

WARD: Longford

108338/FUL/22

DEPARTURE: No

Demolition of building and erection of 60 no. affordable dwellings, comprising 50 no. apartments and 10 no. houses, and associated works.

Land At Christie Road, Stretford, M32 0EW

APPLICANT: Southway Housing Trust

AGENT: Pegasus Group

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 permission for the erection of 60 no. affordable dwelling units following the demolition of the existing building on the site. This would comprise 50 no. apartments (16 no. one bedroom and 34 no. two bedroom) and 10 no. three bedroom houses and associated access, parking and landscaping. The application states that the scheme will be 100% owned and managed by Southway Housing Trust who are a registered social landlord.

During the consideration of the application, significant amendments have been negotiated. These relate to the number of vehicular accesses, parking, landscape layout and the siting, scale, massing and external appearance of the buildings.

Objections received relate primarily to potential residential amenity impacts, parking levels and traffic, the amount of affordable housing and impacts on ecology and local infrastructure. The representations received have been duly noted and the issues raised considered as part of the application appraisal.

There are no Tree Preservation Orders or Conservation Areas affecting the site but it does lie within the setting of St Ann’s Church, Chester Road (Grade II Listed) and the Bridgewater Canal which is a non-designated heritage asset. However it has been concluded that the development would not result in any harm to the setting of either of these heritage assets.

All other detailed matters have been assessed and the proposal is considered to be acceptable in policy terms and in terms of design, residential amenity, parking, highway safety, ecology, and flood risk, drainage, contamination and other relevant matters.

The Council cannot demonstrate a five year housing land supply and therefore paragraph 11(d) of the NPPF is engaged. When assessing the scheme against paragraph 11(d)(i) there is no clear reason for refusal when considering the matters referred to in footnote 7, including in relation to designated heritage assets. When the tilted balancing exercise is carried out the benefits of the scheme significantly and demonstrably outweigh any harm which would arise. The application is therefore recommended for approval, subject to appropriate conditions and a legal agreement.

SITE

The application relates to a site of approximately 0.60 ha at the junction of Christie Road and Chester Road in Stretford. There is currently a warehouse building in the north-western half of the site, occupied by DW Motors Manchester Ltd, who operate as a vehicle repair centre. The south-eastern half of the site is largely hardsurfaced and mainly used for car parking and there is an additional smaller, triangular area of hardstanding at the north-western end which appears to be largely used for car storage and parking.

Land levels fall significantly from Chester Road into the site with a steeply sloping vegetated area along the north-western boundary containing a number of mature trees. The land levels where the site adjoins Chester Road are approximately 2.5-3 metres higher than the predominant application site land levels. There is also a vegetated strip containing trees along the south-western boundary to the Bridgewater Canal and to the south to the residential properties on Stephenson Road. There are two vehicular accesses to the site off Christie Road and the north-eastern site boundary comprises a brick wall, railings and gates. There are also a number of street trees along Christie Road. Across Christie Road to the north-east is the Itron development which comprises townhouses and apartment blocks along the Christie Road frontage and is largely completed.

The character of the area to the east and south is predominantly residential whereas to the west and north there is a greater mix of commercial and community uses along the A56.

There are no Tree Preservation Orders or Conservation Areas affecting the site but there are heritage assets within the setting of the site – St Ann’s Church, Chester Road (Grade II Listed) and the Bridgewater Canal which is a non-designated heritage asset. The Bridgewater Canal is also a Site of Biological Importance.

PROPOSAL

The application seeks full planning permission for the redevelopment of the site to provide 60 no. affordable dwelling units following the demolition of the existing building on the site.

This would comprise 50 no. apartments (16 no. one bedroom and 34 no. two bedroom) and 10 no. three bedroom houses. The application states that the scheme will be 100% owned and managed by Southway Housing Trust who are a registered social landlord. The tenure would be split between 11 no. one and two bed apartments for affordable rent and 39 no. one and two bed apartments and 10 no. three bed houses for shared ownership.

The apartment building would be situated in the northern half of the site and would have an L-shaped footprint albeit the 'wing' extending south is subservient in height and projection to the main element of the building. The apartment building would range from six storeys in height at the northern corner close to the junction with Chester Road, down to four storeys along Christie Road and three storeys at the southwestern end adjacent to the Bridgewater Canal. Externally, red brick with champagne coloured zinc detailing is proposed. The apartments would incorporate recessed, integrated balconies with associated balustrades.

Two rows of houses would front Christie Road (a terrace of four and a further terrace of three) with a further terrace of three houses at a right angle to and to the rear of, the houses fronting Christie Road. The houses would all be three storey and in addition to private gardens, they would have second floor roof terraces. Externally they would be grey brick incorporating brick detailing to the main elevations.

Vehicular access would be off Christie Road with an access towards the northern end to serve the 27 no. car parking spaces for the apartments. This would include two accessible spaces. A second access further south along Christie Road, would serve a smaller parking area for the houses with 11 no. car parking spaces in total which includes one visitor space. This results in a total of 38 spaces across the site.

Landscaping and amenity space comprises a mix of private and communal gardens, the latter with seating, and the retention and improvement of the landscaped buffer that slopes up to Chester Road. A combination of retained and new trees are proposed across the site in combination with shrubs and perennials, species rich grassland and hedgerows. A separate bin store and cycle store building is proposed in the northern corner of the site. This would have red brick elevations with brick detailing and a sedum roof.

The total floorspace of the proposed development would be **4006 sq m** (GIA).

Value Added: - Significant amendments have been negotiated during the consideration of the application. These relate to the vehicular accesses, parking, landscape layout and the siting, scale, massing and external appearance of the buildings. The changes have resulted in a reduction in the number of residential units overall from 67 to 60 and an increase in houses and decrease in apartments and a reduction in the number of vehicular accesses into the site from three to two. These changes are set out in more detail in the Observations section of the report.

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
W1 – Economy
R1 – Historic Environment
R2 – Natural Environment
R3 – Green Infrastructure
R5 – Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None relevant

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

SPG1: New Residential Development (2004)
SPD2 - A56 Corridor Development Guidelines (2007)
SPD3: Parking Standards and Design (2012)
Revised SPD1: Planning Obligations (2014)
Draft Trafford Design Guide

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 began in November 2022 and are timetabled to continue until at least April 2023. 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 4 January 2023. 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

78495/DEMO/2012 - Demolition of conveyor bridge between industrial units (Consultation under Schedule 2, Part 31 of the Town and Country Planning (General Permitted Development) Order 1995) - Prior Approval Approved 2012

H/46506 - Change of use of building No. 4 from warehouse to offices; erection of an extension to building no. 4 & external alterations including the installation of new windows at 1st floor level to enable the provision of additional office accommodation – Approved 1998

H/25230 - Construction of new car park – Approved 1987

H/22907 - Change of use of former Farouche kitchens premises from industry, showroom and storage to industrial use in association with adjoining site; erection of covered loading bay – Approved 1986

H/13240 – Use of land as car park with associated landscaping – Approved 1980

H/12531 – Installation of two diesel storage tanks - Approved 1980

H/10266 - Erection of warehouse – Approved 1979

H/08828 - Erection of warehouse – Approved 1979

H/06822 - Change of use of former stoneworks site to recreational park, including track area for skateboard use – Refused 1978

H/03811 - Erection of 3 storey office block and workshop – Approved 1976

H/OUT/01344 – Erection of Factory and Offices – Reused and allowed on Appeal 1975

APPLICANT'S SUBMISSION

The following documents have been submitted in support of the application. A number of these reports have been updated during the course of the application. They will be referred to as appropriate in this report: -

- Planning Statement
- Design and Access Statement
- Townscape and Visual Impact Assessment
- Affordable Housing Statement
- Meeting Housing Needs Statement
- Accommodation Schedule and Mix
- Employment Land Assessment
- Daylight and Sunlight Amenity Impact Assessments
- Wind Microclimate Statement
- Preliminary Ecological Appraisal Report
- Landscape Statement
- Arboricultural Impact Assessment and Method Statement
- Biodiversity Metric Report
- Transport Statement and Framework Travel Plan
- Preliminary Geo-Environmental Site Assessment
- Flood Risk Assessment and Drainage Strategy Report
- Air Quality Assessment
- Carbon Budget Statement
- Noise Assessment
- Crime Impact Statement
- Equality Impact Assessment

CONSULTATIONS

Bridgewater Canal Company - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Cadent Gas – No objection subject to an informative making the applicant aware that Cadent Gas Ltd own and operate the gas infrastructure within the area.

Canal and River Trust - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Electricity NW – Consider that the application could impact on their infrastructure and the applicant should be advised and referred to relevant documents relating to underground services and overhead electric lines.

Environment Agency – No objection subject to conditions. Comments are discussed in more detail in the Observations section of the report.

GM Archaeological Advisory Service (GMAAS) - No objection subject to a condition. Comments are discussed in more detail in the Observations section of the report.

GM Ecology Unit (GMEU) – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

GMP (Design for Security) – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

GM Fire and Rescue Service (Fire Safety) – No objection raised subject to the requirements for Fire Service access being met and the development being compliant with Building Regulations in relation to fire safety.

Health and Safety Executive (HSE) - No comments received at the time of writing. Any comments received will be included in the Additional Information Report.

Health and Safety Executive (HSE) Planning Gateway One – Confirm that as the height of the proposed apartment building, when measured from ground level to the top floor surface of the top storey of the building, does not exceed 18 metres it does not fall within the scope of Planning Gateway One and a Fire Statement is not required.

Lead Local Flood Authority (LLFA) – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Local Highway Authority (LHA) – No objection in principle subject to conditions and funding of a TRO review. Comments are discussed in more detail in the Observations section of the report.

NHS Greater Manchester (Trafford) - No objection – do not consider that the proposal will impact materially on health services

Trafford Council, Arboriculturist – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Education – No objection in principle. Contribution towards secondary school places provision requested. Comments are considered in more detail later in the report.

Trafford Council, Heritage and Urban Design Manager – No objection. Considers that the development would not result in any harm to the setting of either the Grade II Listed St Ann’s Church or the Bridgewater Canal (Non-Designated Heritage Asset).

Trafford Council, Housing Strategy and Growth – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Air Quality) – No objection in principle subject to an appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Contaminated Land) – No objection in principle subject to an appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Pollution & Housing (Nuisance) - No objection in principle subject to an appropriate conditions. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Strategic Planning and Developments – No objection in principle. Comments are discussed in more detail in the Observations section of the report.

Trafford Council, Waste Management - No objection in principle subject to an appropriate condition.

Transport for Greater Manchester (TfGM) (Landuse) - No objection in principle. Comments are discussed in more detail in the Observations section of the report.

United Utilities - No objection in principle. Comments are discussed in more detail in the Observations section of the report.

REPRESENTATIONS

Neighbours: Objections were received from **12** separate addresses in relation to the consultation undertaken for the scheme originally submitted. **2** comments of support were received. The main issues raised are summarised below.

Objections

Amenity

- Detrimental impact on outlook, light, privacy and airflow for occupiers of Christie Road and the wider Novus development as a result of the size of the development
- Concerns about accuracy and detail of daylight and sunlight report
- Decent privacy levels should be retained to Longford Wharf through the use of reconstructed boundary fencing and landscaping so that residents are not overlooked.
- Concerns about noise, dust and disturbance from construction works – have already had to contend with work on Itron development.
- Concerned about the health implications of the construction phase if the recommended mitigation measures are not mandatory. Will be detrimental to Air Quality.

Highways and Parking

- Would result in increased traffic generation on Christie Road and adjacent roads resulting in congestion. The junctions and traffic flow through the area is already busy and the entrance onto Christie Road from Chester Road isn't great. Towards Manchester City Centre, the only access and exit is through Renton Road. This is particularly busy when there are events at the Old Trafford Cricket and Football Grounds. The roads can't safely cope with the increase in traffic.
- On-site parking provision at minimum levels or less is unacceptable and will result in increased on-street parking and drive accesses being blocked. There are already ongoing parking issues at the Novus site (former Itron site). This development is likely to exacerbate these issues in the area.

Affordable Housing

- 100% affordable housing is much higher than the policy requirement and will have a negative impact on the local housing market, reducing the opportunities for non-affordable housing buyers to invest in the site and ultimately the future of the community.
- Don't want shared ownership property or other types of low cost housing. Statistics indicate that the value of property in the vicinity is being driven down and this is unfair to everyone who has invested at the Novus site.
- Concerns about the impact of low cost housing on crime rates by bringing criminal activities into the area.

Other Matters

- The proposals would result in the loss of trees.
- Will have detrimental impacts on the environment and wildlife biodiversity, particularly given the site is adjacent to the canal.
- Negative impact on local infrastructure such as NHS services, school places, police and parks as a result of this and other recent developments. No additional facilities proposed to address potential new demands on these facilities and services
- The only greenspace is for the use of the proposed residents – how does it affect the overall greenspace available for existing residents?
- Given all the new development proposed in the area the use of these sites should be reviewed together as a development plan for the whole area

- The application should address the issue of flooding by sudden rain water
- Have new owners/occupiers from Novus development, been consulted?
- The supporting documents are subjective and biased towards a favourable outcome.

Support

- Looks like a high-quality development that will improve the area. It is modest in size so fits well on the footprint and uses quality materials. Hope its gets built.
- It's going to look better than a disused car-park and warehouse.
- Something's going to get built there eventually, better to do it now while Novus development is still under construction and have it designed by the same architects.
- Can never have too much social / affordable housing.
- It is hoped that there are efforts to retain as many trees as possible and incorporate solar panels and / or green roofs. It would be better if access to the canal side were to be provided for all and not just residents of the development.

Further Consultations

11 objections have been received in response to the consultation carried out in relation to the first set of amended plans and documents. For clarification and in view of the fact that more of the Novus development had been built out and occupied since the original round of consultation, in addition to the re-notification of neighbours originally consulted, a further 80 neighbouring properties (over 140 in total) were notified in the second round of consultation and new site notices were put up adjacent to the site. These objections re-iterate concerns listed above in relation to parking, increased traffic, crime levels, noise and pollution, lack of infrastructure, negative impact on residential amenity and on trees and wildlife, and 100% affordable housing being inappropriate.

Additional concerns have also been raised about:

- Additional strain on public transport,
- Increased traffic making the streets unsafe for children
- Lack of EV facilities
- Additional storey impacting on residential amenity
- Southway Housing Trust's ability to properly manage the site
- The site should be used for greenspace for Novus residents or a doctor's surgery or other community facility.
- Lack of public consultation

One objection has been received in response to the publicity carried out in relation to a second set of amendments which related to the relocation of the more southerly of the two vehicular site accesses further north along Christie Road to address LHA concerns. The objector states that this amendment does not change the concerns previously raised about the development and comments that it is hard to believe that the development would become unviable if the number of apartments were to be reduced.

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.
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 setting of a designated heritage asset (St Ann's Church, Grade II Listed), 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 shops and services. The site is on a Quality Bus Corridor within walking distance of the Stretford and Old Trafford Metrolink Stops and immediately adjacent to TfGM and Sustrans Cycle Networks. Local shops and services in Stretford and Gorse Hill are within walking distance. The majority of the site has a Greater Manchester Accessibility Level of 7 (with 8 being the highest). The location of the site is therefore considered highly suitable for housing development.

Proposed Residential Development

9. 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.
10. 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 underdelivery). 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.

11. 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 and is close to local amenities.
12. 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 levels of affordable housing required 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.
13. The Council cannot demonstrate a five year supply of deliverable housing sites, this site constitutes previously developed land in a sustainable location within a predominantly residential area, and therefore residential development on this site is acceptable in principle and would make a positive contribution to the Council's housing land supply.

Housing Type and Mix

14. 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 Needs Assessment. Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+beds) residential units. 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.
15. The proposed development would provide 60 new residential units; comprising 16 no. one bed apartments, 34 no. two bed apartments and 10 no. three bed houses. This equates to a split of approximately 83:17 of small:large homes which represents an improvement on the scheme as originally submitted (which was 93:7) and a better mix of dwellings. While it doesn't fully reflect the target it is considered appropriate for this location as schemes in higher density sustainable locations

would normally be expected to provide a higher proportion of smaller units than lower density areas in other locations in the Borough where this would be less appropriate and overall this would be expected to balance out to achieve the 70:30 split.

