parking as a result of the proposed development. Since submission of the TA the applicant has confirmed that there would in fact be around 25 staff at the day nursery, therefore the analysis in the TA and summarised above referring to 8 staff is incorrect. As such, staff are likely to take up a greater proportion of the parking spaces available.

152. A total of up to 21 parking spaces for the proposed nursery would comply with the standard albeit 7 of these 21 spaces will not necessarily be available for the nursery at all times. The LHA are satisfied that this would be sufficient parking provision for the proposed nursery. It is considered that a condition requiring a car park management plan is necessary to ensure that the 7 shared spaces are available for nursery drop-off and pick-up during nursery opening hours and not potentially occupied by residents at these times.
153. It is acknowledged that even with sufficient on-site car parking relative to the Council's standards, some parents may opt to park on street for the brief period whilst dropping off or collecting children given that on-street parking isn't restricted in the immediate vicinity. On-street parking isn't restricted on Langham Road and Holly Grange outside the site (other than on Langham Road in the vicinity of the junction) or on Marlborough Road (other than in the vicinity of the junction) or Bowdon Rise. On-street parking could disrupt the free-flow of traffic, add danger to pedestrians and cyclists and inconvenience residents. Nevertheless, given the short term nature of the parking i.e. to drop off and pick up only and that a level of car parking in accordance with the Council's standard would be provided within the site, it is considered the proposed use and amount of parking provided would not give grounds for refusal on highway safety grounds. It is also considered that, in the event a parking space wasn't available within the site, parents are more likely to park for a short period on the internal road within the site rather than on the public highway. Whilst this isn't ideal as it could temporarily block the internal access road, this wouldn't be as disruptive as parking on Langham Road or other surrounding roads and it would be safer for both visitors and other highway users.
154. The relevant standard for dwellings in this location require 2 parking spaces for dwellings with 2 to 3 bedrooms and 3 parking spaces for dwellings with 4 or more bedrooms. This equates to 18 spaces required for the townhouses and 12 spaces for the apartments. It is proposed to provide 12 spaces for the townhouses and 9 spaces for the apartments, which is below the maximum standard although a further 7 car parking spaces shared with the children's day nursery would also be available for visitor use for the apartments and townhouses (and could be used by their occupiers also). The TA states these spaces will be available when the nursery is closed and in the evenings and weekends. Taking these spaces into account a maximum of 28 spaces would be available for the townhouses and apartments which is considered an acceptable level of provision.

155. The LHA has raised no objection to the overall level of car parking provision as summarised above. Officers are satisfied that sufficient parking provision would be delivered for the scheme as a whole, having regard to the maximum parking standards and given the location of the site with good access to public transport links and opportunities for walking or cycling. A Travel Plan would also be required by condition to help encourage sustainable transport choices, which would be a realistic option in this location.

Accessible Parking

156. The accessibility parking standards shown in SPD3 Appendix A are minimum requirements (refer to Policy L4 and Appendix 3 of the Core Strategy). The standard for residential care homes require 3 bays or 6% of total capacity whichever is greater. Three spaces are proposed, although these are split across two parking areas and it is considered the spaces to the north car park should be relocated so all three spaces are located together in one car park and close to the entrance of the building. The standard for day nurseries require 3 bays or 6% of total capacity whichever is greater. Two spaces are proposed, therefore this needs to be increased to three spaces. At the time of preparing this report the applicant has not responded to these comments, therefore an update will be provided in the Additional Information Report. For residential development SPD3 states that the provision of accessibility parking spaces should be negotiated on a case-by-case basis. One of the 9 spaces proposed for the 6 apartments would be an accessible space.

Cycle Parking

157. The minimum cycle parking standards as detailed within SPD3 require 2 spaces for a 2 to 3 bedroom dwelling and 4 spaces for a dwelling with 4+ bedrooms where allocated cycle parking is proposed, or 1 space for a 2 to 3 bedroom dwelling and 2 spaces for a dwelling with 4+ bedrooms where communal cycle parking is proposed. For the townhouses it is proposed that each dwelling will have 2 external lockable cycle spaces, although no details have been provided. This would be less than the standard, however space for additional cycles could easily be provided within the curtilage or within the dwellings. For the apartments 12 spaces are proposed inside the building on the ground floor which would comply with the standard where communal cycle parking is provided, although the LHA has requested clarification as only 6 spaces appear to be shown on the plans.

158. For residential care homes the standard in SPD3 is 1 space per 40 beds (minimum of 2) which equates to a requirement for 2 cycle spaces. The proposals include a cycle store adjacent to the building with 6 spaces and a further 4 spaces on the third floor of the building (adjacent to the lift). The LHA question the suitability of these internal spaces and also the proposed location of the external spaces which could cause an obstruction.

159. For day nurseries the standard in SPD3 is 1 space per 4 staff and 1 space per 200 sq. m for visitors (minimum of 2 spaces) which the TA suggests would require 5 cycle spaces. The proposals include cycle stands to the front of the proposed nursery with 8 spaces. The LHA has questioned the suitability of the spaces given that visitors will be short stay and it is also not clear whether or not the proposed cycle stands are covered.

160. Given the lack of details regarding cycle parking as summarised above, further details are required to ensure this will meet the standards and specifications set out in SPD3. The LHA recommend a condition to require the submission and approval of the required cycle parking and storage arrangements and to ensure that they are installed prior to occupation of the development and thereafter retained for the life of the development.

Motorcycle Parking

161. The Council's parking standards also require parking for motorcycles, which for residential care homes is 1 space per 100 beds (minimum of 2 spaces) and for day nurseries 1 space per 10 staff (minimum of 2 spaces). No provision is shown.

Servicing Arrangements

162. It is proposed to provide refuse collection areas within the site and roadside collections as part of the proposals. The LHA has advised that the swept path analysis is extremely tight and that a revised strategy should be considered and has also queried other aspects of the proposed collection arrangements. An update on the proposed servicing arrangements and the further comments of the LHA will be reported in the Additional Information Report. Comments made by the Waste Management Team on the proposals are set out elsewhere in this report.

Travel Plan

163. A Travel Plan is required for the proposed development and should include realistic, measurable targets to promote the use of sustainable transport options and reduce car use, in particular single occupant vehicle trips. A Framework Travel Plan has been submitted and is confirmed to be acceptable by the LHA, subject to a condition to require submission and approval of a full Travel Plan prior to occupation or use of the development or within six months of the first date of operation.

Public Rights of Way

164. A definitive right of way runs adjacent to the southern boundary of the site (Bowdon no. 2a). The proposed development does not appear to affect this right of way, nevertheless the LHA recommend a condition requiring approval of the type and location of boundary treatment adjacent to the right of way to ensure it is not narrowed or adversely affected. A drawing detailing the proposed boundary

treatment adjacent to the right of way has since been submitted and the LHA request a condition that the improvements are completed before first occupation. The LHA also comment that the right of way should remain open for public use during construction if possible. Should it be necessary for safety reasons for the applicant to seek temporary closure or diversion of the path during the construction of the works, a Temporary Traffic Regulation Order is required. The developer should also put measures in place to ensure the surface of the right of way is not damaged by the development and should damage occur carry out repairs to the satisfaction of the LHA.

Construction phase

165. The LHA recommend a condition requiring a Construction Method Statement to ensure measures are put in place to minimise disturbance and nuisance to users of the highway. This would cover issues such as hours of construction works, areas for parking of site operatives' vehicles, loading and unloading, provision of wheel washing facilities on-site, etc.

Conclusion on highway impacts and parking

166. It is considered that the proposed development would have acceptable impact on highway safety and that the residual cumulative impacts on the road network are not considered to be 'severe' (as set out in NPPF paragraph 111), having regard to the evidence provided in the submitted TA, the existing lawful use of the site and the sustainable location. The Local Highway Authority is satisfied with the proposed development, including parking provision, subject to a number of conditions. On this basis, the proposed development is considered to be in accordance with Policies L4 and L7 of the Trafford Core Strategy and guidance in the NPPF in respect of highway impacts.