16. Core Strategy Policy L2.3 states that in order to meet the identified affordable housing need within the Borough, the Council will seek to achieve, through this policy, a target split of 60:40 market:affordable housing. Policy L2.14 states that the expected method of delivery for affordable housing will be on site. The application proposes 100% on site affordable housing provision.
17. 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).
18. The proposed split in the scheme is 11 no. one and two bed apartments for affordable rent and 39 no. one and two bed apartment and 10 no. three bed houses for shared ownership. The Housing Strategy and Growth Manager comments that the application will bring much needed affordable housing into Stretford which is within the 'moderate' market location for affordable housing, with a requirement of 25% affordable housing under Trafford's current good market conditions. In those areas where the nature of the development is such that, in viability terms, it will perform differently to generic developments within a specified market location, the affordable housing contribution will be determined via a site specific viability study, and will not normally exceed 40%. Either way, this application is fully affordable and therefore 100% affordable housing is being provided.
19. The Trafford Housing Need Assessment 2019 confirmed an annual affordable housing need in the borough of 545 units. In Stretford there is a need for one and two bed affordable homes split 40/60 between rent and intermediate/shared ownership. This application, as amended, would provide 18:82 split of affordable rent to shared ownership. SPD1 does state that there needs to be, where possible, a 50/50 split between rented and intermediate however in this instance. However in this case the application proposes significantly more affordable housing than the policy would require. The amount of affordable rent proposed would meet the required target split if a reduced, policy compliant amount of affordable housing were to be proposed. The proposed amount of affordable rent only fails to meet the target split due to the increased overall level of affordable housing proposed for the site. In addition the applicant has stated that they will provide a minimum of 11 units as affordable rent but that they would like the affordable housing condition to allow the flexibility to increase the number of affordable rented units should this be required in the future. The Housing Strategy and Growth Manager is supportive of the proposals as the application will make a positive contribution towards the identified need in this

area and this approach is therefore considered acceptable and a condition is recommended accordingly.

20. There is no requirement for First Homes to be provided as part of the proposal as this is a 100% affordable housing scheme.

Loss of Employment Use

21. The site is currently split roughly into three areas. The south of the site is largely disused and has been recently utilised as a carpark by the construction workers of the Novus development. The building within the centre of the site is occupied by DW Motors Manchester Ltd (who operate as a vehicle repair centre), and the Northwest Ambulance maintenance depot. The north of the site is used for the storage of motor vehicles.

22. As the application will involve the loss of this employment land, Core Strategy Policy W1.12 will apply. This states that in determining applications for non-employment uses on unallocated employment sites, sites outside of the Strategic Locations and employment places identified in W1.3, developers will be required to provide a statement to the satisfaction of the Local Planning Authority, demonstrating that:

- There is no need for the site to be retained for employment purposes and it is therefore redundant;
- There is a clear need for the proposed land use(s) in this locality;
- There are no suitable alternative sites, within the locality, to meet the identified need for the proposed development;
- The proposed redevelopment would not compromise the primary function of the locality or the operations of neighbouring users; and
- The proposed redevelopment is in accordance with other policies in the Development Plan for Trafford.

23. An Employment Land Assessment has been submitted by the applicant. This sets out that there is not a demand for the employment floorspace at the application site due to the declining demand borough-wide, the changing nature of Christie Road as a residential street and the site's wider established residential context. The changed context of the site may affect the appeal of the site to occupiers requiring employment land, particularly those whose operations cannot be carried out in a residential area without detriment to amenity.

24. It is acknowledged that this area has seen a shift away from employment use to residential use and that the application site is now an 'island' employment site and not a key employment location. The emerging Local Plan does not designate this site for employment use. Instead, the site is identified for housing development on the Council's Brownfield Land Register which sets out previously developed sites in the Borough which the Council considers are suitable and available for residential development.

25. It is agreed that the surrounding area is now predominately residential in nature, and as a result, the function of the locality has changed, meaning that the proposed residential development will be appropriate.
26. The applicant considers that there is an established need for housing across the Borough and given the Council's shortfall in deliverable housing land supply and the fact that the local planning authority considers the site suitable for residential development, it is not necessary for alternative sites to be considered for the proposed development.
27. Due to the lack of an assessment of alternative sites, the applicant has not fully met the requirements of policy W1.12, however it is concluded in this case and for the foregoing reasons that the principle of the loss of the employment use is acceptable.

Conclusion on Principle of Development

28. It is considered that the proposals will make a much needed contribution to affordable and overall housing supply in a sustainable location within the urban area. There is no objection to the loss of the site for employment land and the proposed re-development of previously developed land for affordable housing accords with Core Strategy Policies and the NPPF.

IMPACT ON HERITAGE ASSETS

Policy Context

29. In determining this application there is a statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
30. 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.
31. In relation to Heritage assets, Para 194 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*"

32. 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”*.
33. Paragraph 199 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.’*
34. 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’*
35. 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’*.
36. Para 203 states *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*
37. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness (R1.1) 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.

Significance of the Heritage Assets

38. The site is considered to be within the setting of the following Heritage Assets:

St. Ann’s Church Grade II

Roman Catholic Church, 1862-7 by Edward Welby Pugin. Rock-faced stone with slate roof. Nave, aisle passages, north-west tower and small polygonal apse. 9-bay nave and aisles with projecting plinth, weathered buttresses, 2-light aisle windows with Geometrical tracery and circular clerestory windows with carved stops to hoodmoulds. Apse below continuation of nave roof has similar windows to aisle on each face but below gablets. Plain water spouts. West rose window incorporates a Crucifixus. West door. 3-stage tower with north door, tall lancets, quatrefoil windows, arched belfry openings below gable hoodmoulds and plain pinnacles at each corner of the spire. The donors of the church, Sir Humphrey and Lady Annette de Trafford, are depicted in a carved panel at the base of the church, kneeling and holding a representation of the church.

Bridgewater Canal

The Bridgewater Canal has been identified as a non-designated heritage asset. Opened on 17th July 1761, the Bridgewater Canal has a special place in history as the first canal in Britain to be built without following an existing watercourse. The Bridgewater Canal revolutionised transport and marked the beginning of the golden canal era which followed from 1760 to 1830.

Impact of Development on Heritage Assets

39. The Council's Heritage and Urban Design Manager has been consulted on the application and has stated that it is considered that the proposed development would not result in any harm to the setting of either the Grade II Listed St Ann's Church or the Bridgewater Canal (NDHA). This is as a result of the distance of over 300m between the site and St Ann's Church (with intervening buildings) and the landscaped buffer retained to the canal.

Archaeology

40. GMAAS have been consulted on the application and have commented in accordance with para 194 of the NPPF and make the following comments:

The application is not supported by any material that takes into account the historic significance or archaeological potential of the proposed development site. A building labelled as a Stone Works first appears on historic OS maps from the early 20th century, later labelled as Christie Stone Works on mapping from the mid-20th century. A brief search of records shows that the Christie Patent Stone Company was founded in 1894 in Hull, Yorkshire, with new premises set up at Christie Road, Stretford from around 1904. Its founder, George Christie, is recorded as living at Christie Road on the 1911 census return.

The building currently occupying the application site largely covers the footprint of the former stoneworks but has a different footprint and is clearly of a later construction (modern red brick with corrugated cladding). Described as a warehouse

in the Design and Access Statement, the current building is proposed for demolition. It is not known if the current building has any basemented areas. It is likely that the majority (if not all) of the building sits on a concrete raft over a deposit of levelled made-ground, which might derive from demolition of former buildings on site. Where shallow-draft foundations have been used for modern developments, there is often the potential for remains of former buildings to survive beneath.

The current North West Historic Environment Research Framework identifies that further work is needed for those industries that have received little archaeological attention. The manufacture and distribution of artificial stone is one such industry, and with the proliferation of buildings using this kind of product from the early 20th century this site has potential to shed light on this important aspect of Stretford's history. The proximity of the site to the canal might also suggest that areas used for the unloading of raw materials used and the different minerals formed in production processes might also be identified.

The lack of a DBA means that the archaeological interests are undefined. The developer is at risk of unquantified costs and timetabling of any archaeological works that will be required should the development go ahead. In theory the planning decision should be deferred until the applicant has commissioned and submitted an archaeological desk-based assessment in line with NPPF 194. However, the remains will be of no more than regional significance and it is accepted that they can be removed so long as a full record is made prior to development ground works taking place. In this case any on-site archaeological works will likely take place following demolition of the existing building, but should the DBA suggest the potential that archaeological remains are present on site then modern foundation slabs or footings should not be removed without an archaeological contractor in attendance.

41. GMAAS recommend that a condition requiring the implementation of a programme of archaeological works to be undertaken in accordance with a Written Scheme of Investigation (WSI) is required. The WSI should be undertaken by a suitably qualified and experienced archaeological contractor, funded by the applicant, and in accordance with guidance provided by GMAAS who would also monitor the implementation of the works on behalf of Trafford Council. A condition is recommended accordingly.

Heritage Balance and Conclusion

42. Subject to a condition requiring the implementation of a programme of archaeological works, no harm has been identified in relation to heritage assets as a result of the proposed development. On this basis, the proposed development is deemed to accord with the NPPF and is considered acceptable in this respect. Therefore in terms of paragraph 11 of the NPPF there is no clear reason for refusing the development on heritage grounds.

LAYOUT, SCALE AND DESIGN

43. 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 together with associated SPDs it comprises the local expression of the NPPF's emphasis on good design. It can therefore be given full weight in the decision making process.
44. 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...”*
45. 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’*.
46. This site is not specifically referenced within the Council's adopted SPD2 'A56 Corridor Development Guidelines' but the general themes of improving the streetscene, safety and accessibility and green infrastructure along the A56 are relevant.
47. The draft Trafford Design Guide was published for consultation in July 2022. The Core Objectives of the Design Guide are set out on pages 14 and 15 and state that development proposals should respond to the historic and contemporary character of the place, delivering designs that are adaptable, resilient and innovative and that complement and enhance their context to deliver places and buildings that the community can be proud of.

48. The current site mainly comprises hardstanding and a warehouse building and has a negative impact on the streetscene. The removal of the building and associated hardstanding is therefore considered acceptable.
49. The proposed development comprises both rows of terraced houses (10 in total) and an apartment building. At 4.3.2 The Draft Design Guide states that the design of houses is deeply personal and the demands of occupants ever-evolving with technology and changing lifestyles. Special care and attention is required when considering proposed layouts to ensure that they provide adequate space, with variation, adaptability and innovation of paramount concern.
50. Section 4.3.3 of the Draft Design Guide states that apartment buildings offer an opportunity to bring greater density, either on an individual plot or as part of a larger development. Apartments, when designed well, can bring an attractive scale and definition to a site. In that sense they are an essential part of the urban fabric. Their design must be carefully considered in order not to compromise the quality of life of their inhabitants or negatively impact on their surroundings. Designers should be creative and consider how the building responds to its context, creating buildings with interesting profiles and avoiding conventional slab block solutions.

Scale, Form and Layout

51. The application proposes a mix of one and two bedroom apartments in one L-shaped building ranging in height from three to six storeys. The apartment building would be sited in the northern half of the site. In addition, ten three bedroom houses (3 storey) are proposed in the southern half of the site. Two rows of houses would front Christie Road (a terrace of four and a further terrace of three) either side of the more southerly access road. A further terrace of three houses (Plots 8, 9 and 10) would be situated within the site, at a right angle to and to the rear of, Plots 1 - 4 fronting Christie Road.
52. The plans have been amended to provide two vehicular accesses off Christie Road rather than the three original proposed. The existing access off Christie Road towards the northern end would be utilised to serve the 27 no. car parking spaces for the apartments. The parking provision would include two accessible spaces close to the main entrance to the building. A second access towards the southern end of the site would serve a smaller parking area for the houses comprising 11 no. car parking spaces in total which includes one visitor space.
53. The apartment block has been reduced in overall size and scale from the original submission, with the number of apartments being reduced from 62 to 50 and the massing and design of the building being revised to reduce its dominance in the streetscene. The apartment building would have an L-shaped footprint albeit the 'wing' extending south is subservient in height and projection to the main part of the building. The apartment building would range from six storeys in height at the northern corner close to the junction with Chester Road, down to four storeys along

Christie Road and three storeys at the southwestern end adjacent to the Bridgewater Canal. The maximum height of the building to the apex of the asymmetric roof would be approximately 20.5 m.

54. The two rows of houses fronting Christie Road have front doors onto the road frontage and dedicated curtilage comprising small front gardens and larger rear gardens in addition to roof terraces. The third row of houses, to the rear, also have front and rear gardens and roof terraces. The parking spaces for the houses are accessed off the southern access road into the site. The houses would all be three storeys with flat roofs to a maximum height of 9.1 metres.
55. The urban grain of the areas around the site is fragmented, with buildings of different heights and massing. As a response to this the development has been designed to comprise buildings of varied height and massing across the site.
56. The plans have been amended to reduce the dominance of the apartment building on the Christie Road frontage by truncating to southern wing and reducing its height so that the built development steps down in scale from north to south. As a result it is considered that the height and massing of the apartment building is in keeping with the streetscene and transitions appropriately down to the townhouses in the southern half of the site. Buildings of the height of the apartment building and taller can be seen in the local area and in particular the site is viewed in the context of the adjacent development of the Itron site which is nearing completion. The Itron site comprises a mix of taller apartment blocks adjacent to the Chester Road frontage and lower townhouses further south along Christie Road, which is more reflective of the scale of the established adjacent residential streets on Renton Road, Wardle Close and Stephenson Road which are predominantly two and three storey. The application proposal also utilises this approach and it is considered that as a result it appropriately balances the need to reflect the character of the area with efficient use of land, and the provision of a high density development in this sustainable location.
57. While the main entrance to the apartment building is to the north, accessed from the parking area, doors to the ground floor apartments are also proposed onto Christie Road to ensure activity onto the road frontage. The two rows of townhouses on Christie Road have their own defensible space in the form of front gardens with paths and all have access to their own front door from the street frontage. This is considered to allow the development to integrate well into the wider streetscene.
58. The apartment building and townhouses form a strongly defined frontage onto Christie Road softened through the retention of street trees and additional landscaping and the active ground floor frontages would integrate the development into the area rather than appearing insular.
59. In addition, there are accesses for vehicles and pedestrians from Christie Road with routes through the site and the main vehicle access points would not be gated. This

results in a clear and legible layout with structured view lines across the site towards the canal.

60. The larger areas of parking for the apartment building are set back from the main road frontages and include areas of landscaping breaking up the hardsurfacing so as to not dominate the external streetscene. The parking for the houses is smaller in scale and set within the site away from the road frontage.
61. The proposed development is considered to successfully make effective use of the land with the need to respect the wider context of the site and create a sense of domestic scale. In combination, the reinstatement of a strong active street frontage, mixed unit sizes and the use of communal open space is considered to result in a secure and accessible development that seeks to create a sense of community.

External Appearance

62. The submitted Design and Access Statement sets out how the architect has sought to provide interest to the elevations through the use of detail and articulation. Human scale is introduced at ground level of the apartment building through the use of a different elevational treatment at plinth level and front doors. The roof line of the building is varied due to the stepping down of the southern 'wing' and the area to the rear of the building adjacent to the canal. The architect has sought to provide additional interest at roof level through the use of various asymmetric roof lines to produce a more distinctive silhouette, responding to the character set by the adjacent Itron development. Recessed balconies with balustrades animate the facades and the use of materials helps break down the visual form and mass of the building, for example where the lower wing meets the main section of the apartment building there is a recessed section highlighted with aluminium cladding.
63. The design of the apartment building and the siting of the houses has been amended to take better advantage of the canal side location and now includes balconies and ground floor glazed patio style doors allow views and activity towards the canal and to also increase visual interest in the elevations when viewed from the canal.
64. The proposal suggests a palette of good quality materials would be used, primarily red brick for the apartment building to reflect the local vernacular as well as a more contemporary grey brick for the townhouses. On the apartment building the red brick would be contrasted with champagne coloured zinc detailing.
65. The proposed grey brick for the houses would incorporate brick detailing to the main elevations. This would include a different elevation treatment at ground level with a brick banding separating it visually from the upper floors. This banding is repeated where the elevation terminates at roof level. In addition, areas of 'stippled' brick are used to break up the main expanses of brick on the front and some side elevations. The proposed materials will provide a sense of robustness and longevity. A

materials condition is recommended to ensure the use of appropriate, quality materials.

Landscaping

66. Landscaping and amenity space comprises a mix of private and communal gardens, and formal and informal planting. A central area of formal open space comprises two seating niches enclosed within planted beds; open lawns for both play and relaxation; a row of fruiting trees within a species rich flowering meadow; and, numerous benches orientated southwest towards the Bridgewater Canal. Planted borders are located along the edges of the residential buildings, featuring shrubs and perennial plants, to soften the space and provide an element of screening to the ground floor bedrooms and private terraces. Trees are scattered throughout the lawns to provide shade on sunny days as well as attractive focal points.
67. The north western boundary of the scheme comprises existing trees and shrubby vegetation, which will be maintained and enhanced with new tree planting. This planting provides a soft buffer and natural noise barrier between the development and Chester Road. The north-eastern boundary fronts onto Christie Road and the proposals include new tree and shrub planting. The southern boundary comprises the existing boundary treatment and a group of mature, retained trees. The western boundary faces into the Bridgewater Canal, with existing trees retained and an appropriate species rich grassland proposed.
68. A separate bin store and cycle store building is proposed in the northern corner of the site. This would have red brick elevations with brick detailing and a sedum roof. While it would normally be expected that the bin and cycle stores to be integral within the buildings, in this instance it is considered that the external siting of this single storey building is acceptable. This is largely due to the land levels and proposed siting of the storage building. At the present time the car park at the site is at a lower level than Chester Road and the boundary wall and railings on Christie Road follow the level of the road as it rises up to Chester Road. The bin and cycle store would be set down at car park level and would be set behind the proposed boundary wall as it rises up to the north, partially screening it. The use of red brick with detailing for the elevations and a sedum roof will further assimilate the building into the landscape.

Townscape and Visual Impact Assessment

69. A Townscape and Visual Impact Assessment (TVIA) has been submitted in support of the application. This considers the site and its surrounding context in both landscape / townscape and visual terms, to assess the potential effects of the development proposals on a 'Zone of Theoretical Visibility'. 'Landscape / townscape effects' relate to the effects of the indicative proposals on the physical and perceptual characteristics of the landscape / townscape and its resulting character

and quality; and 'Visual effects' relate to the effects on specific views experienced by visual receptors and on visual amenity more generally.

70. The TVIA is a detailed document, various receptors (residential, recreational, road users and longer distance views) have been selected and considered and a number of photographic images of baseline viewpoints have been provided. An addendum to the TVIA originally carried out has also been provided to assess the impacts of the revised layout. This concludes that the revisions would bring about minor changes in relation to landscape / townscape effects as well as visual effects. However, the overall conclusions of the TVIA remain that *'the total extent of the landscape / townscape and visual effects would be relatively limited and well tolerated by the surrounding urban environment, delivering a range of beneficial stylistic, ecological and visual outcomes to this part of Stretford. As such, the development can be accommodated without undue harm to landscape / townscape and visual amenity.'*
71. In view of the character of the existing site and surrounding area, the proposed development and the assessments undertaken, the proposed development is not considered to result in any unacceptable landscape / townscape or visual effects.

Sustainability and Energy Efficiency

72. Policy L5.1 of the Core Strategy states that new development should maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation. L5.4 goes on to say that development will need to demonstrate how it contributes towards reducing CO2 emissions within the Borough. It is considered that Policies L5.1 to L5.11 are out-of-date as they do not reflect NPPF guidance on climate change, whilst the remainder of the policy is compliant with the NPPF and remains up-to-date.
73. The application is accompanied by a Carbon Budget Statement (CBS) which summarises the energy hierarchy requirements for the proposed development with reference to the emission reduction targets set out in Policy L5. The document sets out that the proposed development will incorporate passive building design improvements to reduce the ongoing requirement to consume energy to heat, ventilate and light the building. This is achieved by high performance building fabric design in excess of the minimal thermal properties set out within current Building Regulations. The development will incorporate energy efficiency measures in its Building Services to reduce the carbon footprint of the site beyond the passive improvement stage, using highly efficient plant, heat recovery systems and energy efficient and highly controllable lighting.
74. The CBS also states that it is proposed to install a 5kWp Solar Photovoltaic array (PV) serving the apartment block and 0.9kWp array to each town house to provide a source of renewable electricity to the development. These would be located on the flat roofed areas of the buildings and a condition is recommended to require the

submission of the details of the panels prior to installation. Overall, the estimated carbon emissions from the proposed development shows potential for a total reduction in emissions from a baseline set by current Building Regulations Part L 2021, by 58.77% which achieves compliance with the energy requirements set out in Policy L5. The fabric and primary energy efficiencies also show great improvement over the target. The fabric efficiency is achieving an average 9.05% improvement over Part L 2021, primary energy rate also shows a potential improvement over regulations of 19.38%.

75. The car parking layout includes 10 no. electric vehicle charging points for the apartments and 10 no. electric vehicle charging points for the houses.
76. The CBS correctly states that the site at Christie Road lies outside of the designated Low Carbon Growth Areas and as such will target a 5% improvement on Building Regulations Part L1A 2010. The proposed design has used current regulation 2021 targets and as such far surpasses this target as Part L 2021 is a 39% improvement upon Part L 2010.
77. It is therefore considered that the development will make an ongoing contribution to reducing the annual CO₂ emissions of the Borough and will meet policy targets. A condition is recommended to achieve the CO₂ reduction required by the Core Strategy and on this basis, 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.

Accessibility

78. The supporting information sets out how the design of the proposals has been developed to ensure accessibility for all. The proposals seek to ensure the building and its surrounding environment takes account of the needs for people with disabilities and the development is designed to provide step free access to the apartment building and houses. All apartments will be M4(1) compliant with all upper floors within the apartment building accessible via a centrally located lift and ambulant disabled stairs.
79. The landscape around the Christie Road residential development provides fully inclusive level access for pedestrians visiting from Christie Road. Access footpaths reflect the key desire lines within the public open space, the site is step free, and will include appropriately located drop kerbs, to allow for ease of movement for all users. Footpath widths will be designed in accordance with BS 8300-1:2018 'Design of an Accessible and Inclusive Built Environment'. A variety of seating types have been introduced to cater for users of all abilities. Benches with backrests and armrests are proposed along the edges of the footpath and have paved areas alongside for wheelchair users to sit next to the benches. The vehicular access roads will be ungated, therefore allowing ease of access for service and emergency vehicles. Two

accessible parking spaces will be provided on site close to the main entrance to the apartment building.

80. It is considered that the proposals have therefore taken appropriate regard to accessibility within the design of the development.

Crime Prevention and Security

81. Policy L7.4 of the Trafford Core Strategy states that, in relation to matters of security, development must demonstrate that it is designed in a way that reduces opportunities for crime and must not have an adverse impact on public safety.

82. A Crime Impact Statement (CIS) has been submitted with the application. Greater Manchester Police's Design for Security section has been consulted and have commented that they support the application subject to the layout issues within Section 3.3 being addressed and recommend that the physical security measures within Section 4 of the Crime Impact Statement being conditioned. However, not all of the recommendations are supported in terms of good layout and design, in particular the requirement to include access controlled gates and to replace patio doors with windows along the road frontage. It is considered that the layout of the proposed development, including active frontages and permeability through the site provide opportunities for natural surveillance by the occupiers of the development and good integration with the wider area. The inclusion of gates would hinder access and integration into the wider streetscene. The change of the site from a commercial use that is unoccupied outside business hours to a residential development which is occupied 24 hours a day should overall be beneficial to crime prevention through increased activity and natural surveillance.

Fire Safety

83. The GM Fire and Rescue Service have been consulted on the application and have provided advice on their standard requirements for fire service access and this has been provided to the agent for the application. Although this is primarily a matter for the Building Regulations, the architect for the application has confirmed that the proposals have been checked by an independent firm of fire consultants who have produced a high level appraisal of risk for the purposes of planning. They conclude that the design is reasonable with regard to the minimum requirements of the Building Regulations (as amended), subject to minor internal updates to be implemented at the next stage of design. For the purposes of the planning submission stage this is considered acceptable.

Conclusion on Design

84. Good quality design is an integral part of sustainable development. The NPPF and PPG including the National Design Guide recognise that design quality matters and

that the planning process should be used to drive up standards across all forms of development.

85. It is considered that the proposed development would deliver a well-conceived, accessible and energy efficient development which uses street layout, landscaping and high quality materials and detailing to create a distinct sense of place. It is therefore concluded that development would meet the requirements of Policies L5 and L7 and the NPPF. In order to ensure that the design intent and quality of the external appearance of the buildings is retained it is recommended that through the use of a legal agreement the current architects are retained in the role of design certifier throughout the construction period. The applicant has agreed to this requirement.

IMPACT ON RESIDENTIAL AMENITY

86. 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.

87. 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.

88. The Council's adopted SPG for new residential development (SPG1) 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. However it does allow for a flexible approach within a development site, where good design or the particular circumstances of the site allow this and this is supported by the thrust of the NPPG and NPPF in relation to high density urban sites. 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.

89. The site is adjoined to the northwest by Chester Road, which is also at a higher level with intervening vegetation. To the west, the site adjoins the Bridgewater Canal,

beyond which is a substantial commercial building (Joseph Gleave & Son) and associated parking area. To the south and southwest are two and three storey residential properties on Wardle Close and Stephenson Road. The car parking area of the Longford Wharf residential development on Stephenson Road adjoins the application site with planting along the boundary. To the east, along the opposite side of Christie Road, is the recently constructed Novus residential development on the former Itron site. These properties are a mix of apartments and townhouses, varying in height from six storeys at the junction with Chester Road down to three storeys towards the southern end of Christie Road. Emmeline Pankhurst Drive is a road into the new development off Christie Road and this forms the break between the apartments and the townhouses. All the properties have main windows facing onto Christie Road.

Overlooking / Privacy

90. Whether a new development would impact negatively on existing residential living conditions through adverse overlooking and impacts on privacy is an important consideration. Where there is the potential for direct interlooking between proposed windows and those in adjacent residential properties or between proposed windows and areas of private amenity space, consideration must be given to the separation distances, angles and any proposed methods of screening or obscuration proposed in order to protect the privacy of occupiers of adjacent residential properties.
91. The Council's 'New Residential Development' Planning Guidelines document (PG1) is of relevance in considering the distances necessary to maintain good standards of residential amenity. The guidance document does not include specific guidelines for tall buildings and is therefore of more limited use in relation to high density development, but it does state that for development of four or more storeys where there would be major facing windows, flats should retain a minimum distance of 24m across public highways and 30m across private gardens.

Impact on existing adjacent occupiers

92. As indicated in the foregoing section, the relationship between the site and the properties on the opposite side of Chester Road, as a result of the distances involved, the relative levels and mature vegetation is such that the residential amenity and living conditions of those properties would not be materially affected. The property to the southwest is in commercial use and is also some distance away on the opposite side of the canal.
93. To the south, the properties at Longford Wharf, have habitable room windows in the northern elevation facing the application site. However the distances to the nearest proposed house (30m) and the nearest part of the apartment building (over 50m) would be in excess of those required by SPG1 and the privacy impacts would be non-material. Additionally there is mature vegetation between the Longford Wharf development and the proposed residential properties and the proposed landscape

masterplan seeks to add to the landscaping in the intervening area. Properties on Wardle Close would not be materially affected due to the distances involved (40 metres to the houses and in excess of 80 metres to the apartments) and two intervening areas of mature vegetation either side of Stephenson Road.

94. The nearest residential properties to the proposed development are to the east on the opposite site of Christie Road at the recently constructed Novus development. A distance of at least 24 metres is maintained between the proposed three storey houses and the existing three storey houses opposite which is compliant with SPG1. A minimum distance of 22 metres would be retained between the proposed apartment building and the existing apartments opposite. While this is slightly below the 24 metre guidelines in SPG1 it is not uncharacteristic for a higher density urban area and given the intervening public road it is considered that the levels of privacy maintained would be acceptable.

Impact on future occupiers of the development

95. A distance of 13 metres would be retained between the rear elevations of the town houses (Plots 1-3 on the Christie Road frontage) and the side elevation of Plot 8 to the rear. However no windows are proposed in the side elevation of Plot 8 and the roof terrace can be screened to the side. The agent for the application has confirmed that they agree to a condition requiring the details of the privacy screens for the terraces to be submitted to ensure the height and design is appropriate. Therefore acceptable privacy levels would be retained between the houses.

96. The northern front elevations of the houses at Plots, 8, 9 and 10 would face the southern elevation of the apartment building, which at this point would be predominantly three storeys in height (the same as the houses). The distances between the two would be 16 metres with an intervening area of communal open amenity space with tree planting. While this is below the 21 metres usually sought, neither building could extend in the future in these locations as permitted development rights would be removed from the houses and the apartments do not benefit from permitted development rights for extensions. Therefore this distance would be retained and not eroded further. SPG1 does allow for a flexible approach within a development site, where good design or the particular circumstances of the site allow this and this is supported by the thrust of the NPPG and NPPF in relation to high density urban sites. This relationship would be known to any future occupiers and it is considered that this shortfall would not result in poor levels of privacy for the occupants of the properties.

97. There are no habitable room windows proposed in the northern side elevation of the house labelled 'Plot 1' and the southern elevation of the apartments and therefore this relationship would not result in unacceptable levels of privacy.

Overbearing / Overshadowing / Outlook

98. New development should not have an overbearing impact on adjacent residential occupiers or result in a material loss of outlook as these are important residential amenity considerations. Loss of outlook can occur where development, as a result of the impact of its height, scale, massing can have an adverse overbearing and over dominating effect resulting in unduly oppressive living conditions.
99. SPG1 states that 'There are many possible relationships of properties with each other, and so in these matters the Council will generally adopt a flexible approach. However, dwellings should not be grouped so closely that they unduly overshadow each other, their garden areas or neighbouring property. In situations where overshadowing is likely with a main elevation facing a two storey blank gable then a minimum distance of 15 m should normally be provided. It is noted that this relates to two storey walls however given the high density urban nature of the development it is considered that this is a reasonable approach for this development.

Impact on existing adjacent occupiers

100. As per the distances set out in the privacy section above, the distances to the properties at Longford Wharf and Wardle Close would be well in excess of the requirements of SPG1 in relation to the nearest proposed houses and the apartment building at the proposed development. Therefore there would be no undue impacts on light and outlook in relation to these properties.
101. In relation to the properties on the opposite side of Christie Road, the distance between the proposed three storey houses and the existing three storey houses is 24 m and the distances between the proposed apartments and the adjacent existing apartments and townhouses is 22m. Even acknowledging that the proposed development is taller than the two storey wall referred to in SPG1 in relation to the need to maintain 15 metres, the distance is well in excess of that. While the proposed development would be clearly visible from the Novus development it is not considered to be overbearing or result in any undue loss of light or outlook for those properties.

Impact on future occupiers of the development

102. A distance of 13 metres would be retained between the rear elevations of Plots 1-3 of the townhouses on the Christie Road frontage and the side elevation of Plot 8 to the rear. This is slightly below the 15 metres set out in the guidelines. Plots 1 and 3 would be largely offset in relation to the house to the rear and respectively would have views to the front and rear of the gable over gardens. Plot 2 would look onto the gable wall. However SPG1 does allow for a flexible approach within a development site, where good design or the particular circumstances of the site allow this and this is supported by the thrust of the NPPG and NPPF in relation to high density urban sites. Plot 2 would still look out across its own garden and a communal footpath and this relationship would be known to any future occupier. It is

not considered that this relationship would result in substandard or poor levels of residential amenity.

103. The only other potential conflict would be between the northern side elevation of the house labelled 'Plot 1' and the southern elevation of the apartments where a gap of 7 metres would be retained between the two. However neither the apartments or the houses would have habitable room windows in the facing elevations and therefore this would not result in detrimental impacts on light or outlook.

Daylight and Sunlight

104. An assessment of daylight and sunlight levels was submitted in support of the original proposals and an updated report has been carried out in relation to the amended plans. The reports use the methodologies set out within the Building Research Establishment Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2022)', often referred to as the BRE Guidelines.

105. It is important to note that the BRE document is a set of guidelines which inform site layout and design. They are not mandatory, nor do they form part of the development plan in Trafford and their interpretation may be treated flexibly depending on the specifics of each site.

106. The National Planning Practice Guidance (NPPG) – Making Efficient Use of Land published on 29 November 2016, updated 01 October 2019, "*All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example, in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings.*"

Impact on existing adjacent occupiers

Daylight

107. Para 2.2.1 of the BRE Guidelines states that '*In designing a new development or extension to a building, it is important to safeguard the daylight to nearby buildings. A badly planned development may make adjoining properties gloomy and unattractive.*'

108. At para 2.2.23 the BRE document goes on to state that:-

'If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the

lowest window, subtends an angle of more than 25° to the horizontal, then the diffuse daylighting of the existing building may be adversely affected. This will be the case if either:

- the VSC measured at the centre of an existing main window is less than 27%, and less than 0.80 times its former value
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.80 times its former value.’ (NSL)

109. The Proximity Report submitted to demonstrate the effects of the current proposals assess the impacts on the buildings in the Novus Development that front Christie Road opposite the proposed site to the east. It also assesses the impact on Longford Wharf to the south. The assessment finds that in relation to the Novus Development, 98 windows of 101 appraised (or 97%) would achieve the BRE’s VSC and NSL targets in the Proposed Condition or retain values of at least 0.8x baseline values, acceptable to the BRE on the basis that impacts are unlikely to be noticeable to the room occupants. All of the Longford Wharf windows assessed would also achieve the relevant targets. The development would therefore not result in any undue impact on daylight levels received within these properties.

110. Three windows in the Novus development would not achieve the 27% VSC target. Of these:

- Two windows serve rooms that are also served by other windows which achieve VSCs of 27% and 32% (against a target of 27%). These rooms would also pass the NSL test. Daylight amenity of these rooms is therefore considered to remain adequate and impacts non-significant.
- One window, serving a ground floor bedroom within the Novus Development, would achieve a VSC of 26.44% (against a target of 27%) equating to 0.76x baseline value (against a target of 0.8x). This room would pass the NSL test experiencing negligible reductions in daylight distribution.