EDUCATION

167. Policy L2 of the Core Strategy states that all new development will be required to be appropriately located in terms of access to existing community facilities and/or deliver complementary improvements to the social infrastructure, including schools, to ensure the sustainability of the development. Some of the proposed 12 dwellings and apartments are likely to be occupied by families with children of school age which will place additional demand on existing schools in the local area. The pupil yield of the proposed development has been calculated as 2 primary and 1 secondary school places. The Council's Schools Capital Projects Team has advised that there is sufficient capacity across Trafford primary schools within a 2 mile statutory walking distance from the site, whilst for Trafford secondary schools within a 3 mile statutory walking distance from the site there is insufficient capacity. A contribution is therefore required in respect of secondary school places which has been calculated as £24,753.

HEALTH FACILITIES

168. Policy L2 of the Core Strategy states that all new development will be required to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements, including in respect of health facilities. The comments of the NHS GM in respect of the impact of the proposed care home on healthcare provision is discussed above. The NHS GM confirm that the other elements of the proposed development would not necessarily impact on health care.

OPEN SPACE AND PLAY FACILITIES

169. Policy R5 of the Core Strategy states that all development will be expected to contribute on an appropriate scale to the provision of the standards set out in that policy in relation to local open space, sport and recreation, either by way of on site provision, off site provision or by way of a financial contribution towards improving quantity or quality of provision. Such contributions will be secured in accordance with Policy L8 and Supplementary Planning Guidance linked to this policy. Policy R5 is up to date in that it seeks to ensure that residents have access to an appropriate range of green spaces and other recreational facilities to aid their health and well-being. The NPPF also states that planning decisions should plan positively for the provision of open space (paragraph 93) and that access to a network of high quality open spaces is important for the health and well-being of communities (paragraph 98).

170. SPD1: Planning Obligations states that the cumulative impacts on open space arising from smaller developments (those below 100 units) will be addressed through the use of CIL funds. This pre-dates the changes to the CIL Regulations in September 2019 which now allow the Council to take both S106 contributions and CIL monies towards the same piece of infrastructure. SPD1 indicates that Spatial Green Infrastructure is a requirement for schemes of between 5 to 99 dwellings.

171. The proposed residential element of the scheme will create additional demand on existing public open space and play facilities in the local area and therefore it is considered a contribution towards the provision of new or improved facilities is necessary to mitigate the impact the development will have on these facilities. Based on the methodology set out in SPD1 a contribution of £17,513.50 would be required, comprising £5,235.52 towards the provision of new or improved local open space and £12,277.98 towards provision for children/young people.

SPORTS FACILITIES

172. SPD1 sets out that developments in the region of over 300 units will need to provide on-site sport facilities, whilst the cumulative impact of smaller schemes will be addressed through CIL funded projects. As above, this pre-dates the changes to the CIL Regulations in September 2019. The NPPF also makes clear statements about the role sport and recreation plays in contributing to healthy communities and

states that planning decisions should plan positively for the provision and use of community facilities including sports venues (paragraph 93).

173. The proposed residential element of the scheme will create additional demand and place pressure on existing sports facilities in the local area and therefore it is considered a contribution towards the provision of new or improved facilities is necessary to mitigate this impact. This is £16,848 based on the methodology set out in SPD1.

IMPACT ON TREES

174. Policy R2 of the Core Strategy seeks to protect and enhance the natural environment of the Borough including trees and Policy R3 seeks to protect and enhance the Borough's green infrastructure network. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.

175. There are no Tree Preservation Orders within or immediately adjacent to the site, although the trees are afforded protected by virtue of being within the Bowdon Conservation Area. The Preliminary Tree Report submitted with the application identifies a total of 33 individual trees, 4 tree groups and 4 hedges within and adjacent to the site and these are classified in the report as 8 x category B trees/groups (trees of moderate quality), 20 x category C trees/groups (trees of low quality) and 13 x category U trees/groups (trees in such a condition that they cannot realistically be retained in the context of the current land use for longer than 10 years). No trees are identified as category A (trees of high quality).

176. The submitted Arboricultural Implications Assessment and Method Statement (AIA) identifies the removal of 12 individual trees to facilitate the development and a further 3 individual trees and 2 groups of trees due to their poor condition. The trees proposed to be removed include most of those along Marlborough Road, which include Robinia, Cherry, Silver Birch and Leyland Cypress. It states the trees proposed for removal are mostly of minor significance and low quality due to form or condition and further states that the losses can easily be compensated for within the new landscape strategy which includes 44 new trees (since increased to 53 trees) along with other shrub and hedge planting.

177. The Council's Arboriculturist notes that the tree stock is mostly confined to the boundaries of the site with a few individual trees dotted within the interior, noting it is likely that these will have been planted as part of a landscape scheme associated with previous works on the application site. Generally the arboricultural value ranges from moderate to unsuitable for retention (due to quality). There are no features of particular arboricultural merit but some better quality specimens lie within the north-western point and along the southern boundary. The Arboriculturist has no objection to the proposed tree removals given that the tree stock is of low quality.

178. Trees within the public footpath to the south of the site are to be retained. Some trees stand very close to the application site boundary and will need to be protected during the demolition and construction phase. The AIA has been updated to consider the potential impact of the development on these trees and confirms that protective fencing will be required during demolition and construction. The tree protection fencing shown on the Tree Protection Plan will need to be in place prior to works starting on site and a condition to this effect is recommended.

ECOLOGY AND BIODIVERSITY

179. Policy R2 of the Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity and protect the natural environment throughout the construction process. Paragraph 174 of the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity and Paragraph 180 advises that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy R2 is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPFs emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.

Protected Species

180. The application includes a Preliminary Ecological Appraisal and Bat Scoping Report which confirm a survey for protected species has been carried out, including bats species, nesting birds, amphibians, reptiles, and mammals. The results of the survey show that the gymnasium and hotel building offer medium potential for roosting bats and the surrounding area contains potential foraging habitat due to good connectivity through the linear corridor created by mature gardens either side of the site. The Appraisal also recommends that any vegetation clearance and demolition works should be undertaken outside the bird-nesting season, April-August, to minimise any impact on nesting birds.

181. A Bat Activity Survey Report and Mitigation Strategy have been submitted in response to the initial comments made by the GM Ecology Unit (GMEU). The Bat Survey Report confirms that common pipistrelle bats were recorded emerging from the roof of the main hotel building and that given the results of previous surveys it can be assumed the building holds a small common pipistrelle day roost. A Bat Mitigation Class Licence will therefore be required to legally undertake the works and a bat mitigation method statement will be required. The Bat Mitigation Strategy states that bat roost provision designed specifically for pipistrellus species will be incorporated within the fabric of the development in the form of wall cavity bricks. It suggests that four of these bricks be located high on each of the external walls,

positioned high on the gable apex of the third floor of the new buildings, situated so they can be used permanently or transiently during foraging and commuting usage.

182. The GMEU confirm that the submitted Bat Mitigation Strategy is acceptable and are therefore satisfied that provided the mitigation measures are followed in full the favourable conservation status of bats would be maintained at this site. The GMEU recommend a condition requiring that a licence issued by Natural England is provided to the LPA authorizing the specified activity/development to go ahead, or alternatively a statement in writing from the relevant licensing body to the effect that it does not consider the specified activity/development will require a licence.

183. The Preliminary Ecological Appraisal also identifies that the site could be used by nesting birds. As all wild birds, their nest and eggs are protected under the Wildlife and Countryside Act 1981 (as amended), GMEU recommend a condition that no removal of or works to any trees or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Biodiversity Net Gain

184. As described at paragraph 92 above, the proposals would result in a net increase in green areas and soft landscaping on the site including new tree, hedge and shrub planting, although it is also recognised that a significant number of trees are proposed to be removed. The proposals also include 4 x bird boxes on the proposed tree planting; 4 x sparrow terraces to be installed on the buildings; 4 x bat boxes to be installed on the buildings; and 1 x bat box installed in an existing tree. The location of these boxes isn't specified and is subject to advice from the project ecologist, therefore a condition is recommended to require the submission and approval of further details and to ensure that they are subsequently implemented. Subject to this condition it is considered that the scheme will contribute towards the achievement of biodiversity net gain in line with the provisions of the NPPF.

FLOOD RISK AND DRAINAGE

185. Policy L5.13 of the Core Strategy states that "*Development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place*". The policy goes on to state at L5.16 that "*the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location*". At the national level, NPPF paragraph 167 has similar aims, seeking to ensure that development is safe without increasing flood risk elsewhere. Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it.

186. The application site lies within Flood Zone 1 as defined by the Environment Agency, having a low probability of sea and river flooding. The proposed uses constitute 'more vulnerable' uses in flood risk terms, as defined by the NPPG. The flood risk vulnerability and flood zone compatibility table contained within NPPG identifies this form of development as being appropriate in this location. The site is within a Critical Drainage Area as specified within Trafford Council's Strategic Flood Risk Assessment.
187. The application submission includes a Flood Risk Assessment and Drainage Strategy Report and North West SuDS Pro-Forma. The report has considered the drainage hierarchy as set out in the NPPG and sets out that discharge of surface water by infiltration, watercourse or surface water sewers is not feasible and therefore discharge by combined sewers is proposed. In response to comments made by the LLFA and United Utilities, an updated Flood Risk Assessment and Drainage Strategy Report has been submitted.
188. The LLFA advise that the proposed development will only be acceptable if conditions are imposed requiring submission and approval of a scheme to improve the existing surface water drainage system based on the submitted Flood Risk Assessment and Drainage Strategy and which shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangements embodied within the scheme. A further condition requiring a management and maintenance plan to secure the operation of the sustainable drainage scheme throughout its lifetime is also recommended.
189. United Utilities advise that the proposals are acceptable in principle and request a condition requiring the drainage for the development to be carried out in accordance with principles set out in the submitted Foul and Surface Water Drainage Design drawing and including that surface water must drain at a restricted rate of 43 l/s, no surface water will be permitted to drain directly or indirectly into the public sewer, and the applicant is required to provide an assessment of overland flow routes for extreme events that are diverted away from buildings.

CONTAMINATED LAND

190. Policy L5 of the Core Strategy states development that has potential to cause adverse pollution of water or ground will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place. Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it. The Council's Pollution and Housing Team advise that the site may potentially have been subject to contamination from previous commercial usage and will require assessment to ensure that there is no risk to future site users.
191. The application includes a ground investigation report which confirms the site investigation has identified the presence of contamination at two locations within the

site and remediation will be required to ensure that there are no risks to future site users. The ground gas monitoring undertaken so far will need to be expanded to include a risk assessment to confirm why only a limited duration of monitoring has been undertaken. However, as made ground has been identified in locations across the site, the risk assessment may recommend further monitoring to allow the ground gas regime to be fully confirmed. The site investigation undertaken so far needs to be expanded following demolition of the buildings to allow a full risk assessment of the site to be completed to inform a contaminated land remediation strategy.

192. To ensure that the additional investigation and risk assessment takes place, a condition is recommended requiring prior to commencement of development an investigation and risk assessment in relation to contamination on site, to include an assessment of the potential risks, a remediation strategy giving full details of the remediation measures required, and a verification plan. A further condition requiring a verification report demonstrating completion of works set out in the approved remediation strategy before the development is occupied is also recommended.

AIR QUALITY

193. Policy L5 of the Core Strategy states development that has potential to cause adverse air pollution will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place. Policy L5 is considered to be up-to-date in this regard and so full weight can be attached to it. Paragraph 186 of the NPPF seeks to ensure that opportunities to improve air quality or mitigate impacts are identified, with the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones being taken into account. The application site does not lie within the GM AQMA.

194. The application includes an Air Quality Assessment (AQA) which identifies the potential for air quality impacts during the construction phase from fugitive dust emissions as a result of demolition, earthworks, construction and trackout activities. The AQA considers that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level. During the operational phase of the development there is potential for air quality impacts as a result of traffic exhaust emissions associated with vehicles travelling to and from the site. These have been assessed against the relevant screening criteria and due to the relatively low number of anticipated vehicle trips associated with the proposals, road traffic impacts were not predicted to be significant. The AQA concludes that air quality factors are not considered a constraint to planning consent for the proposals.

195. The AQA has been assessed by the Council's Pollution and Housing section and they recommend that the good practice control measures identified in the AQA are fully implemented. Conditions requiring a Construction and Pre-Construction Environmental Management Plan to include details of the proposed measures to

manage and mitigate the main environmental effects and to require the provision of electric vehicle charging points are also recommended.

196. The proposals also include provision of a significant number of low emission vehicle charging points which will help encourage the uptake of electric vehicles and benefit local air quality. The submitted drawings indicate that 46 out of 63 parking bays will have electric vehicle charging points. A condition is recommended to require the provision of EV charging points in accordance with the IAQM guidelines, which recommend EV charging points for each parking space where on-site parking is provided for residential dwellings and at least 1 EV “fast charge” point per 1000m² of commercial floorspace. It is also considered those spaces without an EV charging point should be provided with ducting to enable future provision.

SUSTAINABILITY AND ENERGY EFFICIENCY

197. Policy L5.1 of the Core Strategy states that new development should maximize its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralized energy generation. Policy L5.4 goes on to say that development will need to demonstrate how it contributes towards reducing CO₂ emissions within the Borough and L5.5 states that there is potential to deliver a CO₂ reduction target of up to 5% above current Building Regulations. It is considered that Policies L5.1 to L5.11 are out-of-date as they do not reflect NPPF guidance on climate change. Paragraph 154 of the NPPF states that new development should be planned in ways that can help reduce greenhouse gas emissions, such as through its location orientation and design.

198. The application is accompanied by a Carbon Budget Statement for each part of the development which confirms that all buildings will comply with Building Regulations AD Part L2A and a CO₂ reduction target of up to 5% above current Building Regulations as required by Policy L5.

199. For the proposed townhouses the intention is to adopt an enhanced building fabric based on values which are better than the minimum required for compliance with Building Regulations AD Part L 2013. Furthermore efficient systems will be adopted to minimise the building energy consumption and contribute further towards a building which is compliant with Building Regulations. This includes air source heat pumps for main heating and electric heating for hot water to reduce carbon emissions. Initial sample SAP calculations showed that the building achieved a 5.18% improvement on Building Regulations, when constructed utilising the fabric performance values and system performance parameters outlined in the report.

200. For the proposed apartments a fabric first solution is proposed by minimising heat loss through the thermal elements. Heating will be provided by direct electric heating for both space heating and hot water and a small PV array will be utilised. Initial sample SAP calculations showed that the building achieved a 7.56%

improvement on Building Regulations when constructed utilising the fabric performance values and system performance parameters outlined in the report.

201. For the proposed care home main heating will be provided by gas fired high efficiency (95%) low NOx modular boilers and hot water provided by gas fired high efficiency (97%) storage water heaters. The analysis shows that the building achieves a 7.7% improvement on Building Regulations when constructed utilising the fabric performance values and system performance parameters outlined in the report.

202. For the proposed day nursery main heating will be provided by gas fired high efficiency (95%) low NOx modular boilers and hot water provided by gas fired high efficiency (97%) storage water heaters. The analysis shows that the building achieves a 7.1% improvement on Building Regulations when constructed utilising the fabric performance values and system performance parameters outlined in the report.

203. The reports state that roof mounted photovoltaic panels will be provided on all buildings, however they aren't shown on the submitted drawings and the reports also state it is proposed to fully review the inclusion of photovoltaic panels at the design stage. In the case of the proposed apartments and the day nursery (the existing villas and Hydro), PV panels could potentially harm the character and appearance of these historic buildings and it is considered this harm would outweigh the benefits of installing solar panels on these buildings. PV panels are therefore not considered appropriate on these buildings. The applicant has since confirmed the intention is to install PV panels on all new build elements and omit them from the retained buildings.

204. As summarised at paragraph 196 above, the scheme includes a significant number of EV charging points which will help encourage electric vehicle use and reduced CO₂ emissions.