111. The report states that ‘To an occupant, the daylight amenity of this single bedroom will not be materially or noticeably different to a similar room achieving a 27% VSC target or retaining 0.8x baseline values.’

112. All the rooms appraised within all neighbouring receptors pass the BRE’s NSL test, experiencing negligible or no reduction in the extent to which daylight is distributed within the room.

Sunlight

113. The BRE Guidelines also assess the impact of new developments on access to sunlight for existing buildings.

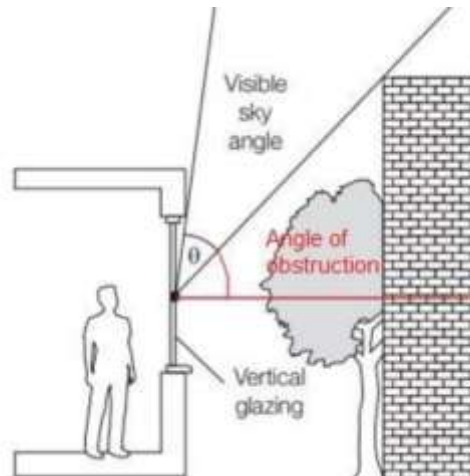
114. Para 3.2.1 states ‘*In designing a new development or extension to a building, care should be taken to safeguard the access to sunlight both for existing dwellings,*

and for any nearby non-domestic buildings where there is a particular requirement for sunlight.'

115. Para 3.2.13 explains that 'If a living room of an existing dwelling has a main window facing within 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:
- receives less than 25% of annual probable sunlight hours and less than 0.80 times its former annual value; or less than 5% of annual probable sunlight hours between 21 September and 21 March and less than 0.80 times its former value during that period;
 - and also has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
116. The report states that all the rooms appraised (100%) would achieve the BRE's annual and winter sunlight targets in the Proposed Condition.
117. In view of the very minor shortfalls identified in the daylighting of three windows in the Novus Development, it is not considered that this would result in a material loss of daylight. It is also noted that the BRE document is a set of guidelines and they are not mandatory, nor do they form part of the development plan in Trafford and their interpretation may be treated flexibly.

Impact on future occupiers of the development

118. A report has also been submitted providing commentary on daylight and sunlight levels in relation to the proposed development. The BRE guidance in relation to new development notes that the quality and quantity of daylight within a room are affected by the size and proximity of neighbouring obstructions, such as neighbouring buildings. It is the assessor's view that the design of the proposed development is such that the relationships between the buildings within the site would result in habitable rooms being adequately or well daylit as a result of their orientation, proximity and massing. The main assessment therefore relates to the relationship between the proposed apartments fronting Christie Road that are opposite the five storey block in the Novus development at the junction of Christie Road and Emmeline Pankhurst Drive.
119. Obstructions can be quantified in a number of ways including the measurement of the visible sky angle (Fig. 1 of the BRE guidance below).



120. In relation to obstruction angles the guidance sets out that if the visible sky angle is:-

- greater than 65° (obstruction angle less than 25°) conventional window design will usually give reasonable results.
- between 45° and 65° (obstruction angle between 25° and 45°) special measures (larger windows, changes to room layout) are usually needed to provide adequate daylight.
- between 25° and 45° (obstruction angle between 45° and 65°) it is very difficult to provide adequate daylight unless very large windows are used.
- less than 25° (obstruction angle greater than 65°) it is often impossible to achieve reasonable daylight, even if the whole window wall is glazed

121. It should however be noted that this approach assumes a uniform height of obstruction and that no light comes around the side of it.

Living / Kitchen / Dining (LKD) Rooms

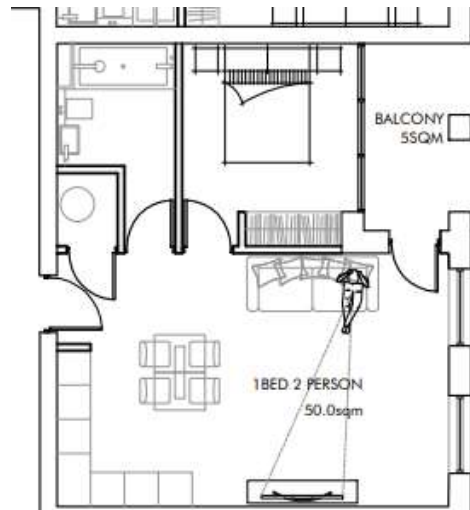
122. Based on the review of the analysis models the ground floor LKDs facing the Novus development will have the following results:-

- the angle of obstruction to the top of the Novus development is 38 degrees
- the visible sky angle is 43 degrees (and therefore very close to the 45 degree threshold).

123. The BRE guidance states that rooms served by windows achieving these angles will usually require 'special measures' such as large windows in order to be adequately daylit. The analysis goes on to explain that the proposed LKD rooms each benefit from two large floor to ceiling windows and therefore special measures have been incorporated into the design. In addition, the block of the Novus development they look onto is not a continuous mass and daylight will be received either side of it. It is therefore concluded that these ground floor rooms will be adequately daylit and that this will apply even more so to equivalent rooms on the floors above as they will benefit from improved sky visibility and a reduced angle of obstruction.

Bedrooms

124. The bedrooms proposed in this part of the development fronting onto Christie Road incorporate a recessed window design. This recessed design results in the angle of obstruction being elevated above those of the LKDs and angles of sky visibility will be lower.
125. At ground floor this forms a balcony / entrance area with balconies on the upper floors as per the example below.



126. As a result of the bedrooms having balconies the adjacent bedrooms will be unlikely to achieve the BRE daylight targets. However on balance this is considered acceptable when weighed against the benefits of the apartments having private amenity areas which will receive good levels of daylight. The BRE guidance also states at 2.1.14 that LKDS need more daylight than bedrooms and it is preferable that the wall and overhang associated with a balcony area are adjacent to the bedrooms rather than the LKDs.
127. It should be noted that the issues of daylight outlined above relate only to bedrooms in the Christie Road elevation were they face the apartment block at the junction of Christie Road and Emmeline Pankhurst Drive within the Novus development. In addition, this results from the provision of private amenity space for the occupiers of those units which necessitates recessed windows. These are multi room apartments and the LKDs have been prioritised in terms of internal daylight levels as advised by the BRE guidance. Overall, the proposed development would be adequately or well daylight as a whole and in view of the urban context, the limited deviations from the BRE target criteria are considered acceptable.

Wind Microclimate

128. A high-level review has been carried out by Urban Microclimate Limited in support of the application, to assess the potential wind effects of the proposed development on the local microclimate throughout the year against best practice guidelines for pedestrian comfort and safety.

129. Wind environment is defined as the wind flow experienced by people and the subsequent influence it has on their activities. It is concerned primarily with wind characteristics at pedestrian level.

130. The impact of environmental wind on pedestrian spaces and the subsequent suitability of these spaces for planned usage are described by and compared against the industry standard and widely applied wind environment criteria for pedestrian comfort and safety developed by T.V. Lawson (Building Aerodynamics, 2001).

131. Pedestrian comfort is assessed against wind speed and duration and is split into five 'comfort categories':

| Threshold Mean-hourly Wind Speed Exceeded < 5% of the Time | Comfort Rating / Activity | | Qualifying Comments |
|--|---------------------------|--------------------------------|--|
| 4 m/s | C4 | Long-term Sitting | Reading a newspaper and eating and drinking. |
| 6 m/s | C3 | Standing or short-term Sitting | Appropriate for bus stops, window shopping and building entrances. |
| 8 m/s | C2 | Walking and Strolling | General areas of walking and sightseeing. |
| 10 m/s | C1 | Business walking | Local areas around tall buildings where people are not likely to linger. |

132. Additionally, details of the Lawson criteria for pedestrian safety, or distress, are presented below and are based on the exceedance of the threshold wind speeds, considering mean-hourly and gust-equivalent-mean values, occurring once per annum. These thresholds represent wind speeds with the potential to destabilise the less able or more susceptible members of the public (including elderly, cyclists and children) and able-bodied users.

| Threshold mean-hourly wind speed exceeded once a year | Safety Rating | | Qualifying Comments |
|---|---------------|-------------------------------|---|
| 15 m/s | S2 | Unsuitable for general public | Less able and cyclists find conditions physically difficult. |
| 20 m/s | S1 | Unsuitable for able-bodied | Able-bodied persons find conditions difficult. Physically impossible to remain standing during gusts. |

133. The submitted statement considers baseline conditions and then the potential effects of the proposed development. The report states that the proposed development is of relatively modest scale at three to six storeys with respect to wind effects and steps up in height from southwest to northeast, reducing the direct obstruction to the most frequent strong winds and significantly limiting the potential for downdraughts to reach pedestrian level. In addition the development benefits from significant retained and proposed soft landscaping.
134. The proposed development is not expected to have any significant impact on pedestrian level wind conditions with regards to pedestrian safety, and conditions in and around the site are expected to rate as safe for all users. In terms of pedestrian comfort, with respect to wind force, thoroughfares immediately around the site, are expected to remain suitable for at least leisurely strolling and are therefore expected to be suitable for pedestrian access to, and passage past, the proposed development.
135. The entrances to the proposed development are positioned away from exposed building corners and are expected to be comfortable for pedestrian ingress / egress. The communal courtyard is potentially susceptible to some channelling of south-westerly winds between the main building and the townhouses but benefits from the significant landscaping proposals and locates the more sensitive sedentary activities away from the building corners. Resulting conditions are expected to be suitable for at least general recreational activities, including children's play across the open space, with more sheltered areas generally expected to be further suitable for outdoor seating during at least summer.
136. Overall, this mix of conditions is expected to be considered acceptable for proposed uses of the amenity space. The townhouses' private gardens generally benefit from tall boundary fencing, with the paved area of Plot 10's garden sheltered by hedging. The gardens are expected to enjoy amenable conditions for associated recreational uses, including outdoor seating during at least summer.
137. Therefore the proposed development is not expected to have any significant impact on the suitability of wind conditions for existing activities within the surrounding area and conditions within the site are expected to be suitable for proposed activities.

NDSS and Amenity Space for Future Occupiers

138. The proposed houses and apartments all comply with the 'Technical housing standards – nationally described space standard' (NDSS) which sets out national standards for internal space within new dwellings.
139. The guidance in SPG1 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.

140. The areas of amenity space for residents of the development are as set out below:

Private:

- Apartment balconies: 287 sq. m in total
- Apartment ground floor space: 241 sq. m in total
- House roof terraces: 104 sq. m in total
- House gardens: 913 sq. m in total

Communal

- Open space: 1184 sq. m in total (only useable areas included i.e. not parking areas or sloping area of landscaping up to Chester Road).

141. The total amount of private open space for the ten houses exceeds the SPG1 guidelines. The area of communal open space at 1184 sq. m exceeds the 900 sq. m total set out in SPG1. In addition to the communal open space the development also provides private amenity areas for the apartments through the use of balconies and ground floor outdoor space that serves specific apartments and this results in an additional 528 sq. m of private amenity space. Therefore, overall it is considered that the development exceeds the Council's guidelines for amenity space and that this would result in good levels of communal and private external space across the site for the use of future residents.

Noise, Ventilation and Lighting

142. Core Strategy Policy L5.13 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.

Noise

143. A Noise Assessment accompanied the application as originally submitted and this was reviewed by the Council's Pollution and Housing (Nuisance) section. They commented that noise monitoring and modelling had been undertaken to establish minimum acoustic design standards for glazing and ventilation, based on relevant published criteria and standards. The dominant noise source was identified as road traffic noise from the A56. The report concluded that relevant criteria were predicted to be met for all external areas and as a result the Pollution and Housing section

were satisfied that the report was based on current relevant published guidance and subject to a condition to require that the development proceeds in accordance with the mitigation scheme as recommended within the report this would be acceptable.

144. As a result of the changes to the proposed development a review of the noise impact (and remedial scheme required) is required to reflect the current proposals. An addendum highlighting any changes required is considered acceptable and this can be dealt with via condition provided that the information is submitted prior to any works of construction commencing. It is also recommended that the condition requires the submission of a validation report (prior to first occupation) to demonstrate that the scheme has been installed in accordance with the approved mitigation measures. A condition relating to noise from any fixed plant is also recommended.
145. To address construction and pre-construction phase noise impacts a Construction Environmental Management Plan (CEMP) is required via condition.

Ventilation

146. There is reference within the Noise Assessment to background ventilation for the apartments being provided by an MHVR system, and that for the townhouses the solution would be the provision of two trickle vents per room. For apartments close to the A56, residents will need to, at times, close their windows to achieve suitable acoustic criteria. The recently published 'Acoustics Ventilation And Overheating Residential Design Guide ('AVO Guide') recommends an approach for new residential development that takes due regard of the interdependence of provisions for acoustics, ventilation, and overheating. Application of the AVO Guide is intended to demonstrate good acoustic design when considering internal noise level guidelines and integrates Building Regulations requirements. It is intended for the consideration of new residential development that will be exposed predominantly to airborne sound from transport sources, and to sound from mechanical services that are serving the dwelling in question. It is recommended that the submission of a statement/report to demonstrate how the development will accord with the relevant provisions of the AVO guide is submitted via condition prior to construction commencing.

Lighting

147. In relation to the impacts of any lighting associated with the development the Pollution and Housing section recommend a condition requiring that details of any exterior lighting in the scheme should be submitted via condition and should be in compliance with Guidance Note GN01/21 'The Reduction of Obtrusive Light'.

Air Quality

148. L5 states that 14.19 *The Trafford Air Quality Management Area identifies where air quality will not reach the national health based objectives. Trafford and the 9*

other Greater Manchester Authorities published their Air Quality Action Plan, which sets out how the conurbation will improve air quality. The plan is mainly concerned with tackling transport related emissions, and is closely tied to the Local Transport Plan for Greater Manchester.

149. The northern end of the site is within an AQMA and an Air Quality Assessment (AQA) has been submitted with the application. The supporting information submitted with the application has been reviewed by the Pollution and Housing section.

150. In relation to the 'operational phase' of the development the AQA confirms that levels of nitrogen dioxide across the development will be below the declared national objective limit and will be suitable for residential development. The results of the assessment predicts that changes in annual mean concentrations of nitrogen dioxide due to vehicle movements associated with the development do not lead to a significant impact at any receptor. The assessment also confirms that all concentration changes are negligible with reference to the Institute of Air Quality Management significance criteria. It is however recommended that mitigation measures are incorporated into the scheme to reduce any increase in emissions associated with development traffic flows. A condition requiring the provision of low emission vehicle charging points is attached accordingly and it is noted that the supporting plans and documents state the intention to provide such EV charging points.

151. In relation to the 'construction phase' of the development the qualitative construction dust risk assessment shows that the site presents a risk for adverse impacts during construction, in the absence of mitigation. To effectively reduce the risk of impacts to negligible, appropriate mitigation measures should be adopted. Therefore to ensure that the development does not present a nuisance risk or impact on the wider environment a condition requiring the submission of a Construction Environmental Management Plan is required This will ensure that noise, dust and other nuisance impacts can be controlled appropriately and this is recommended accordingly.

152. Therefore subject to the above conditions the development is considered to comply with the requirements of Policy L5 in relation to air quality.

Conclusion on Residential Amenity Impacts

153. A suite of reports assessing the impacts of the development on the amenity of existing and future residential occupiers have been submitted in support of the application. They demonstrate that the scheme will have an acceptable impact on the amenity of existing occupiers of residential properties in the vicinity and proposed occupants of the development. It is acknowledged that there are some minor shortfalls in the guidelines set out in SPG1 and BRE however for the reasons set out above it is not considered that this would result in poor living conditions.

Indeed the proposed properties have been designed to provide good levels of privacy, daylight, and private amenity space. The impacts of the shortfalls on existing adjacent occupiers would be very limited and given the approach of creating a high density development in a sustainable location, this is considered to be acceptable. For the foregoing reasons and subject to appropriate conditions, the impact of the proposed development on the residential amenity of both existing adjacent occupiers and future occupiers of the development is considered to be compliant with Policies L5 and L7 of the Trafford Core Strategy and the NPPF.

ACCESS, HIGHWAYS AND CAR PARKING

154. 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”*.
155. Policy L4 also 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”*.
156. 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.
157. 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.

158. 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.

159. The LHA have been consulted on the application and make the following comments in relation to the latest plans and Transport Statement.

Access

160. There are two existing accesses to the site from Christie Road. Following the submission of amended plans in relation to the site accesses to address concerns raised by the LHA, it is now intended to utilise the northernmost access located near the junction with Chester Road 'as is', and create a new access located circa 9m south of the existing southernmost access. The submitted plans show the relevant 2.4m x 25m visibility splay for the proposed new access taken to the kerblines is also now achieved. The more southerly existing access point would be closed as part of the development and the footway reinstated.

161. The LHA observe that there is vegetation along the road which could impact the visibility splay at certain times of the year, this is an existing situation, and it is also noted the tree canopies will be raised/branches cutback as part of the proposals.

Servicing

162. It is considered the proposed development would provide adequate and suitably located refuse / recycling storage facilities. It is understood residents of the proposed houses will be responsible for taking their bins to the kerb on collection days and a suitably located bin collection area will be provided to prevent multiple bins being left on and obstructing the footway. The LHA raised concerns that there is no similar facility for the apartments and this may result in an increase in bins on the footway on Christie Road on collection day. The LHA requests a bin collection area is also provided for the proposed apartments and that the Waste Management section should be consulted to ensure they are satisfied with the proposed development servicing arrangements. However officers are satisfied that this could be dealt with adequately within a waste management condition, with detail to be submitted prior to the first use of the development.

Waste Management

163. The Waste Management section has been consulted on the application and have set out details of the bin storage requirements for the development which have been provided to the agent for the application. The Waste Management section have

raised no objection in principle subject to a condition requiring the submission of a waste management strategy, which reflects these requirements, prior to first occupation of the development.

Car Parking

164. The maximum car parking standards as detailed within Supplementary Planning Document 3 'Parking Standards and Design' (SPD3) apply to the consideration of this application. Therefore, at this location the maximum standards are for a one-bedroom dwelling unit, one car parking space and a two or three-bedroom dwelling unit, two car parking spaces.

165. The proposed development comprises 16 no. one-bedroom, 34 no. two-bedroom, and 10 no. three-bedroom units, equating to a required overall maximum car parking provision of 104 spaces. It is proposed to provide 27 car parking spaces for the apartments, and each house will have one allocated space. One visitor parking space would also be provided which is intended to be shared between the houses. This is a total of 38 parking spaces across the site.

166. The LHA is aware of some complaints regarding on street parking and some of the representations in relation to this application have been received from new residents which refer to a lack of parking within the new Itron development. The LHA states that the application proposes parking levels below that of the development approved at Itron. The LHA suggest further clarification and justification is required for this level of parking at the site.

167. In response the applicant's agent has stated that the level of parking proposed conforms generally to other 100% affordable Southway schemes and lower levels of parking have been accepted on other sites they have developed. The car parking spaces for the apartments will be sold with the flats on a first-come first-served basis. Prospective residents could therefore make a decision on buying / renting an apartment based on their need for car parking and affordability. All the houses will have one allocated car parking space. However in general Southway see less car ownership in affordable schemes than on market housing. In addition, Southway have ownership data which confirms that the 21-29 age group are the main owner / occupiers of their schemes. This is relevant in the context of the statistics which show that there is a reduction in the number of young people who are driving within the Greater Manchester Region. The scheme includes good levels of cycle parking provision and has excellent public transport links.

168. The LHA accept that the development is located in highly sustainable location with close links to public transport, bus and Metrolink, on a good cycle network and has amenities (shops, schools, health facilities etc) within walking distance. Whilst it is noted that this does not necessarily prevent vehicle ownership, there are double yellow lines in place along the east side of Christie Road, with matchday permit parking restrictions applicable to other roads (which will be extended to include the

ltron development), therefore limiting the availability of on-street parking within the local area and reducing the potential harm to parking stresses and the local highway network.

169. A financial contribution is also sought from the applicant to undertake a Traffic Regulation Order (TRO) review, proposed to increase the level of parking restrictions and provide double yellow lines along the west side of Christie Road, with all associated works to be funded by the developer. Southway have committed to paying the required financial contribution to undertake a TRO review with a view to increasing the level of parking restrictions in the locality.

170. The LHA also note that residents of new developments are not automatically entitled to buy on-street residents parking permits. Trafford Council's Parking Team has advised that blocks of apartments are generally not given any entitlement to permits.

171. Therefore officers are satisfied that an appropriate level of car parking has been proposed on the site and that the development would not result in undue impacts on parking stresses on surrounding and nearby streets. The proposal is therefore considered to be in accordance with the NPPF (para.105) and Development Plan policy to focus development on sustainable brownfield sites, with excellent access to public transport and walking and cycling routes offering a genuine choice of modes of transport.

Accessible Car Parking

172. The accessibility parking standards shown in SPD3 Appendix A are minimum requirements (refer to Policy L4 & Appendix 3 of the Trafford Core Strategy). SPD3 states that for residential dwelling developments the provision of accessibility parking spaces should be negotiated on a case-by-case basis. The proposed development would provide two accessibility parking for use by residents of the proposed development apartments which is accepted and in line with the SPD guidance.

Cycle Parking and Storage

173. The minimum cycle parking standards as detailed within SPD3 state one cycle parking space is required for a one-bedroom dwelling unit, and one communal or two allocated spaces are required for a two or three-bedroom dwelling unit. It is proposed to provide 84 communal spaces for the 50 no. apartments (as stated within the amended Transport statement), which will be located within a dedicated cycle store near the proposed access and this is acceptable. There is scope for in curtilage for cycle parking provision for each of the houses. A condition requiring details of the cycle parking storage provision, to be provided in a secure and covered arrangement for use by residents is recommended.

Transport for Greater Manchester (Infrastructure)

174. Comment that from reviewing the assessment work contained within the Transport Statement it is considered that the proposed trip generation is likely to fall below TfGM's threshold (30 vehicles per/hour) for the requirement of any further highway impact assessment work. They defer to the LHA on parking provision but would recommended that a review of Traffic Regulation Orders (TROs) is undertaken on the surrounding highway.
175. Conditions requiring a Construction Method Statement and a Travel Plan are also requested by the LHA and these are recommended accordingly.

Conclusion on Highways Issues

176. It is the case that the provision of this level of affordable homes on a well landscaped site is based on an approach of low car ownership. This has assisted in providing a pleasant environment within the site by avoiding large swathes of hardstanding for parking. The site is in a highly sustainable location with excellent connectivity via tram or bus, as well as being highly accessible for pedestrians and cyclists. The site is also close to a variety of shops and services. This means that sustainable methods of transport are a genuine option for journeys to and from the site and it is considered that this site typifies the thrust of the NPPF to focus significant development in sustainable locations in order to help reduce congestion and emissions, and improve air quality and public health.
177. On balance and subject to appropriate conditions and a legal agreement requiring the funding of a review of Traffic Regulation Orders in the vicinity of the site as set out above, officers consider that appropriate supporting information has been provided to demonstrate that the level of car parking proposed is sufficient and would mitigate for any potential for overspill onto surrounding streets.

TREES AND ECOLOGY

Trees and Landscaping

178. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.
179. In line with Core Strategy Policy R3, measures should be included aimed at mitigating the direct impact of the development on the immediate environment and also contributing towards climate change adaptation.

180. An Arboricultural Impact Assessment and Method Statement have been submitted with the application, as has a landscape layout and landscape statement. The Council's Arboriculturist has commented that none of the trees within or adjacent to the site are protected under a TPO. A total of ten trees are proposed for removal to enable development, three of moderate quality. The majority of the trees proposed for removal are early mature trees.
181. The retained trees will provide screening along the south and south-western boundaries with the canal and existing dwellings and they will also provide structure for the proposed new planting. The two mature street trees, T2 a London plane (*Platanus x hispanica*) and T3 an Ash (*Fraxinus excelsior*) on Christie Road are to be retained and are considered to be the most important trees associated with the site. They will provide important softening and screening as well as giving the development a sense of maturity.
182. The proposed landscaping proposals include approximately 38 medium size new trees including native tree and buffer planting with species such as Hawthorn (*Crataegus monogyna*), Rowan (*Sorbus aucuparia*), Dog rose (*Rosa canina*), Guelder rose (*Viburnum opulus*), and Elder (*Sambucus nigra*) as recommended in the supporting ecology statement. Trees such as Whitebeam (*Sorbus aria*), Rowan (*Sorbus aucuparia*) and Hawthorn (*Crataegus monogyna*) are proposed along the Christie Road frontage, planted as semi mature stock. Ornamental trees, appropriate for a small garden or courtyard location are proposed in those areas, including multi-stem Himalayan birch (*Betula utilis subsp. utilis*) and Cornelian cherry dogwood (*Cornus mas*). Apples and crab apples (*Malus cultivars*) are proposed along the canal frontage, adjacent to the car park and Plot 10. Malus are small trees suitable for small spaces and will provide the opportunity for residents to have access to produce and play a role in the maintenance of the landscape. There is no objection to the species proposed no arboricultural objections to the proposals providing the recommendations within the submitted Arboricultural Impact Assessment and Method Statement are followed and that the tree protection measures detailed on the Tree Impacts and Protection Plan are in place prior to works starting on site. The uplift in landscaping at the site overall is considered beneficial to the green infrastructure network.

Ecology

183. Policy R2 of the Trafford Core Strategy seeks to ensure that all developments protect and enhance the Borough's biodiversity. Policy R2 of the Core Strategy is considered to be compliant with the NPPF and therefore up-to-date as it comprises the local expression of the NPPF's emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.
184. Paragraph 180 d) of the NPPF states: "*opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially*

where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

185. The application is accompanied by a Preliminary Ecological Appraisal Report, Biodiversity Metric Report and Biodiversity Metric 3.1 Calculation.
186. The GM Ecology Unit (GMEU) have been consulted on the application. In relation to the Ecological Appraisal carried out the GMEU comment that the site currently supports a building of negligible value to bat roosting and the surrounding habitats within the site are of only local and in part limited value to biodiversity. The site does however abut the Bridgewater Canal Site of Biological Importance.
187. The Biodiversity Metric Report concludes that the proposed scheme and associated landscape plans show a total gain of 3.77 habitat units and a gain of 0.14 hedgerow units. A net gain of habitats will be incurred on-site as a result of development.
188. They GMEU comment that the development as outlined in the supporting plans and statements should result in a net gain for both linear and area based habitats. A Landscape and Ecological Management Plan condition is required to ensure that the habitats reach the condition required to achieve this gain.
189. The Biodiversity Metric Report states that the Biodiversity Metric 3.1 Calculation does not take into account the potential for additional biodiversity enhancements within the site, and to further increase the site's value for wildlife, hibernacula, hedgehog houses and / or bat and bird boxes could be integrated into the site. The applicant has agreed to a condition requiring such additional biodiversity enhancements.
190. The GMEU have stated that conditions are also required relating to the protection of nesting birds, the need for a pre-commencement survey for a protected species and a requirement for boundary treatments adjacent to the canal to allow ecological permeability. This would ensure that the design would allow for small mammal / amphibian passage by making provision for gaps at the foot of any new boundary structures.
191. A number of other conditions are also recommended by the GMEU in relation to tree protection, measures to prevention pollution of the canal during demolition / construction and an appropriate landscape specification and external lighting scheme to ensure it is designed to be wildlife sensitive. These conditions are attached accordingly. An informative drawing the applicant's attention to good site clearance practice and taking Reasonable Avoidance Measures (RAM's) in relation to any animals, protected or otherwise on the site is also recommended.

Conclusion on Trees and Ecology

192. It is concluded that subject to the recommended conditions and informatives the scheme would result in net gain for biodiversity and green infrastructure, compliant with Policies R2, R3 and R5 of the Core Strategy and the NPPF.

CONTAMINATION, FLOOD RISK AND DRAINAGE

193. Policy L5 states that *‘Development that has 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’*.

194. The Council’s Pollution and Housing section have been consulted on the application and comment that a review of the supporting preliminary site investigation report has been carried out. Due to the former usages of the land it is highly likely that contamination is present which could result in an adverse risk to future site users and the wider environment. The site investigation undertaken so far confirms the presence of several contaminants within the development area that are above objective levels and will require remediation to break pollutant pathways to future site users. However, there are locations across the development site which have not been subject to site investigation due to the presence of buildings and occupied commercial units. The report confirms that further investigation will be required following demolition to ensure that a full investigation of the site is obtained and this includes a full ground gas risk assessment. No objection is raised to the development in relation to contaminated land but to ensure that the further site investigation is undertaken and remediation takes place to remove risks to future site users and the wider environment, contaminated land conditions are required and these are recommended accordingly.

195. The Environment Agency have also commented in relation to the potential for water pollution. They comment that the site has an historical industrial land use that is likely to have introduced elevated concentrations of contamination into the ground and groundwater, which may pose a risk to controlled waters. They note that a Phase I Geo-Environmental Site Assessment has been submitted and that the submitted information demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Therefore they consider that the proposed development will be acceptable if planning conditions are attached requiring the submission of a remediation strategy and validation report and other conditions relating to piling and infiltration of surface water drainage.

196. Policy L5 of the Trafford Core Strategy states that *“the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location”*. At the national level, NPPF paragraph 167 has similar aims, seeking to ensure that development is safe from flooding without increasing flood risk elsewhere. Policy L5 is considered to be up to date in this regard and so full weight can be attached to it.

197. The LLFA have been consulted and having considered the latest Flood Risk Assessment and Drainage Strategy Report comment that they have no objection in principle subject to appropriate conditions relating to surface water disposal and a management and maintenance plan for the development. They also comment that it will be necessary to remove permitted development rights for any properties whose land lies within the 8 metre easement of the culverted watercourse. A condition removing permitted development rights has been recommended accordingly.
198. United Utilities have no objection in principle but recommend a condition requiring full details of sustainable surface water and foul water drainage to be submitted for approval by the LPA. Whilst the sustainable surface water drainage will be dealt with via the conditions recommended by the LLFA, foul water drainage is outside the remit of the LLFA. As such a separate condition requiring details of foul water drainage is recommended for future consideration by United Utilities.
199. The Environment Agency have confirmed that following their review of additional information provided by the applicant's drainage consultants regarding the proximity of the development to Longford Brook culverted watercourse, they have no objection to the proposals. This is subject to the imposition of the conditions relating to the prevention of water pollution referenced above and an informative advising the applicant of the need for a permit for works in the proximity of the culverted Longford Brook under the Environmental Permitting (England and Wales) Regulations 2016.
200. It is therefore considered that in relation to flood risk, drainage and contamination the development is acceptable and compliant with Core Strategy Policy L5 and the NPPF.

EQUALITIES

201. 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, pregnancy and maternity, marriage and civil partnerships, race, religion or belief, sex, and sexual orientation.
202. 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.
203. 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.
204. 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.
205. The application is supported by an Equality Impact Assessment which assesses the potential impacts of the development at the construction and operational phase.
206. The construction phase has the potential to differentially impact on groups with protected characteristics with regard to disturbance, and an increase in noise, dust and/or construction traffic. However, the assessment states that best practice construction measures will be implemented, the detail of which will be agreed with the Council and secured by condition to ensure that there is appropriate mitigation in place during the construction phase. As a result no significant disproportionate or differential impact on local area residents, workers, or visitors with applicable protected characteristics is anticipated.
207. In relation to the operational phase, the statement concludes that there is no clear relationship, or direct/indirect impact in respect of the protected characteristics of gender reassignment; marriage and civil partnership; race; religion or belief; sex or sexual orientation.
208. The statement concludes that there will be a positive impact in relation to the protected characteristics of age; disability and pregnancy and maternity. In summary this is because the scheme will create new affordable homes that can be inhabited by families with babies and young children as well as older people. The development will adapt to needs of residents over time through the provision of flat and continuous footpaths around the apartment block and between buildings, bin store, parking areas and open spaces, providing step free access to the apartment building and houses, providing homes within the apartment building that can be used by a wide range of people, including older and disabled people and having all upper floors within the apartment building accessible via a centrally located lift and ambulant disabled stair. Occupants will have convenient access to local amenities, as well as opportunities to interact with the wider community and avoid feeling isolated.
209. 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.

OTHER MATTERS

210. An objection has been received in relation to the level of publicity carried out. The application has been advertised in the press, two sets of site notices have been posted and three rounds of neighbour letters have been sent out. It is considered that the Council has exceeded the statutory publicity requirements and requirements of the Councils Statement of Community Involvement in relation to this development.
211. Some objectors have commented that they do not want this level of provision of affordable housing on the site due to the negative impact on the area in terms of crime and property values. There is a significant need for affordable housing in the Borough and provision above the required minimum is supported. The Crime Impact Statement prepared by the GM Police Design for Security does not link affordable housing to crime issues and it is not considered reasonable to do so. Impact on property values is not a material planning consideration.
212. Southway's ability to manage the site has been questioned by an objector to the development. No evidence has been provided to substantiate this and it is not a material planning consideration.
213. The quality of some of the supporting statements have also been questioned. Again no clarification has been provided as to why this is considered to be the case and officers are satisfied that the supporting documents are of an appropriate standard.
214. Objectors have stated that the site should be used for greenspace for the Novus residents or other forms of infrastructure for the existing community. It is not the landowner's responsibility to use this site as greenspace for residents of a nearby development and the level of green infrastructure provided on site is considered appropriate for the reasons set out in the subsequent section of the report. In relation to community infrastructure and also as set out below, the applicant has agreed to fund the required secondary school places and NHS Greater Manchester (Trafford) have confirmed that the development will not materially impact on health services in the area.

DEVELOPER CONTRIBUTIONS

Education

215. 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. The Council's Education service has provided a calculation for this contribution. The pupil yield of the proposed development has been calculated as four primary and two 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 £49,506 and the applicant has agreed to fund this.