205. The Council's Sustainability and Climate Change Officer has raised a number of queries with the above, including clarification required on the % improvement above Building Regulations, why air source heat pumps have been selected above ground source heat pumps for the townhouses and that an onsite heat network should have been considered at the design stage. For the proposed care home and day nursery, the Carbon Budget Statements state that ground / air source heat has been ruled out as not economically feasible and cites cost and space issues, however this should be considered at the design stage to avoid space restrictions and clarification is required as to why heat pumps are deemed uneconomical. They also comment that individual heat pumps have a higher risk of fugitive greenhouse gas emissions and use of gas fired heating and hot water does not support the local carbon emission target and will become a liability to future emission reduction. An onsite heat network with a single serviced heat pump or array should provide improved

efficiency and pollution control for the entire development and this should be considered at the design stage to avoid space and cost restrictions.

206. The applicant has not responded to the above comments with clarification where requested or with any further reasoning for the systems chosen, other than advise that the submitted statement has provided everything that is required. Notwithstanding this, Officers are satisfied that the proposed development will be able to achieve the goals of Core Strategy Policy L5 and the NPPF in this respect. The applicant has confirmed that the omission of solar panels as part of the energy strategy for the proposed apartments and day nursery does not affect these buildings from achieving the 5% CO2 reduction above Building Regulations.

EQUALITIES

207. The Equality Act became law in 2010. Its purpose is to legally protect people from discrimination in the workplace and in wider society. The Act introduced the term 'protected characteristics', which refers to groups that are protected under the Act. These characteristics comprise: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

208. As part of the Act, the 'public sector equality duty' came into force in April 2011 (Section 149 of the Act), and with it confirmed (via Section 19 of the Act) that this duty applies to local authorities (as well as other public bodies). The equality duty comprises three main aims: A public authority must, in the exercise of its functions, have due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

209. Case law has established that appropriate consideration of equality issues is a requirement for local authorities in the determination of planning applications, and with this requirement directly stemming from the Equality Act 2010.

210. Policy L7.5 of the Core Strategy also requires that development should be fully accessible and usable by all sections of the community and Paragraph 130 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.

211. The application does not include an Equalities Statement, although a 'Universal Access Strategy' is included in the Design and Access Statement which confirms that all people are able to access and use the buildings. This includes ensuring

access for those who are disabled, but also anybody who may have difficulties moving such as families with prams etc. It states all buildings have been designed to be fully compliant with Building Regulations Approved Document M: Access to and use of buildings. Level access has been provided at all entry points to the buildings and to the apartments. All apartments are M4(1) compliant as a minimum, meeting provision for most people (including wheelchair users) to approach and enter the dwelling, access habitable rooms and sanitary facilities. The proposed care home and day nursery both include lift access to the upper floors which is of a sufficient size to suit wheelchairs and prams alongside other residents. The proposed apartments also include lift access to the upper floors. Accessible parking spaces for the care home, day nursery and apartments will be provided, as discussed above.

212. In terms of the other protected characteristics covered by the Equality Act, the applicant has advised that as a mixed use development which provides nursery care for children, a care home for people in need of care which is typically occupied by the elderly, and dwellings in the form of apartments and townhouses, the scheme demonstrably provides equality of opportunity for all persons irrespective of their age, ability, gender, race, religion and sexual orientation.

213. Officers are satisfied that no disbenefits have been identified in this respect and on this basis, the proposed development is considered to have appropriately addressed matters of equality.

CRIME PREVENTION AND SECURITY

214. Policy L7.4 of the Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety. Paragraphs 92 and 130 of the NPPF require planning decisions to achieve inclusive and safe places which are *“safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”*.

215. The application includes a Crime Impact Statement prepared by GMP (Design for Security) which states GMP support the construction of houses, apartments, a care home and a day nursery on the site. The only significant issues raised relate to parking and access and GMP have made several recommendations to improve security within the scheme, set out in the Crime Impact Statement.

216. GMP support the application and recommend a condition requiring the development, where feasible, to be designed and constructed in accordance with the recommendations and specification set out in sections 3 and 4 of the Crime Impact Statement and the agreed measures to be retained and maintained thereafter. GMP also advise that if permission is granted the applicant would then need to apply for the SBD accreditation and achieve either Bronze, Silver or Gold accreditation at which point GMP would support the discharge of the condition. On this basis, it is

considered that the proposed development would be acceptable with regard to matters of security and safety subject to the condition outlined above.

REFUSE ARRANGEMENTS

217. Bin storage areas are identified to the side or rear of each of the proposed townhouses and are designed to accommodate the number of bins required. A refuse vehicle will be able to enter the site from Langham Road for collection of bins from the end units, whilst the two middle units would have access to Marlborough Road to leave bins for kerbside collection. The Council's Waste Management section confirm these proposals to be acceptable. For the proposed apartments there would be a shared refuse store on the ground floor. A refuse vehicle will be able to enter the site from Marlborough Road for waste collection from the apartments. The Waste Management section has raised concerns as to whether the bin store can accommodate the required number of bins and that it would not be easy to access. For the proposed care home a refuse store is proposed adjacent to the southern boundary and a refuse vehicle will be able to enter the site from Marlborough Road. Collection is proposed twice weekly by a maintenance company. For the proposed children's day nursery a bin store is proposed adjacent to the southern boundary and a refuse vehicle will be able to enter the site from Langham Road. The Waste Management section comment that in the event these bin stores are not large enough, the frequency of collection can be increased as they will have commercial waste contracts. Any further comments from the Waste Management section in response to the amended site layout plan and swept path analysis will be reported in the Additional Information Report.

DEVELOPER CONTRIBUTIONS

Affordable Housing

218. As set out at paragraph 22 above, a commuted sum is considered appropriate in this case in lieu of providing affordable units on site and the sum equivalent to providing a policy compliant level of affordable housing (45%) has been calculated as £1,782,540.

Spatial Green Infrastructure

219. As set out at paragraph 171 above, a total contribution of £17,513.50 is required, comprising £5,235.52 towards local open space and £12,277.98 towards provision for children/young people.

220. As set out at paragraph 173 above, a contribution of £16,848 towards outdoor sports facilities is required.

Specific Green Infrastructure

221. This section of the SPD relates to appropriate tree planting and other forms of green infrastructure that would be appropriate to mitigate the impact of the development. The application includes a landscape strategy and schedule of tree and hedge planting which is considered an acceptable quantum and type of green infrastructure for the site, subject to conditions to secure its implementation and subsequent management.

Education

222. As set out at paragraph 167 above, a contribution of £24,753 is required to mitigate the impact of the development on secondary school places.

Healthcare

223. As set out at paragraph 50 above, a total contribution of £264,600 over a 5 year period is required to mitigate the impact of the development on General Practice and other health care providers.

Community Infrastructure Levy

224. 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, and apartments will be liable to a CIL charge rate of £65 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

225. The proposed care home and the proposed children's day nursery fall within the category of 'all other development', consequently these parts of the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

PLANNING BALANCE AND CONCLUSION

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

227. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process. As the Council does not have a five year supply of housing land, paragraph 11(d) of the NPPF is engaged. An assessment of the scheme against paragraph 11(d)(i) does not suggest that there is a clear reason for refusal of the application when considering the matters referred to in footnote 7, including in relation to designated heritage assets. The application therefore falls to be considered against Paragraph 11(d)(ii): granting permission unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

228. The adverse impacts of granting permission for the proposed development are summarised as follows:

- Minor harm to the setting of the Bowdon Conservation Area and negligible harm to the Hale Station Conservation Area as a result of the overall amount of development proposed. This equates to less than substantial harm in NPPF terms.
- Potential for some on-street parking on surrounding roads which could disrupt the free-flow of traffic, create danger to pedestrians and cyclists and inconvenience existing residents.

229. These adverse impacts must be assessed as to whether they outweigh the benefits of granting permission when assessed against the policies in the NPPF as a whole.