Healthcare

216. 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. NHS Greater Manchester (Trafford) were consulted on the application and do not consider that the proposal will impact materially on health services and therefore no contributions are required.

Open Space and Green Infrastructure Provision

217. 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).

218. 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.

219. Using the SPD1 calculations the site would generate a 107 person capacity and this would require on site provision of a LAP (Local Area for Play) which has a minimum area for activity and buffer zone of 400 sq. m. This should comprise an area for informal recreation, landscaping and seating and may include a low key games area for toddlers. The application site provides a total area of communal open space of 1184 sq. metres and this includes both formal and more natural landscaped areas. These areas include single seats, benches and stepping stones.

220. Policy R3 of the Core Strategy seeks to protect and enhance the Borough's green infrastructure network and in accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. The application would result in an uplift in green infrastructure across the site and this would include new native tree planting which would include an area of orchard trees such as apple and crab apple along the canalside boundary to provide the opportunity for residents to have access to produce and play a role in the maintenance of the landscape. Also proposed is hedgerow planting, shrub and perennial planting and species rich grassland and a condition is recommended in order to secure this.

221. Overall and having regard to the requirements of Policies R3, R5, L8 and SPD1 it is considered that the proposed landscaping and communal amenity spaces are well considered, appropriate and will result in a pleasant environment for future occupiers.

Community Infrastructure Levy

222. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the cold market area for residential development, consequently private market houses will be liable to a CIL charge rate of £20 per square metre, and apartments 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).

223. However developments that provide affordable housing can apply for relief from paying CIL on those affordable units. Subject to the relevant criteria being met, relief from paying CIL can be granted and the CIL payments will be reduced according.

PLANNING BALANCE AND CONCLUSION

224. 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.

225. 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.

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

- Some limited harm to residential amenity of existing and future residents arising from the development not fully complying with the guidelines set out in SPG1 with some minor shortfalls in separation distances and when considered against the BRE daylight/sunlight guidance
- Limited harm from non-compliance with the development plan affordable housing tenure split
- Minor harm from the removal of a number of existing trees
- Minor harm from the loss of employment land
- Minor harm from the level of car parking provision which below the maximum standards set out in SPD3.

227. 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.

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

- Delivery of 60 affordable homes on a brownfield site in a highly sustainable location. The proposals would contribute towards addressing the identified housing land supply shortfall, the critical need for affordable housing and the Council's policy aspiration to maximise the use of previously developed land for housing. Substantial weight has been given to this benefit.
- Delivery of a well-designed, energy efficient, accessible, development for future occupiers, Moderate weight is afforded to this benefit
- Biodiversity improvements and high quality tree planting scheme. Moderate weight is afforded to this benefit.
- Economic benefits that will flow from construction and occupation. Additional expenditure into the local economy will support existing services in the area, limited weight is afforded to this benefit.

229. The main adverse impacts relate to the minor shortfalls against SPG1 and BRE guidelines and levels of car parking provision below maximum SPD3 standards and these issues are considered 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 provision of affordable housing on a sustainable brownfield site. Substantial weight is also given to the good quality, accessible design, increased green infrastructure and energy efficiency. Moderate or limited weight is also afforded to the other benefits listed above.

230. Having carried out the weighted balancing exercise under Paragraph 11 (d)(ii) of the NPPF, it is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of doing so. Indeed

the benefits of the scheme are considered to significantly outweigh the adverse impacts identified above. The application is therefore recommended for approval.

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 **£49,506** towards off-site secondary education facilities;
 - The retention of Calder Peel Architects in the role of design certifier throughout the construction period, or alternatively to secure a commuted sum to cover the professional fees required to enable the local planning authority and developer to work together to secure the involvement of an architectural practice of their choice in the role of design certifier;
 - A commitment to fund a review of Traffic Regulation Orders.
- (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 following submitted plans:

SITE LOCATION PLAN – DWG: 20112 (PL) 002 B
PROPOSED SITE PLAN - DWG: 20112 (PL) 001 M
PROPOSED GROUND FLOOR PLAN – DWG: 20112 (PL) 100 G
PROPOSED FIRST & SECOND FLOOR PLAN - DWG: 20112 (PL) 101 F
PROPOSED THIRD FLOOR PLAN - DWG: 20112 (PL) 102 F
PROPOSED FOURTH & FIFTH FLOOR PLAN - DWG: 20112 (PL) 103 F
PROPOSED ROOF PLAN - DWG: 20112 (PL) 104

PROPOSED ELEVATION 1 & 2 - DWG: 20112 (PL) 200 E
PROPOSED ELEVATION 3 & 4 - DWG: 20112 (PL) 201 E
PROPOSED HOUSE TYPE PLANS AND ELEVATIONS - DWG: 20112 (PL) 120 E
PROPOSED STREETSCENE - CHRISTIE ROAD - DWG: 20112 (PL) 354 B

HOUSING BUILDING DETAIL SHEET 01 – DWG: 20112 (PL) 400*
HOUSING BUILDING DETAIL SHEET 02 - DWG: 20112 (PL) 401*
HOUSING BUILDING DETAIL SHEET 03 - DWG: 20112 (PL) 402*
APARTMENT BUILDING DETAIL SECTION - DWG: 20112 (PL) 450 A

PROPOSED REFUSE AND CYCLE STORE - DWG: 20112 (PL) 133 A
LANDSCAPE GENERAL ARRANGEMENT PLAN DWG: 11876_LD_PLN_002 Issue E
LANDSCAPE MASTERPLAN – DWG: 11823_LD_PLN_001 Issue E
ILLUSTRATIVE LANDSCAPE SECTIONS – DWG: 11823_LD_SEC_001 Issue B

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

3. The residential units hereby permitted shall only be used for the purposes of providing affordable housing (as defined by the NPPF Annex 2, or any subsequent amendment thereof) to be occupied by households or individuals in housing need and shall not be offered for sale or rent on the open market. A minimum of 11 units shall be used only for affordable rent and a maximum of 49 units shall be for shared ownership only. Any affordable housing units provided for affordable rent shall only be occupied by individuals from within the boundaries of Trafford Borough in housing need and Trafford Borough Council shall be given at least 75% nomination rights. Provided that this planning condition shall not apply to the part of the property over which:- (i) a tenant has exercised the right to acquire, right to buy or any similar statutory provision and for the avoidance of doubt once such right to acquire or right to buy has been exercised, the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market; (ii) a leaseholder of a shared ownership property has staircased to 100% and for the avoidance of doubt once such staircasing has taken place the proprietor of the property, mortgagee and subsequent proprietors and their mortgagees shall be permitted to sell or rent the property on the open market.

Reason: To comply with Policies L1, L2 and L8 of the Trafford Core Strategy and the Council's adopted Supplementary Planning Document 1: Planning Obligations and the National Planning Policy Framework.

4. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and the building of sample panels on site as necessary. Development shall be carried out in accordance with the approved details.

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

5. No above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the building (including sections and details at 1:20) 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) Location of materials and brick detailing
 - (ii) All fenestration details including projections and recesses/window reveals
 - (iii) All entrances into the buildings including canopies and gates
 - (iv) Elevation details of lift overruns and plant enclosure
 - (v) The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the building
 - (vi) The siting of any external façade structures such as meter boxes
 - (vii) Any external balconies / walls around balcony or terrace areas
 - (viii) Plans detailing the siting and design of any photovoltaic panels on the houses and apartment building
 - (ix) Details of height and design of privacy screens to roof terraces on the houses (Plots 1-10 inclusive)

Development shall proceed in accordance with the approved detailed façade schedule.

Reason: In the interests of visual amenity and in protecting the original design intent and quality of the proposed development, having regard to Core Strategy Policies L7 and R1 and the National Planning Policy Framework

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, 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 design, location, the nature of the proposed development and having regard to Policies L7, R2 and R3 of the Trafford Core Strategy and the National Planning Policy Framework.

8. No development or works of site preparation shall take place until all trees, hedgerows and scrub to be retained on or adjacent to the site, including those at the canal edges have been enclosed with protective fencing in accordance with the protection measures detailed on the Tree Impacts and Protection Plan No. 001 dated 07.02.2023. All recommendations set out within the Arboricultural Impact Assessment and Method Statement ref. 80-839-R3-2 dated 07/02.2023 shall be followed and the protective fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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

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

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

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

11. The development hereby approved shall not be occupied / brought into use unless and until a Travel Plan, which should include measurable targets for reducing car travel, has been submitted to and approved in writing by the Local Planning Authority. On or before the first occupation of the development hereby permitted the Travel Plan shall be implemented and thereafter shall continue to be implemented throughout a period of 10 (ten) years commencing on the date of first occupation.

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

12. 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. The approved Statement shall be adhered to throughout the demolition/construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. hours and location of proposed deliveries to site
- iii. loading and unloading of plant and materials including times of access/egress
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoardings including decorative displays and information for members of the public, including contact details of the site manager
- vi. wheel washing facilities and any other relevant measures for keeping the highway clean
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)

- viii. proposed days and hours of demolition and construction activity (in accordance with Trafford Councils recommended hours of operation for construction works)
- ix. 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
- x. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- xi. 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
- xii. Measures, such as protective fencing, to prevent pollution, run-off, contaminants and sediments from entering the canal. Details of the siting of site compounds, material stores and spoil for removal or re-use should be provided and these should be located away from the canal boundary.

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 and ecology having regard to Policies R2, 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, ecology and highway impacts.

- 13. 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.

14. 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.

15. No infiltration of surface water drainage into the ground where adverse concentrations of contamination are known or suspected to be present is permitted. Consent may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters subject to details being submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

16. Piling or any other foundation designs using penetrative methods shall not be permitted. Consent may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater subject

to details being submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in accordance with Policies L5 and L7 of the Trafford Core Strategy and the National Planning Policy Framework.

17. No development shall take place, other than works of demolition, until a scheme to improve surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on one of the two options within the submitted Flood Risk Assessment and Drainage Strategy Report (Project No: 5017920 / Date: 09/03/23 / Version 4 / Ridge and Partners LLP) below and must be in accordance with the drainage hierarchy:

- Preliminary Drainage Strategy Soakaway Assessment (Infiltration)
- Preliminary Drainage Strategy (Dwg Ref: 5017956/RDG/ZZ/ST/DR/C/05001/Rev P04) (Discharge to watercourse)

The approved flood risk and drainage strategy shall be implemented in full and retained thereafter.

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

18. No above ground construction works shall take place until a Drainage Management and Maintenance plan for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. This shall provide the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements for securing the operation of the drainage scheme throughout the lifetime of the development. The development shall subsequently be completed, maintained and managed in accordance with the approved details.

Reason: To ensure that suitable management arrangements are in place for the drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, having regard to Policy L5 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

19. No above ground construction works shall take place until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The site shall be drained via separate systems for the disposal of foul and surface water.

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

20. The development hereby approved shall not be occupied or brought into use until full details of the provision of at least one electric vehicle (EV) charge point (minimum 7kWh) for every residential dwelling with dedicated parking or one electric vehicle (EV) charge point (minimum 7kWh) for every 10 car parking spaces for unallocated parking and other passive infrastructure for future use, has been submitted to and approved in writing by the Local Planning Authority. 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 environmental protection having regard to Policy L5 of the Trafford Core Strategy and the National Planning Policy Framework.

21. The development hereby approved shall not be occupied unless and until details of energy efficiency measures and any low/zero carbon technologies incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate how carbon emissions of at least 5 per cent below the Building Regulations Target Emissions Rate have been achieved. The approved measures shall be implemented in full.

Reason: In the interests of achieving a reduction in carbon emissions, having regard to Policy L5 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:

a) A phased programme and methodology of investigation and recording to include:

- an archaeological desk-based assessment
- informed by the above, a watching brief during the removal of any foundations or hardstanding over areas of potential archaeological significance
- informed by the above, targeted area(s) excavation using a strip-map-record methodology (subject of a new WSI)

b) A programme for post-investigation assessment to include:

- analysis of the site investigation records and finds

- production of a final report on the significance of the investigation results .

- c) Deposition of the final report with the Greater Manchester Historic Environment Record.
- d) Dissemination of the results of the site investigations commensurate with their significance.
- e) Provision for archive deposition of the report, finds and records of the site investigation.
- f) 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 until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In order to ensure that the habitats reach the required condition to achieved the stated biodiversity net gain having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

24. No boundary treatments shall be erected along the southwestern boundary of the site, adjacent to the Bridgewater Canal, unless full details of the siting and design of such structures have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate how the boundary treatments have been designed to allow small mammal passage and should show the provision and specification of small mammal / amphibian gaps at the foot of any new structures. The approved details, shall be implemented in full accordance with the approved details and retained as such thereafter.

Reason: In order to allow passage of small mammals / amphibians having regard to Policy R2 of the Trafford Core Strategy and the National Planning Policy Framework.

25. Protected species condition (redacted).

26. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March-August inclusive) unless an ecological survey has been submitted to and approved in writing by the local planning authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance 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.

27. No above ground construction works shall take place unless a scheme detailing the Biodiversity Enhancement Measures proposed on the site which shall include bat bricks / bird boxes, hibernacula and hedgehog houses, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) and shall be retained thereafter.

Reason: In order to protect and enhance the ecology 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.

28. The development hereby approved shall not be occupied unless and until a Waste Management Strategy has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall detail the number, size and type of bins to be provided, how they will be accessed by residents and how they

will be made available for collection on bin day and returned to their approved storage area thereafter. The approved strategy shall be implemented for the lifetime of the development.

Reason: In the interests of residential amenity, having regard to Policy 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 GN01:2021 and Bats and Artificial Lighting in the UK GN 08/18. The approved details, including any necessary mitigation measures, shall be implemented in full before the development hereby permitted is first occupied and shall be retained thereafter in working order.

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

30. No above ground construction works shall take place until a ventilation strategy for the development has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the development will comply with the relevant provisions of the 'Acoustics Ventilation and Overheating Residential Design Guide ('AVO Guide') (January 2020 Version 1.1)'. The development shall thereafter be accrued out in accordance with the approved details and retained as such thereafter.

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

31. No above ground construction works shall take place until an updated acoustic assessment, which relates to the plans hereby approved and to include full details of any required noise mitigation measures / plant and equipment, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the recommendations of the approved updated report and shall be implemented at all times throughout the operational life of the development. Written validation shall be submitted to and approved in writing by the Local Planning Authority confirming that the required noise insulation / mitigation works and site management controls have been implemented prior to the first occupation of the development.

Reason: In the interest of residential amenity and in compliance with Policy L7 and of the Trafford Core Strategy and the National Planning Policy Framework.

32. The noise rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall be selected and / or acoustically treated to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Noise measurements and assessments shall be carried out in accordance with the latest published edition of BS 4142 "Rating industrial noise affecting mixed residential and industrial areas". Written validation shall be submitted to and approved in writing by the Local Planning Authority confirming that the criteria for fixed plant and machinery has been met prior to the first occupation of the development. Any mitigation measures required to achieve compliance with this requirement shall be retained thereafter in working order.

Reason: In the interest of amenity and in compliance with Policy L7 and the National Planning Policy Framework.