230. The main benefits that would be delivered by the proposed development are considered to be as follows:

- The provision of 12 new housing units that will contribute towards the Council's housing supply and a further contribution equivalent to 28 units towards the Council's housing supply resulting from the proposed care home and the potential associated 'freeing-up' of local housing;
- The re-use of previously developed land which will contribute positively to the Council's policy aspiration to maximise the use of previously developed land for housing;
- Bringing a vacant, untidy site back into use which will improve its appearance;
- The retention, refurbishment and re-use of the Hydro and semi-detached villas, both non-designated heritage assets which make a positive contribution to the Conservation Area;
- An improved setting to the retained historic buildings as a result of the space created between the historic buildings and the demolition of inappropriate modern extensions that will allow the buildings to be read independently and which reinstates the historic urban grain and will enhance their contribution to the Conservation Area;
- Increased soft landscaping;
- Provision of affordable housing through a financial contribution equivalent to a policy compliant level of on-site affordable housing;
- A development of a high quality design and materials, subject to the receipt of revised drawings as set out in the report;
- The creation of a total of 65 full-time and 35 part-time jobs between the proposed care home and day nursery elements of the scheme and economic benefits that will flow from construction and occupation.

231. The main adverse impacts relate to the less than substantial harm to the setting of the Bowdon Conservation Area and the Hale Station Conservation Area for the reasons set out in the relevant sections of the report. However the benefits arising from the scheme are numerous and a number of them can be given significant weight. Substantial weight is afforded to the re-use of previously developed land in a sustainable location, the contribution to housing land supply, and an improved setting to the retained historic buildings which will enhance their contribution to the Bowdon Conservation Area. Significant weight is also given to the high quality design and increased green infrastructure. Weight is also afforded to the other benefits listed above.

232. Considerable importance and weight has been given to the desirability of preserving the setting and the character and appearance of the identified designated heritage assets. The public benefits of the proposals are considered to outweigh the less than substantial harm to the significance of the Bowdon and Hale Station Conservation Areas as identified in this report. As such, the application of policies in the NPPF that protect areas or assets of particular importance (in this case, heritage) does not provide a clear reason for refusing the development proposed.

233. Having carried out the balancing exercise and considering the basket of development plan policies as a whole it is concluded that the benefits of granting planning permission outweigh the harms of doing so.

234. All other planning matters have been assessed, including design, amenity, highways and parking, ecology and green infrastructure, drainage and contamination. No conflict with the development plan or the NPPF have been found in respect of any of these issues, which have been found to be acceptable, with, where appropriate, specific mitigation to be secured by planning condition or planning obligation. It is considered that the application complies with the development plan when taken as a whole.

235. Given the above, the application is recommended for approval subject to conditions and an appropriate legal agreement.

RECOMMENDATION

That Members resolve that they would be **MINDED TO GRANT** planning permission for the development and that the determination of the application hereafter be deferred and delegated to the Head of Planning and Development as follows:-

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
 - A financial contribution of £1,782,540 towards the provision of affordable housing off-site in accordance with paragraph 3.33 of SPD1 – Planning Obligations.

- A financial contribution of £264,600 towards health care facilities, to be paid annually in five equal amounts with the initial payment on first occupation of the care home, and an annual review of the expenditure with any expenditure not allocated to the care home refunded.
- A financial contribution of £24,753 towards the provision of secondary school places.
- A financial contribution of £17,513.50 towards local open space and play facilities, comprising £5,235.52 towards local open space and £12,277.98 towards provision for children/young people.
- A financial contribution of £16,848 towards outdoor sports facilities.

- (ii) To carry out minor drafting amendments to any planning condition.
- (iii) To have discretion to determine the application appropriately in the circumstances where a S106 agreement has not been completed within three months of the resolution to grant planning permission.
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be **GRANTED** subject to the following conditions (unless amended by (ii) above): -

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

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

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

- LRB-CWA-S-XX-DR-A-0222 Rev P01 – Demolition – Site Plan
- LRB-CWA-S-LG-DR-A-0230 Rev P03 – Lower Ground Demolition Plan
- LRB-CWA-S-00-DR-A-0231 Rev P03 – Ground Floor Demolition Plan
- LRB-CWA-S-01-DR-A-0232 Rev P03 – First Floor Demolition Plan
- LRB-CWA-S-02-DR-A-0233 Rev P03 – Second Floor Demolition Plan
- LRB-CWA-S-XX-DR-A-0234 Rev P00 – Demolition – West Elevation
- LRB-CWA-S-XX-DR-A-0235 Rev P00 – Demolition – East Elevation
- LRB-CWA-S-XX-DR-A-0236 Rev P00 – Demolition – North & South Elevations
- LRB-CWA-S-XX-DR-A-0301 Rev P011 – Proposed Site Plan Entrance Level
- LRB-CWA-S-XX-DR-A-0310 Rev P04 – Proposed Site Sections
- LRB-CWA-T1-XX-DR-A-0300 Rev P-07 – Plots 1-3 – GA Plans
- LRB-CWA-T1-XX-DR-A-0301 Rev P-07 – Plots 1-3 – GA Elevations
- LRB-CWA-T1-A-0304 Rev P-01 – Plots 1-3 Design Intent Sheet 1

- LRB-CWA-T1-A-0305 Rev P-01 – Plots 1-3 Design Intent Sheet 2
- LRB-CWA-T1-A-0306 Rev P-01 – Plots 1-3 Design Intent Sheet 3
- LRB-CWA-T1-XX-DR-A-0307 Rev P-00 – Plots 1-3 – Typical Roof Junction Details
- LRB-CWA-T1-A-0308 Rev P-00 – Plots 1-3 – Typical Window/Door Details
- LRB-CWA-T2-XX-DR-A-0300 Rev P-06 – Plots 4-6 – GA Plans
- LRB-CWA-T2-XX-DR-A-0301 Rev P-06 – Plots 4-6 – GA Elevations
- LRB-CWA-T2-A-0303 Rev P-01 – Plots 4-6 Design Intent Sheet 1
- LRB-CWA-T2-A-0304 Rev P-01 – Plots 4-6 Design Intent Sheet 2
- LRB-CWA-BB-XX-DR-A-0300 Rev P4 – Block B – GA – Proposed LG – 2nd Floor Plans
- LRB-CWA-BB-RF-DR-A-0301 Rev P2 – Block B – GA – Proposed Roof Plan
- LRB-CWA-BB-XX-DR-A-0302 Rev P3 – Block B – GA – Proposed Elevations
- LRB-CWA-BC-00-DR-A-0300 Rev P010 – Block C – GA – Ground Floor Plan
- LRB-CWA-BC-01-DR-A-0301 Rev P08 – Block C – GA – First Floor Plan
- LRB-CWA-BC-02-DR-A-0302 Rev P08 – Block C – GA – Second Floor Plan
- LRB-CWA-BC-03-DR-A-0303 Rev P08 – Block C – GA – Third Floor Plan
- LRB-CWA-BC-RF-DR-A-0304 Rev P08 – Block C – GA – Roof Plan
- LRB-CWA-BC-XX-DR-A-0305 Rev P08 – Block C – GA – Elevations Sheet 1
- LRB-CWA-BC-XX-DR-A-0306 Rev P07 – Block C – GA – Elevations Sheet 2
- LRB-CWA-BC-A-0307 Rev P01 – Block C Design Intent Sheet 1
- LRB-CWA-BC-A-0308 Rev P01 – Block C Design Intent Sheet 2
- LRB-CWA-BD-XX-DR-A-0300 Rev P03 – Block D – GA – Lower Ground to First Floor Plans
- LRB-CWA-BD-XX-DR-A-0301 Rev P03 – Block D – GA – Second Floor and Roof Plan
- LRB-CWA-BD-XX-DR-A-0302 Rev P05 – Block D – GA – Elevations
- LRB-CWA-S-XX-DR-A-0320 Rev P01 – Bay Elevations – Sheet 1
- LRB-CWA-S-XX-DR-A-0321 Rev P05 – Bay Elevations – Sheet 2
- LRB-CWA-S-XX-DR-A-0322 Rev P05 – Bay Elevations – Sheet 3
- LRB-CWA-S-XX-DR-A-0323 Rev P05 – Bay Elevations – Sheet 4
- LRB-CWA-S-XX-DR-A-0324 Rev P01 – Bay Elevations – Sheet 5
- LRB-CWA-S-XX-DR-A-0309 Rev P-01 – Proposed Sub-station, Refuse and Cycle Store

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

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and full specifications of all materials to be used externally on the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The specifications shall include the type, colour and texture of the materials. The samples shall include constructed panels of all proposed brickwork and stonework illustrating the type of joint, the type of bonding, the colour of the mortar to be used,

window sample panels and reveal details, cills and header brickwork, with these panels available on site for inspection, and retained for the duration of the build. 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 and having regard to Policies L7 and R1 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

4. No above ground construction works shall take place unless and until a detailed façade schedule for all elevations of the buildings has first been submitted to and approved in writing by the Local Planning Authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include:
 - i. All brickwork detailing
 - ii. All fenestration details and recesses, including detailed drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details of all external window and door systems (including technical details (mullions and transoms, methods of openings), elevations, plans and cross sections showing cills and reveal depths/colour).
 - iii. All entrances into the buildings
 - iv. The siting of any equipment on the roofs of the development, including the proposed photovoltaic panels
 - v. The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the buildings
 - vi. The siting of any external façade structures such as meter boxes
 - vii. The siting and design of any fixed plant

This condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved detailed façade schedule.