33. 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)

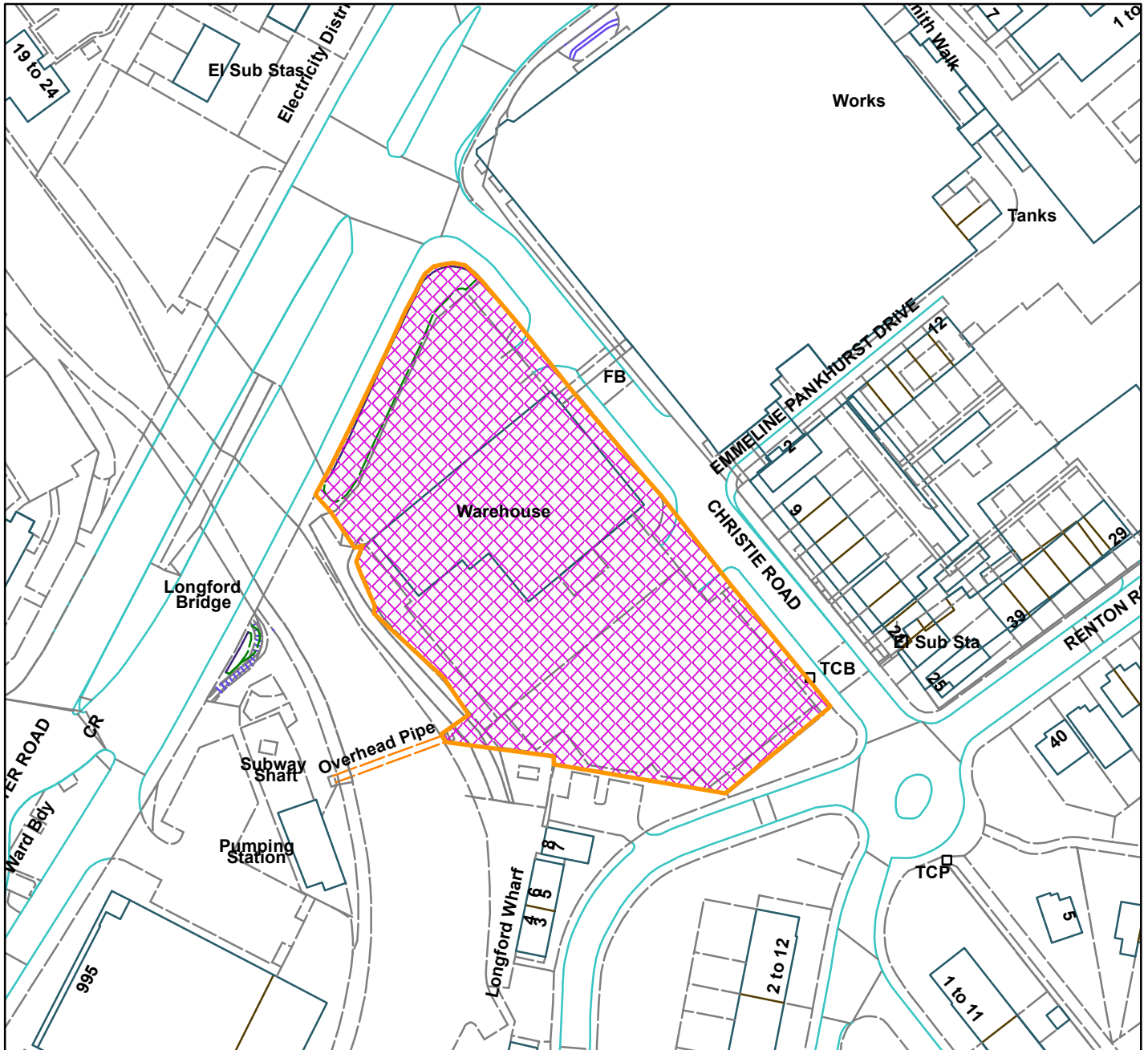
- i) no extensions shall be carried out to the dwellings;
- ii) no garages or carports shall be erected within the curtilage of the dwellings;
- (iii) no vehicle standing space shall be provided within the curtilage of the dwellings;
- (iv) no buildings, gates, wall, fences or other structures shall 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.

JJ



Land At Christie Road, Stretford (site hatched on plan)



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

| | |
|--------------|-------------------------|
| Organisation | Trafford Council |
| Department | Planning Service |
| Comments | Committee Date 13/04/23 |
| Date | 31/03/2023 |
| MSA Number | 100023172 (2022) |

WARD: Timperley

108956/HHA/22

DEPARTURE: No

Retrospective application for erection of two storey side extension and part single/part two storey rear extension

12 Rossett Avenue, Timperley, WA15 6EX

APPLICANT: Mr Yu

AGENT: Mr Gooding

RECOMMENDATION: GRANT

The application is reported to the Planning and Development Management Committee at the discretion of the Head of Planning.

SITE

The site refers to a 2-storey semi-detached dwelling on the north-east corner of Rossett Avenue, Timperley.

At the time of the site visit, a 2-storey side extension, and part single, part two storey rear extension had been constructed.

To the rear of the dwelling is a garden and a detached outbuilding.

The boundary to the side is shared with a pedestrian footpath linking Rossett Avenue and Riddings Road, with no 14 Rossett Avenue on the other side of this footpath.

PROPOSAL

Retrospective planning permission is sought for the extension as built, which consists of a two storey side extension and part single/part two storey rear extension

The side extension is set 0.7m back from the front elevation and has a width of 2.2m and depth of 8.7m, projecting 1.7m beyond the main rear elevation of the property at two storey. Beyond this the ground floor rear extension wraps around and projects for an additional depth of 1.8m, resulting in a total depth to the ground floor rear extension of 3.5m and occupying the width of the site.

The roof over the 1st floor extension is hipped to the side and rear, the ground floor extension to the rear has a lean-to roof with an eaves at 2.2m and maximum height of 3.4m.

A rooflight has been added to the main roof on the rear roofslope and at 1st floor level on the rear elevation of the main house, the window closest to no.10 (adjoining property) has been replaced with a smaller window.

Within the extension on the side elevation at first floor are two small, obscurely glazed windows serving the stairway and en-suite. To the front there is a window at ground and first floor in the two storey side extension and to the rear at ground floor level is a window and set of sliding windows/doors.

The increase in floor space of the proposed development is 37m².

Value Added

Concerns were raised over the accuracy of the plans submitted initially with the application, amended plans were received which have been corroborated by on-site measurements by the planning officer. A further set of amended plans were received which included the roof light to the rear.

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L7- Design

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

PROPOSALS MAP NOTATION

None

OTHER RELEVANT PLANNING GUIDANCE

SPD3-Parking Standards and Design

SPD4- A Guide for Designing House Extensions and Alterations

PLACES FOR EVERYONE

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 and are timetabled to continue until at least March 2023. 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.

RELEVANT PLANNING HISTORY

107866/HHA/22 - Erection of two storey side extension and part single/part two storey rear extension – Approved with Conditions 5 July 2022

105445/HHA/21 – Erection of First floor side extension and part single part two storey rear extension - Refused 11 February 2022

H/59504 - Erection of two storey side and rear extension. Erection of pitched roof to existing ground floor rear extension. Formation of widened driveway - Approved with Conditions 5 July 2000.

H02106 - Erection of dining room and bathroom extension - Approved with Conditions 18 July 1975

APPLICANT'S SUBMISSION

None

CONSULTATIONS

None

REPRESENTATIONS

Letters of objection were received from two local properties, 10 Rossett Avenue and 98 Riddings Road which have been summarised below.

- Addition of a Velux rooflight which wasn't on previous plans and believes requires planning permission if being used as a living space
- Two storey side extension not built in accordance with previously approved plans
- Rear outbuilding is less than 1m from the boundary and over 2.5m in height and being used as a dwelling and may not comply with building regulations
- Overdevelopment of the property including outbuilding
- Not built in accordance with plan
- Two storey rear extension is larger in width

OBSERVATIONS

BACKGROUND INFORMATION

1. A previous application for extensions at this property (ref. 105445/HHA/21) was refused by the Planning Committee in February 2022 contrary to officer recommendation. There were two reasons for refusal, one relating to design and the impact on the street scene and the other relating to the impact on the amenity of the neighbouring properties 10 and 14 Rossett Avenue.
2. A further scheme was submitted later that year (ref. 107866/HHA/22) which did not receive any objections from neighbours and was much reduced in scale from the refused scheme. This was granted planning permission under delegated powers in July 2022.
3. Enforcement complaints were received from residents and councillors once construction had started in August 2022 which referenced the closure of the footpath to carry out the works and the siting of the side extension in relation to the footpath.
4. The closure of the footpath during construction is not a matter for planning and is not material to the acceptability of the as built extension. However it was found that the development on site did not accord with the approved plans and therefore the current planning application was submitted to regularise the development.
5. The differences between the as built development and the approved scheme is set out below:
 - Reduced overall width to ground floor side extension by 0.3m (no longer chamfers to boundary with foot path)
 - Same depth to ground floor rear extension (3.5m)
 - Smaller depth to 1st floor rear projection by 0.6m

- Increased width to the 1st floor rear projection by 0.2m (no longer is set in from the side boundary)

PRINCIPLE OF DEVELOPMENT

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

DESIGN AND VISUAL AMENITY

8. Paragraph 126 of NPPF states *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*
9. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
10. From the front, the side extension is less than half the width of the original dwelling, ensuring it does not unbalance the semi-detached pair or appear unduly overbearing to the host property. The front elevation of the side extension is set back from the principal elevation of the dwelling in accordance with SPD4, avoiding unsightly tooting between new and original brickwork. The roof ridge over the extension is set down from the main ridge line appearing as a subservient addition to the dwelling.
11. The front and rear corners of the side extension abuts the boundary with the footpath with the majority of the side elevation set marginally away from the boundary, with this area being surrendered to the footpath due to the elevations linear nature the footpath being curved. The fence has been removed to this section.

12. The footpath adjacent to the site has not been reduced in width, it has been widened. The two storey elevation would reduce the openness of the footpath but does not limit its functionality.
13. In practice it is perceived that no distance is retained to the side boundary. SPD4 would typically stipulate a 1m separation distance to mitigate from terracing, retain visual gaps and a give a sense of spaciousness.
14. In this instance, the near 45 degree angle between 12 and 14 Rossett Avenue, and the presence of the footpath which provides a physical separation and visual break would ensure terracing would not occur and views between semi-detached pairs maintained. On this basis, retaining 1m to the side boundary is not considered necessary to maintain the prevailing residential character of area.
15. The separation to the side also provides for access between the front and rear of the dwelling, in this instance the existing (now demolished) ground floor extension ran up to the boundary, therefore no access lost as a result of this application.
16. At the rear, the extension with a projection of 3.5m and 1.8m at ground and first floor respectively does increase the footprint and massing of the dwelling, however it is considered sufficient outdoor space is maintained for the use by the occupant and the development is not overly dominant or cramped within the plot. Furthermore the roof design of the rear extensions are considered complementary in design and appropriate in scale to the main property and character of the area.
17. The fenestrations and opening are considered to be of acceptable design and typical of the surrounding area. Furthermore the brick used is considered to be similar enough to the host dwelling to comply with standard conditions in relation to materials. It is acknowledged dark grey/navy window and door frames have been used, whilst this contrasts with the immediate neighbours and the original white UPVC framing, there are several examples of brown window/door frames in this section of Rossett Avenue (nos. 2, 3 and 6). The installed windows are considered consistent with contemporary residential design. Overall it is not considered to unduly harm the street-scene or the character of the area.
18. It is recognised that the proposal is for a significant addition to the property given its prominent siting and generous width. Whilst a significant addition, the scale and appearance are considered to be acceptable and not be unduly visually intrusive to the property. It is considered, the overall impact would not be overly dominant or harmful to the character of the area.

RESIDENTIAL AMENITY

19. 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.

20. The relevant guidance contained within SPD4 states the following:

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

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

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

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

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

22. Section 3.4.3 states that for two storey rear extensions, normally extensions should not normally project more than 1.5m close to a shared boundary. If the extension is set away from the boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary.

Impact to attached neighbour- 10 Rossett Avenue

23. The ground and first floor projections would be within the parameters of SPD4 paragraph 3.4.2 as outlined above. Given the ground floor projection extends 1.5m beyond the ground floor projection to no.10 and the first floor extension is sited 3m from the shared boundary, with a depth of 1.8m. It is not considered the extension would have an unduly overbearing or unduly visually intrusive impact on 10 Rossett Avenue.

24. The ground and 1st floor rear elevation windows are not considered to cause overlooking above a level that can be reasonably expected with respect to adjoining semi-detached properties, with 2no bedroom windows at first floor level.

25. The addition of a rooflight, is similarly not considered to cause undue overlooking, given it does not service a habitable space, although even if it did it is not unusual for properties in this type of arrangement to have windows at roof level.

Impact on 14 Rossett Avenue

26. The relationship between 12 and 14 Rossett Avenue is irregular given the alleyway (width approx. 1.5m) separating the sites and the orientation of the buildings and due to the turn in the road.
27. The side extension faces on to the driveway/garage, 1no. high level window in the front elevation of the side extension to no.14, 1no. bedroom window in the main property and 1no kitchen window in the side elevation of the side extension. Other windows are present which are either obscure glazed or of a scale to ensure outlook would not be lost.
28. The kitchen window in the side elevation is not considered to be unduly impacted given to the rear elevation there is a set of full height windows/doors which give outlook to the garden which would be unaffected by the proposal and provides a greater quality outlook and light. The driveway/garage is not considered an area of high amenity value and it is not considered the first floor windows in front elevations are unduly impacted given the separation and relationship to the extension.
29. Therefore it is not considered that the development has a harmful overbearing or overshadowing impact upon the neighbouring dwelling.
30. The windows to the side elevation at first floor level could cause overlooking but given they do not serve habitable rooms these are to be condition as fixed shut to 1.7m above floor level and obscured in perpetuity by condition.
31. The new windows in the rear elevation and new roof light do not overlook the private garden area or habitable room windows and there is not considered to be an undue loss of privacy.

Impact on properties to the rear – 98 Ridings Road

32. There would be over 13.5m to the rear boundary and over 21m to the opposing rear elevation, ensuring it complies with the guidance in SPD4 and therefore not considered to cause a loss of amenity.

Impact on properties to the front – 7 Rossett Avenue

33. The proposed extension is not sited directly facing no. 7 and given the indirect relationship and the fact the extension does not extend past the front elevation of the main dwelling the development is not considered to cause a loss of amenity to no. 7 Rossett Avenue.

PARKING AND HIGHWAY SAFETY

34. There would be 4no. bedrooms as a result of the extension.
35. Parking space for 2 cars would be retained on site, whilst on street parking could provide for 1no car should it be required. The proposal is therefore considered acceptable in regards to parking and highway safety.

DEVELOPER CONTRIBUTIONS

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

OTHER MATTERS

37. The addition of the Velux rooflight does not require planning permission and neither does conversion of roofspace into living space. The roofspace does not give the head height required to be used living space and doesn't have formal access from the first floor. The use of the roofspace as living accommodation would be a breach of the Building Regulations and not planning control. There is no suggestion on site this has taken place however.
38. The outbuilding has been assessed by enforcement officers under enforcement complaint ref. 22/00214/NIA. It is acknowledged the building height is 5cm higher than the parameters permitted by Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015. The enforcement investigation concluded "This 5cm difference is not considered to cause any material harm or adverse impact in planning terms and it does not have a significantly greater overbearing impact on the neighbouring property than that which would be classed as permitted development. We are of the opinion that alterations to reduce the heights of the garden buildings by 5cm would result in little discernible improvement to the amenity of the surrounding area." As such it was not considered reasonable or expedient to take any formal planning enforcement action. Planning enforcement is a discretionary power and any decision to take formal enforcement action must consider the expediency of that course of action.
39. The use of the outbuilding is limited by the permitted development order as 'incidental' to use of the main dwelling. It cannot be used as primary living accommodation or as a self-contained property. No further enforcement complaints have been made relating to this.
40. It is acknowledged the built structure is not in accordance with the approved plans on 107866/HHA/22 and that is why this application is made retrospectively.

PLANNING BALANCE AND CONCLUSION

41. The application has been assessed against adopted policy and guidance, and comments received from local residents.
42. In regards to the both design and amenity, this scheme is considered to be an improvement compared to the refused application (105445/HHA/21) and the approved application (107866/HHA/22) with a less contrived side extension and reduced depth to the rear extension.
43. It is considered that the proposed development would be acceptable in terms of design and visual amenity, would not have any unacceptable impacts on the residential amenity of neighbouring properties and would be acceptable in terms of parking provision. All relevant planning issues have been considered and representations taken into consideration in concluding that the development accords with the development plan, SPD4 and the NPPF and it is therefore recommended for approval subject to the conditions listed below.

RECOMMENDATION: GRANT subject to the following conditions:-

1. The permission hereby granted relates only to the details of development as shown on the submitted plans, numbers PS522 REV GG; PS132 REV GG; PS222 REV GG received on 29.03.2023, and associated 1:1250 site location plan.

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

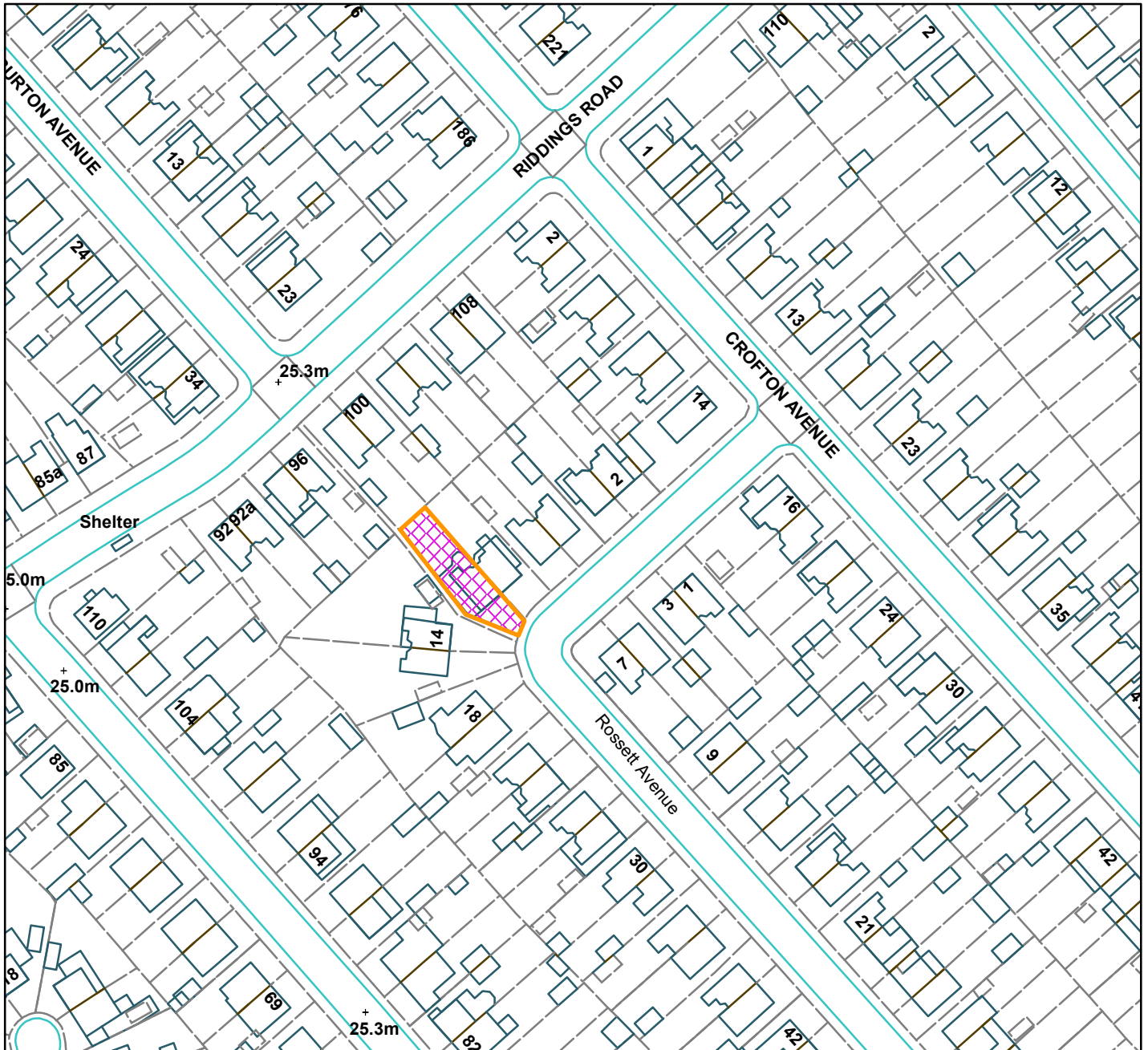
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) the windows in the first floor on the south-east side elevation facing no. 14 Rossett Avenue shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

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

NB



12 Rossett Avenue, Timperley (site hatched on plan)



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

| | |
|--------------|-------------------------|
| Organisation | Trafford Council |
| Department | Planning Service |
| Comments | Committee Date 13/04/23 |
| Date | 31/03/2023 |
| MSA Number | 100023172 (2022) |

WARD: Bowdon

109588/HHA/22

DEPARTURE: No

Alterations to the front boundary and erection of bin store.

9 Blueberry Road, Bowdon, WA14 3LS

APPLICANT: Wong

AGENT: John Wood Architect Limited

RECOMMENDATION: GRANT

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

SITE

The application site comprises a substantial detached property in the later stages of remodelling in accordance with the granted planning permission 100743/HHA/20 (as amended by non-material amendment 107224/NMA/22). The external materials approved include render, blue engineering bricks and aluminium cladding.

The immediate area is characterised by detached properties of between 1.5 and 2 storeys in height of various late 20th century designs. The general character and appearance of Blueberry Road and the adjacent Eyebrook Road is varied with original 1960's detached houses and a significant number of remodelled dwellings with larger expanses of glazing, render and increased ridge heights to accommodate living space within roof voids. Properties are provided with ample off road parking with large front gardens and relatively low front boundaries interspersed with higher means of enclosure.

There is an outbuilding sited to the rear of the rear garden.

There are no TPOs within or adjacent to the application site. The property is not within a Conservation Area or within the setting of a Listed Building.

PROPOSAL

The application proposes an alteration to a previously approved front boundary wall, pedestrian gate and vehicular gate, with the overall boundary treatment running across the full width of the front boundary of the plot.

The previously approved front boundary within planning permission 100743/HHA/20 showed the main body of the wall being 0.75m in height, with the piers (other than those adjacent to the gates) extending to a maximum height of 0.9m. The pedestrian gate and

vehicular gate extended higher than these elements, to 1.6m in height. The currently proposed access gates would be re-sited closer to the north-western end of the frontage rather than towards the south-eastern end as previously approved with the positions of the pedestrian gate and vehicular access gate swapped around to allow the pedestrian gate to remain central within the plot. The gates would be set back 1.85m from the site frontage whereas the previously approved gates were sited on the front boundary.

The wall and gates would retain the same general design and would be built in similar materials as previously approved. The previously approved wall was to be constructed in blue engineering bricks with reconstituted sandstone cappings, whereas the currently proposed wall would be constructed in blue engineering bricks with reconstituted grey stone cappings of the same size. The gates would be timber as previously approved. The vehicular access gate would be 4.4m in width and of a 1/3:2/3 side hung and inward opening design. The pedestrian gate would have a width of 1m. Four parking spaces would be provided in a tandem arrangement on the south-eastern part of the site frontage whereas previously two parking spaces were shown on either side of the frontage.

A bin store is also proposed at the north-western end of the site frontage that would be perpendicular to the front boundary and set back from it by 3.35m (also re-sited from the south-eastern end of the frontage where a similar structure was approved under planning permission 100743/HHA/20). A separation distance of 1.2m would be provided between the bin store and the boundary shared with No.7. It would have horizontal cedar batten cladding to all sides and be 1.6m in height with a planting area on top and three side hung sets of doors. Its width would be 1m and it would have a length of 4.7m. 1.9m would be provided between the bin store and the main building at its closest point.

ADDED VALUE

The original submission included the erection of a detached double garage to the property's frontage and adjacent to the common boundary with No.11 Blueberry Road. Following discussions between planning officers and the applicant, the submitted plans have been amended to omit this element from the application proposals due to concerns regarding its potential impact on the visual amenity of the street scene and the residential amenity of the neighbouring property.

The total increase to the floor space would be 0m²

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, these policies are 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.

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 updated on 5th April 2022. 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 began in November 2022 and are timetabled to continue until at least March 2023. 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

107224/NMA/22 - Application for non-material amendment to 100743/HHA/20 for omission of rear dormer windows, omission of sloping roof windows to front and side elevation and flat rooflights on main roof. Replacement of front dormer with sloping rooflights. Omission of 2 sideways-facing windows. Removal of loft stair & associated accommodation, introduction of double height spaces with mezzanine floors within bedrooms. Granted April 2022.

104984/HHA/21 - Erection of a single storey side extension and external lighting. Granted September 2021.

104986/CND/21 - Application for approval of details reserved by conditions of grant of planning permission 100743/HHA/20. Condition number: 3. Full discharge of conditions August 2021.

103836/NMA/21 - Application for non-material amendment to 100743/HHA/20 for various external amendments and alterations to materials. Granted June 2021.

100743/HHA/20 - Erection of part single/part two storey front and rear extensions, erection of a single storey side extension, an increase in the ridge height with the addition of front and rear dormers. External alterations to include rendering of the property and alterations to the existing access and details of front boundary treatment. Granted July 2020. (Not implemented).

99391/HHA/19 - Erection of part single/part two storey front and rear extensions, erection of a single storey side extension, an increase in the ridge height with the addition of rear dormers. External alterations to include rendering of the property and alterations to the existing access. Granted April 2020. (Not implemented).

APPLICANT'S SUBMISSION

CIL Questions.

CONSULTATIONS

Local Highway Authority - The applicant is reminded that the redundant access along Blueberry Road must be closed and re-instated as a footway with a full height kerb to the satisfaction of the LPA. There is no objection on highway grounds to the proposals.

REPRESENTATIONS

Neighbours - 9 letters of objection received from separate addresses. In response to being re-notified of amendments to the scheme to omit the previously proposed

detached garage, no further representations have been received. The main issues raised are summarised below.

Size and scale of detached garage

- Incongruous and overdevelopment of the property which pushes forward of building line.
- No other houses with detached garage and so would create a precedent for future similar over-dominant development that would dramatically change the character of Blueberry Road.
- The positioning of this garage, if approved, would be a major departure under the Trafford Core Planning Strategy SPD4 adopted guidance for extensions.
- Proposed garage is excessive.
- Garage would be so close to the front boundary that it would spoil the overall aspect of Blueberry Road.
- More destruction of gardens and trees in the area.
- Most front gardens allow open views and greenery so the garage would be completely out of keeping.

Impact on residential amenity

- View from front windows of No.11 would look directly out onto proposed garage and reduce light.

OBSERVATIONS

PRINCIPLE

1. Householder extensions and alterations are acceptable in principle subject to there being no undue harm to the character and appearance of the street scene or surrounding area through unsympathetic design or unacceptable harm to the amenity of neighbouring properties.
2. The proposal has been considered/assessed against Core Strategy Policy L7 and guidance contained in SPD4.
3. The applicant has an extant planning permission relating to previously approved access gates and a front boundary wall within application 100743/HHA/20 which is a material consideration in the assessment of the current application submission.

DESIGN AND VISUAL AMENITY

4. 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.'*

5. Policy L7 of the Core Strategy states that development should be appropriate in its context and make 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.
6. The applicant has an extant permission within 100743/HHA/20 (as amended by non-material amendment 107224/NMA/22) for the erection of a boundary wall and access gates of the same height (0.75m high wall with 0.9m high piers and 1.6m high access gates). Materials were fully discharged within Discharge of Conditions application 104986/CND/21 relating to Ibstock Staffordshire Slate Blue Smooth for the wall with sandstone cappings. The proposed means of enclosure would be similar in appearance and of the same height as this previously approved scheme but with grey stone cappings, and, in the context of the approved development, it is considered that it would be acceptable in design terms and would not cause harm to the character and appearance of the streetscene.
7. The applicant has included the proposed erection of a re-sited bin store as part of the current application (also of the same height and similar design as the previously approved bin store at the opposite end of the site frontage). This structure would, at 1.6m high, be the same height as the vehicular access gates but higher than the main body of the wall. Although visible in the street scene, it is considered that the set back of 3.35m and its timber clad appearance would mitigate its visual impact and it is considered that it would be acceptable in design terms. Furthermore, its relatively slim width (with the narrower elevation facing the road) would retain the sense of spaciousness around the property and it is therefore considered that it would be compliant with SPD4 in this respect.
8. It is therefore considered that the proposed development would not have any detrimental impact on the visual appearance of the street scene and would comply with Policy L7 of the Core Strategy and guidance in the NPPF in relation to design.

RESIDENTIAL AMENITY

9. 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.
10. The proposed means of enclosure has previously been assessed as not causing harm to residential amenity. The current proposal is similar in terms of its height, design and proposed materials and it is considered that it would not cause harm to residential amenity.

11. As such, it is considered that the proposed development would comply with Policy L7 of the Core Strategy in this respect.

PARKING AND HIGHWAY SAFETY

12. The original property had two vehicular accesses from Blueberry Road. It is proposed that one be infilled and the other be increased from 3m to 4.5m in width with an additional 1m wide pedestrian access to its side (this arrangement also having been approved previously under planning permission 100743/HHA/20 but with the access sited towards the other end of the site frontage).
13. The property is shown as being a 6-bedroom property with the potential for this to be increased were the study and playroom used as offices. Nevertheless, the maximum parking standard for this type of property contained in SPD3 is for 3 vehicles which can be accommodated within the garage and the driveway. The LHA has raised no objection to the proposals and it is considered that the development would be acceptable in terms of parking and highway safety impacts and would therefore comply with SPD3 and Policies L4 and L7 of the Core Strategy in this respect.

DEVELOPER CONTRIBUTIONS

14. The proposed development would not increase the internal floor space of the dwelling and therefore is below the threshold for charging. No other planning obligations are required.

PLANNING BALANCE AND CONCLUSION

15. The application has been assessed against adopted policy and guidance, taking account of the specific characteristics of the site and comments received from local residents.
16. It is considered that the proposed development would be acceptable in terms of design and visual amenity and would not have any unacceptable impacts on the residential amenity of neighbouring properties. The proposal would also be acceptable in terms of parking and highway safety impacts. As such, the development accords with Policies L4 and L7 of the Trafford Core Strategy, SPD4 and guidance in the NPPF and is recommended for approval subject to the conditions listed below.

RECOMMENDATION: GRANT subject to the following conditions:-

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on plan numbers: 901 – 15, 902 – 06 and 903-04, received by the local planning authority on 27 March 2023, and plan numbers 904-04, 905-03 and 906 – 02, received by the local planning authority on 10 November 2022.

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

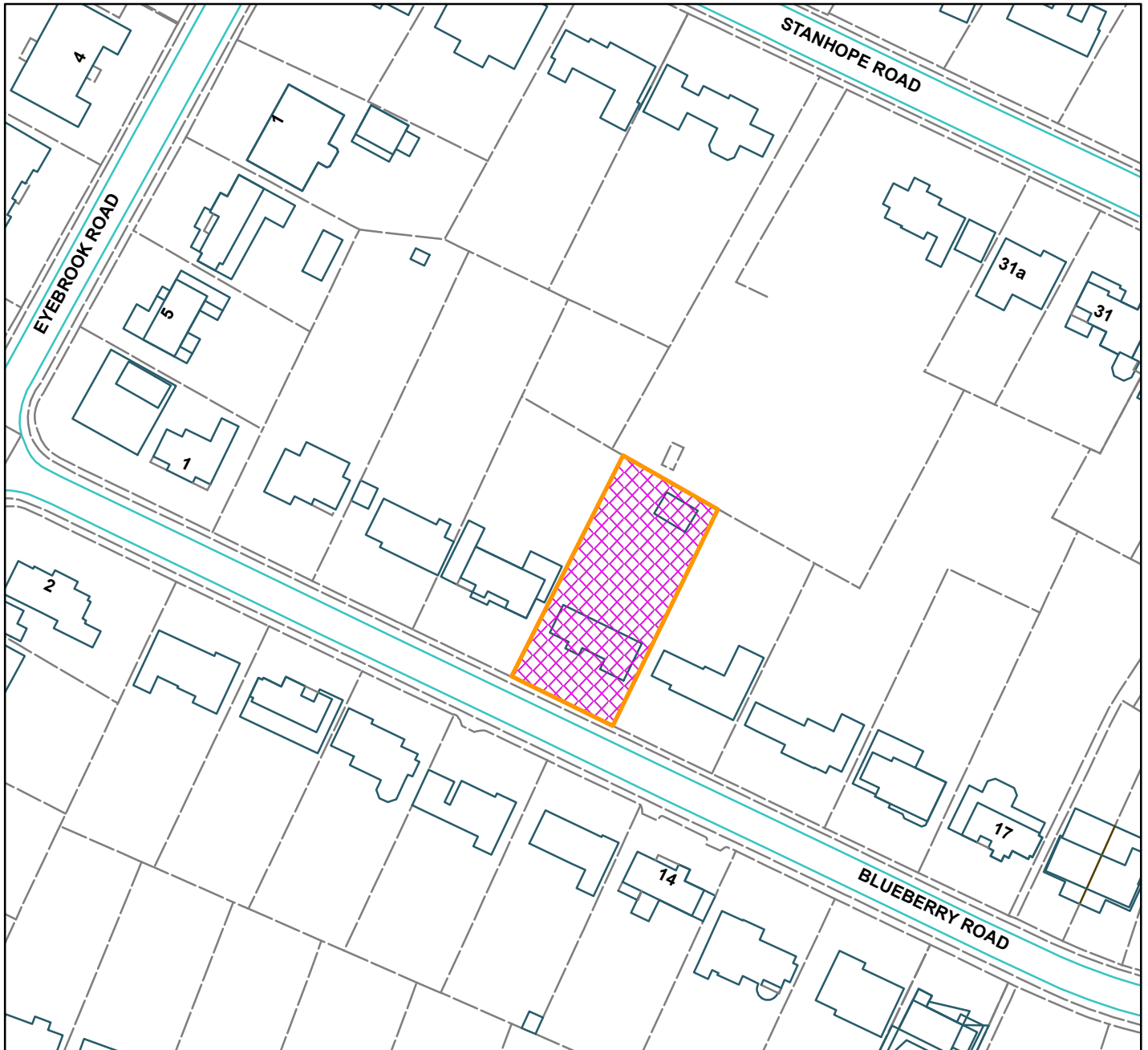
3. The development hereby permitted shall be constructed entirely of the materials details which are shown on plan numbers 903-04, 904-04, 905-03 and D24-03 (wall to be built in Staffordshire Slate Blue brickwork with grey reconstituted stone cappings and with timber gates and timber bin store).

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 National Planning Policy Framework.

GD



9 Blueberry Road, Bowdon (site hatched on plan)



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

| | |
|--------------|-------------------------|
| Organisation | Trafford Council |
| Department | Planning Service |
| Comments | Committee Date 13/04/23 |
| Date | 31/03/2023 |
| MSA Number | 100023172 (2022) |