Reason: To ensure a high quality standard of development in the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

5. More information will be required regarding the consolidation and restoration of these buildings including structural surveys
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 formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications

and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

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

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R1, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: To ensure that the site is satisfactorily landscaped having regard to its location, the nature of the proposed development and having regard to Policies L7, R1, R2 and R3 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 drawing no. PM/TPP/8/7/22 Rev 2 – Tree Protection Plan 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 existing trees on and adjacent to the site in the interests of the amenities of the area having regard to Policies L7, R1, 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. No development shall take place, including any works of demolition, until a Construction and Pre-Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, including

details of the proposed measures to manage and mitigate the main environmental effects. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall address, but not be limited to the following matters:

- a. Suitable hours of construction and pre-construction activity (see below)
- b. the parking of vehicles of site operatives and visitors
- c. deliveries to site, including location and hours
- d. loading and unloading of plant and materials including times of access/egress
- e. storage of plant and materials used in constructing the development
- f. the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate
- g. wheel washing facilities and any other relevant measures for keeping the highway clean during demolition and construction works
- h. 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
- i. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)
- j. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- k. 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
- l. information to be made available for members of the public
- 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.

Acceptable site working hours are as follows:

Monday - Friday: Start 7:30am (with a restriction on the hours of operation heavy plant and machinery and major demolition and construction works until 8:00am) and finish at 6pm.

Saturday: Start 9am and Finish at 1pm.

Sundays and Bank Holidays: No work permitted.

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 Policies L4, L5 and 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.

10. The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles

have been provided, constructed and surfaced in complete accordance with the plans hereby approved and the hard surface materials approved under Condition 5 of this permission.

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.

11. The car parking spaces shown on approved drawing no. LRB-CWA-S-XX-DR-A-0301 Rev P011 – Proposed Site Plan Entrance Level shall be made fully available prior to the development being first brought into use and shall be retained thereafter for their intended purpose. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, no development (other than that carried out in accordance with this permission) shall take place on any of the areas so provided.

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

12. The children's day care nursery hereby approved shall not be brought into use until a Car Park Management Plan for the 7 spaces to be shared with the residential properties has been submitted to and approved in writing by the Local Planning Authority. The Car Park Management Plan shall include details as to how the shared spaces will be managed to ensure that they are available solely for drop-off and pick-up associated with the children's day care nursery during opening hours and not occupied by residents at these times. The approved Car Park Management Plan shall be implemented upon first occupation of the development and adhered to at all times thereafter.

Reason: To ensure that satisfactory car parking provision is available within the site for the accommodation of vehicles attracted to or generated by the proposed children's day care nursery, having regard to Policies L4 and L7 of the Trafford Core Strategy, Supplementary Planning Document 3: Parking Standards and Design and the National Planning Policy Framework.

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

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

14. A full Travel Plan (TP) shall be submitted to the Local Planning Authority for review and approval in writing within 6 (six)-months of the first date of operation:

- A firm commitment to targets detailed within the TP is expected, as such measures indicated in the TP shall not be primarily concerned with providing information e.g. timetables for public transport etc, a map of the local area etc.;
- The TP shall include realistic and quantifiable targets, and
- The TP shall include effective objectives and incentives to reduce car travel and increase use of non-car modes for staff and visitors;
- TP targets shall be reviewed and monitored against the baseline which will be established within 3-months of the first date of operation;
- Employee (amend to show relevant target audience) travel survey shall be completed every 12 (twelve)-months from the date of first operation, and for a minimum period of ten years (i.e. minimum 12 (twelve) no. surveys excluding baseline surveys);
- Visitor surveys shall be completed as a minimum, once every 24 (twenty-four)-months from the date of first operation, and for a minimum period of ten years (i.e. minimum 5 (five) no. surveys); and
- The TP shall be implemented for a period of not less than 10 (ten) years from the first date of operation.

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

15. Before the development hereby approved is first brought into use the existing redundant vehicular crossing from Marlborough Road shall have been permanently closed and reinstated in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and visual amenity having regard to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document SPD3: Parking Standards and Design and the National Planning Policy Framework.

16. The improvements to the boundary treatment adjacent to the public right of way as detailed on drawing no. 4952-10 Rev A – Improvements to Public Right of Way, shall be completed prior to the first occupation of any part of the development.

Reason: In the interests of amenity for users of the public footpath having regard to Policy L7 of the Trafford Core Strategy.

17. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place until an investigation and risk assessment in relation to contamination on site (in addition to the assessment submitted 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, 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.

18. No part of the development hereby permitted shall 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.

19. The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the submitted Flood Risk Assessment and Drainage Strategy Report Job No: 1/21327 Rev. C dated 28 September 2022, prepared by Clancy Consulting Limited) and should be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

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

20. Prior to the first occupation of the development hereby permitted, a management and maintenance plan for the drainage scheme required by Condition 19 for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

21. The drainage for the development hereby permitted, shall be carried out in accordance with principles set out in the submitted Proposed Drainage Strategy Drawing 1/21327-CCL-00-00-DR-C-500, Rev P02 dated 25 July 2022, prepared by Clancy Consulting Limited.

For the avoidance of doubt surface water must drain at the restricted rate of 43 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. The applicant is still required to provide an assessment of overland flow routes for extreme events that are diverted away from buildings.

Prior to occupation of the development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

22. No development shall take place until the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI) has been secured and which has been prepared by the appointed archaeological contractor and submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the site investigation has been completed in accordance with the approved WSI. The WSI shall cover the following:

1. A phased programme and methodology to include:
 - a) a historic building survey of the 19th-century elements of the Bowdon Hotel (Historic England Level 2 / 3);
 - b) pending results of the above, a watching brief during the 'soft strip' / refurbishment.
2. A programme for post-investigation assessment to include:
 - a) analysis of the site investigation records and finds
 - b) production of a final report on the significance of the heritage interest recorded.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. Dissemination of the results of the site investigations commensurate with their significance.
5. Provision for archive deposition of the report, finds and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI

Reason: In accordance with NPPF policy 16, paragraph 205 and having regard to Policy R1 of the Trafford Core Strategy: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible.

23. No development shall take place, including any works of demolition, unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: The works will require a licence from Natural England and to ensure that the favourable conservation status of bats would be maintained at this site, having

regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

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

Reason: In order to prevent any habitat disturbance to nesting birds having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework. Details for this condition need to be submitted prior to the commencement of works on site because mitigation measures need to be in place prior to any operations taking place on site [all nesting birds their eggs and young are protected under the terms of the Wildlife and Countryside Act 1981 (as amended)].

25. Prior to any above ground construction work first taking place, a scheme detailing the provision of bird boxes, bat boxes, bricks or tubes and any other measures to enhance biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and retained thereafter.

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

26. The development hereby approved shall be designed and constructed in accordance with the recommendations contained in sections 3 and 4 of the submitted Crime Impact Statement dated 09 March 2022, ref. 2022/0033/CIS/01 Version C, and retained thereafter. For the avoidance of doubt the requirements of this condition do not include aspects of security covered by Part Q of the Building Regulations 2015, which should be brought forward at the relevant time under that legislation.

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

27. The rating level (LAeq,T) from any fixed plant and machinery associated with the development, when operating simultaneously, shall be 10dB below the background noise level (LA90,T) at any time when measured at the nearest noise sensitive premises at the quietest time that the equipment would be operating/in use. Noise

measurements and assessments should be compliant with BS 4142:2014+A1:2019 “Methods for rating and assessing industrial and commercial sound”.

Reason: In the interests of the amenity of the occupiers of the development and nearby properties, having regard to Policies L5 and L7 of the Trafford Core Strategy.

28. The development hereby approved shall not be occupied or brought into use until a scheme for the provision of at least one electric vehicle (EV) charge point for every residential dwelling (minimum 7kWh) with dedicated parking or one electric vehicle (EV) charge point (minimum 7kWh) for every 10 car parking spaces for unallocated parking and provision for 1 charge point (minimum 7kWh) per 1000m² of commercial floorspace has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include the provision of ducting to all other parking spaces for future EV installation. The EV charging facilities shall thereafter be installed in accordance with the approved details before the development is first occupied or brought into use and retained thereafter in working order.

Reason: In the interests of sustainability and reducing air pollution having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

29. No external lighting shall be installed on the buildings or elsewhere on the site unless a scheme for such lighting has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the lighting is provided in accordance with the Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2020. Thereafter the site shall only be lit in accordance with the approved scheme.

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

30. Servicing, deliveries and waste/recycling collections to the site shall only take place between 08:00 and 21:00 hours on Mondays to Saturdays and not on Sundays and Bank Holidays.

Reason: In the interests of amenity and having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

31. The good practice control measures identified in the submitted Air Quality Assessment ref. 5236r2 dated 15 February 2022 prepared by Redmore Environmental Ltd shall be implemented in full.

Reason: In the interests of amenity and having regard to Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

32. 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)

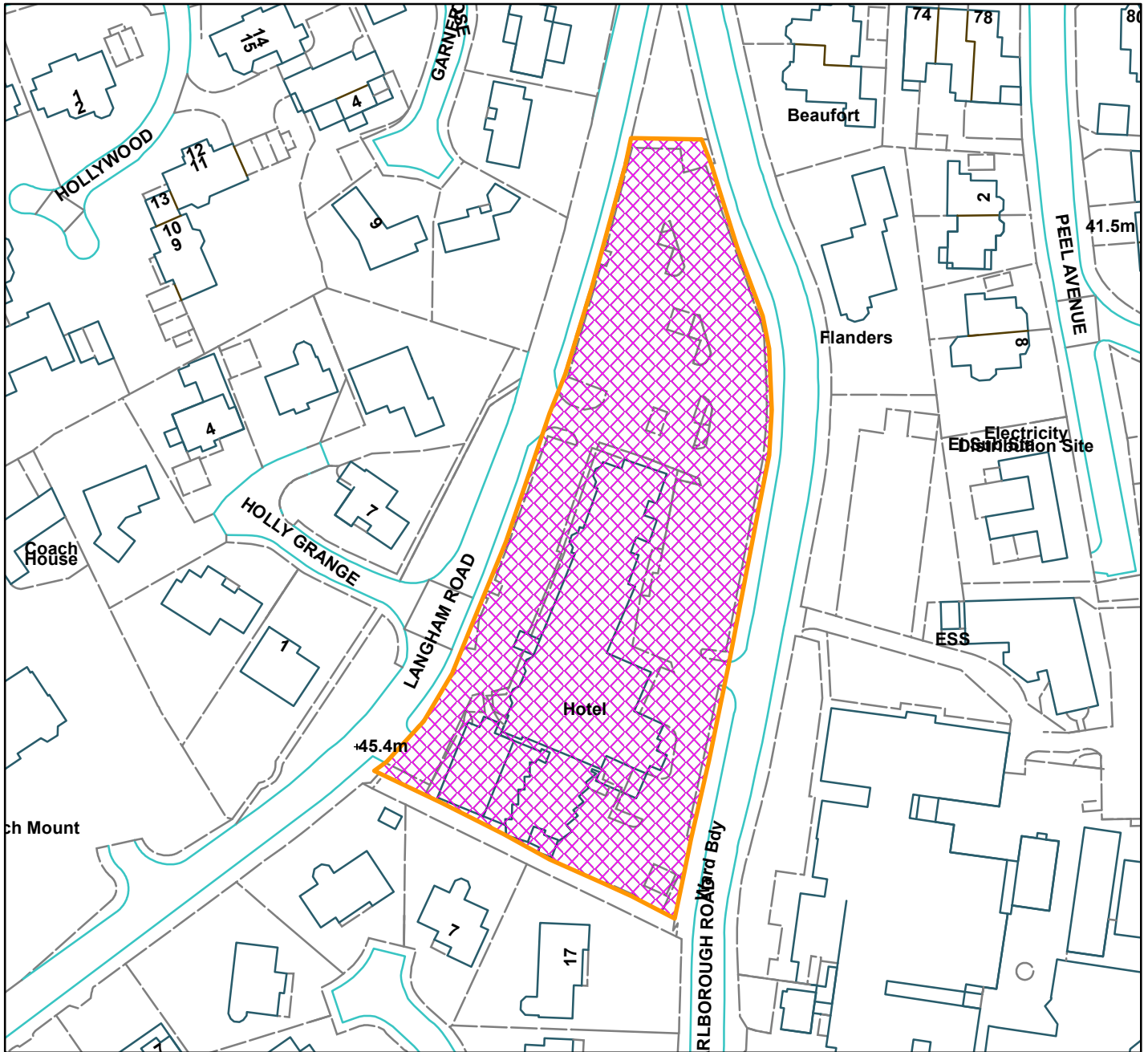
- (i) no extensions shall be carried out to the dwellings;
- (ii) no garages or carports shall be erected within the curtilage of the dwellings;
- (iii) no vehicle standing space shall be provided within the curtilage of the dwellings;
- (iv) no buildings, gates, wall, fences or other structures shall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

Reason. To protect the residential and visual amenities of the area, privacy, and/or public safety, having regard to Policies L7 and R1 of the Trafford Core Strategy and the National Planning Policy Framework.

RG



The Bowdon Hotel, 5 Langham Road, Bowdon WA14 2HT



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date 19/01/2023
Date	05/01/2023
MSA Number	100023172 (2022)

WARD: Ashton on Mersey **108723/HHA/22**

DEPARTURE: No

Erection of single storey side and rear extension

16 Bowness Drive, Sale, M33 6WH

APPLICANT: Owner/Occupier

AGENT: William McCall

RECOMMENDATION: GRANT

The application has been reported to the Planning and Development Management Committee because the applicant is an officer employed in the Place Directorate

SITE

The application relates to a two-storey, semi-detached dwellinghouse sited to the south of Bowness Drive, Sale. The property currently benefits from an existing rear conservatory, single storey side extension and detached garage to the rear. The property is surrounded by residential land uses on all sides.

PROPOSAL

Planning permission is sought for the erection of a single storey side and rear extension to wrap around the original dwelling. The extension is to adjoin to the existing single storey side extension and replace the rear conservatory.

The proposed single storey side extension is to project 1.83m beyond the original side elevation of the dwelling and is to be set marginally back from the existing front elevation. The proposed side extension is to have a depth of 4.48m and is to adjoin to the existing single storey side extension at the property. A minimum separation distance of 714mm is to be retained to the side boundary. The proposed single storey rear extension is to project 3.5m beyond the original rear elevation. The rear extension is to have a total width of 7.69m with minimum separation distances of 150mm and 750mm to be retained to the shared boundaries with Nos.15 and 17 respectively. The existing rear garage is to be demolished.

The proposed extensions are to have a hipped roof that is to wrap around the original dwelling with a maximum ridge height of 3.85m and an eaves height of 2.53m. There would be 1no. ground floor window to the front elevation and 1no. access door to the side elevation. To the rear elevation there would be 1no. set of bi-fold doors and adjoining windows and 1no. ground floor window.

Brickwork, concrete roof tiles and white UPVC windows/doors would match the appearance of existing building materials.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7 – Design

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

OTHER LOCAL POLICY DOCUMENTS

SPD4 – A Guide for Designing House Extensions and Alterations

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors have been appointed to

undertake an Examination in Public of the PfE Submission Plan and the hearings are scheduled to start in November 2022. Whilst PfE is at an advanced stage of the plan making process, for the purposes of this application it is not yet advanced enough to be given any meaningful weight, such that it needs consideration in this report.

RELEVANT PLANNING HISTORY

108723/HHA/22. Certificate of lawfulness for a proposed hip-to-gable roof extension and rear dormer and rooflight on front roofslope. Approve. 28/09/2022.

H34519. ERECTION OF A TWO STOREY SIDE EXTENSION TO FORM A CAR PORT WITH A BEDROOM OVER. Refusal. 18/12/1991.

H25110. ERECTION OF SIDE EXTENSION TO FORM ENLARGED KITCHEN AND CAR PORT. Approve with Conditions. 20/05/1987.

APPLICANT'S SUBMISSION

None

CONSULTATIONS

None

REPRESENTATIONS

No written representations were received in response to this application.

OBSERVATIONS

Principle of Development

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

Design and Visual Amenity

2. Paragraph 126 of NPPF states 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'
3. Policy L7 of the Core Strategy requires that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.

4. The design has been considered in line with Policy L7 and guidance contained within SPD4.
5. The proposed single storey side extension is to project 1.83m beyond the original side elevation to match the projection of the existing side extension and is to be set marginally back from the existing front elevation. The proposed side extension is to have a depth of 4.48m and is to adjoin to the existing single storey side extension at the property. A minimum separation distance of 714mm is to be retained to the side boundary. The proposed single storey rear extension is to project 3.5m beyond the original rear elevation. The rear extension is to have a total width of 7.69m with minimum separation distances of 150mm and 750mm to be retained to the shared boundaries with Nos.15 and 17 respectively. The existing rear garage is to be demolished. The extensions are of an acceptable scale and are proportionate and complementary, in height and width, to the size of the original dwelling.
6. The proposed extensions are to have a hipped roof that is to wrap around the original dwelling with a maximum ridge height of 3.85m and an eaves height of 2.53m. The proposed hipped roof will tie-in to the existing roof serving the single storey side extension. The proposed windows are of acceptable size and positioning.
7. It is therefore considered that the proposed extension would be acceptable in design terms and would not have a detrimental impact on the visual amenity of the street scene or the surrounding area. As such, it is considered that the proposal would comply with Policy L7 of the Core Strategy and the NPPF in relation to good design.

Residential Amenity

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

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

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

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

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

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

17 Bowness Drive

11. No.17 Bowness Drive is the neighbouring property located to the east of the application dwelling and is angled away from the shared boundary. This neighbouring property benefits from a similar single storey side and rear extension itself.

12. The proposed single storey rear extension would not project beyond the rear elevation of the single storey rear extension at this neighbouring property. The rear extension would therefore comply with paragraph 3.4.2 of SPD4 in relation to this neighbouring property and is not considered to cause any unacceptable overbearing or overshadowing impact.

15 Bowness Drive

13. No.15 Bowness Drive is the neighbouring property located to the west of the application dwelling. This neighbouring property benefits from a single storey rear extension that projects approximately 3m to the rear.

14. The proposed single storey rear extension would project 0.55m beyond the rear elevation of the conservatory at this neighbouring property with a 150mm separation distance to be retained to the shared boundary. The rear extension would therefore comply with paragraph 3.4.2 of SPD4 in relation to this neighbouring property and is not considered to cause any unacceptable overbearing or overshadowing impact.

Neighbouring properties to the rear

15. A minimum separation distance of at least 16.5m is to be retained between the proposed rear extension and the rear site boundary. The rear extension is therefore not considered to cause any unacceptable overlooking impact upon any of the neighbouring properties to the rear.

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

Parking

17. The single storey side and rear extensions would not result in the creation of an additional bedroom and one parking space would be retained on the site frontage. It is therefore considered that there would not be any unacceptable parking impacts.

DEVELOPER CONTRIBUTIONS

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

PLANNING BALANCE AND CONCLUSION

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

20. All relevant planning issues have been considered in concluding that the proposal comprises an appropriate form of development for the site. The application is therefore recommended for approval.

RECOMMENDATION:

Approve Subject to Conditions:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 05 22 71A (1 of 2 and 2 of 2).

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

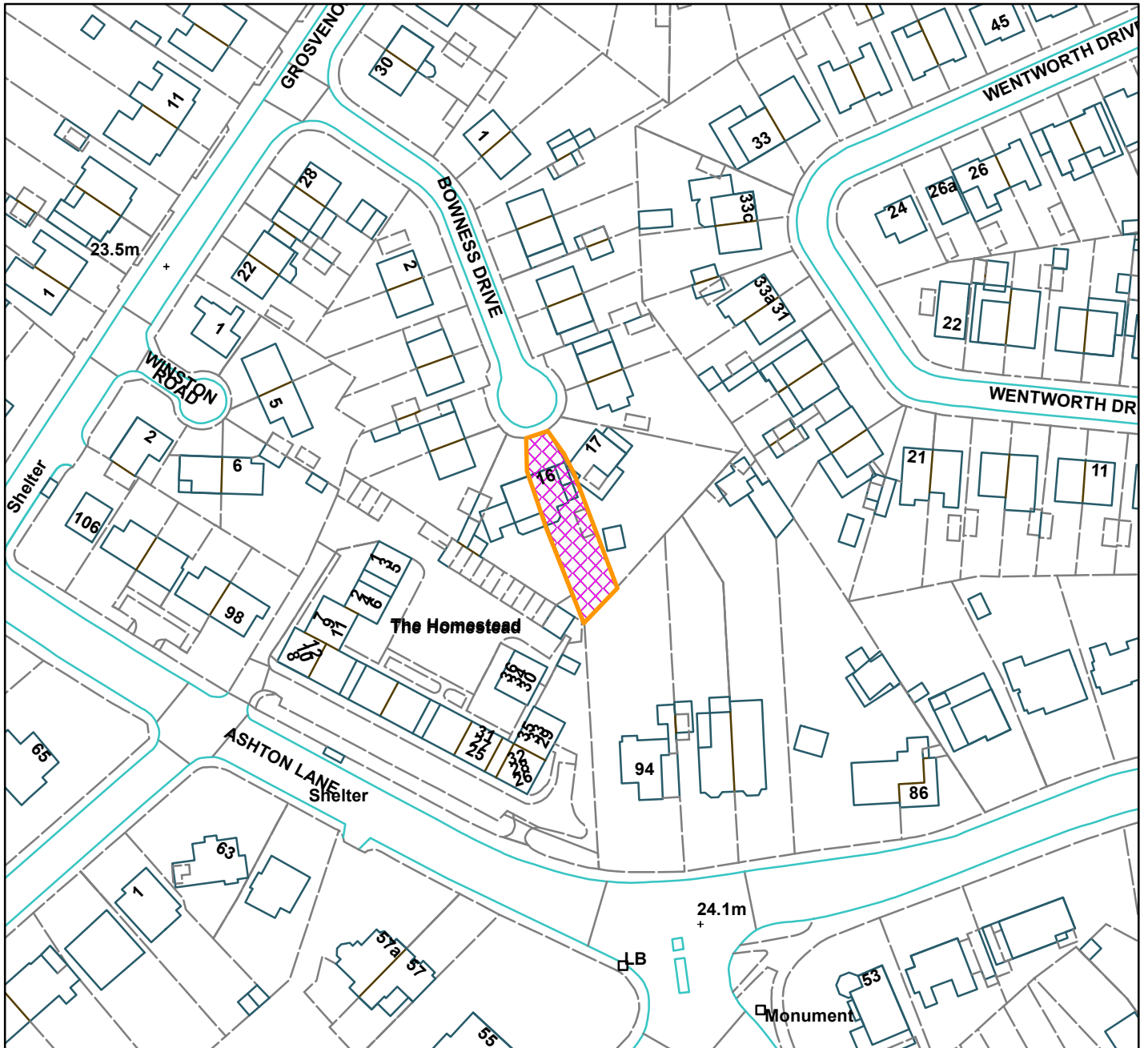
3. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing building.

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

DC



16 Bowness Drive, Sale M33 6WH



Scale: 1:1,250

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Department	Planning Service
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