

WARD: Broadheath

82896/FULL/2014

DEPARTURE: NO

Erection of 2 no. detached dwellinghouses with associated car parking and landscaping.

Land At Rothesay Crescent, Sale, M33 4NL

APPLICANT: Hampstead Land Limited

AGENT: Calderpeel Architects

RECOMMENDATION: MINDED TO GRANT

Councillor Western has requested that this application be determined by the Planning Development Control Committee for reasons set out within the report

SITE

The application relates to an open parcel of privately owned land sited immediately to the eastern side of number 31 Rothesay Crescent, Sale; and is bounded by Rothesay Crescent to its southern side, Glencoe Drive to its east and Cherry Lane to its north. The parcel of land itself is grassed and has an informal footpath running through its centre, it further comprises of some landscaping consisting of a small number of trees and shrubs. The surrounding area is predominately residential with semi-detached and detached housing lying to all sides. The trees to the north-western most side of the site remain protected by a TPO (number 43). The land owners, Hampstead Land also remain the owners of the wider area of tree covered open space which spans westwards down Cherry Lane to the north and then connects southwards down to Woodhouse Lane.

PROPOSAL

The original scheme detailed the erection of 5no. residential dwellings at two storey level (2.no pair of semi-detached and 1no. detached dwelling) forming a continuation of the existing properties on Rothesay Crescent to the west of the site, from which both a pedestrian and vehicular access path would have been created.

However the original submission was amended by the applicants following concerns raised by the Council, further discussed in the observations section of this report. The current proposal now details the erection of 2no. detached houses at two storey level, with associated parking and landscaping accessed off Rothesay Crescent. The two properties would be sited to the western most section of the site immediately adjacent to number 31 Rothesay Crescent. The remainder of the site is to be safeguarded for public use (further discussed in the observations section of the report). This would also include the numerous trees which are sited to the eastern and northern most sections of the site

and remain protected under a TPO; these are to remain largely unaffected from the current proposal and would be separated from the proposed housing through boundary fencing.

The total floor-space created from the proposed development consisting of two new detached dwellings would be 154m².

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1–Land For New Homes
L2–Meeting Housing Needs
L4–Sustainable transport and accessibility
L7–Design
L8–Planning Obligations
R5–Open Space, Sport and Recreation

PROPOSALS MAP NOTATION

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

None

APPLICANT'S SUBMISSION

- Application supporting statement – summary of scheme changes and response to residents and LPA Comments
- Design and Access statement
- Arboricultural statement

CONSULTATIONS

Strategic Planning - Comments have been incorporated within the Observations section of this report.

Local Highways Authority – Raises no objection and comments as follows:-

The proposed dwelling houses are four bedrooms each and therefore require 3 parking spaces each. The proposals provide two driveway spaces and one internal garage space for each house and are therefore acceptable. Sufficient visibility splays should be provided for each vehicular access.

The applicant's attention should be drawn to the need of gaining further approval from Trafford Councils Street works Section, for the construction, removal or amendment of a pavement crossing under the provision of section 184 of the highways Act 1980.

The applicant must also ensure that adequate drainage facilities or permeable surfacing is used on the area of hard standing to ensure that localised flooding does not result from these proposals.

There are no objections on highways grounds to the proposals.

REPRESENTATIONS

Original scheme:

Councillors Denise Western and Councillor Wilkinson: (no longer an elected member) called in the application to planning committee in response to serious concerns raised by local residents relating to the loss of visual amenity and the loss of green space from the proposed development.

Neighbours: 59 objection letters were received from a total of 51 different addresses. Their grounds for refusal are summarised below:

- Loss of open recreational space
- Increase of noise and traffic from the proposed building works

- More strain on local educational and health services from new residents to the area
- Design of the proposed homes – out of keeping with the existing
- Design/appearance of the proposed fencing and boundary treatments being poor
- Disturbance to nesting birds within the area from the proposed works
- Overdevelopment of the area with the increase in housing units
- Loss of trees from the open space due to the development of the site
- Impact on neighbouring properties amenity and privacy from the proposed dwellings
- The properties will remain out of character with the local area
- Thee development does not accord with local guidelines
- Visual impact of further houses along street scene
- Impact upon local wildlife within the area

Amended scheme:

Councillor Denise Western: has again called in the application to planning committee in response to concerns raised by local residents relating to the loss of visual amenity and the loss of green space from the proposed development.

Neighbours: 29 neighbours have expressed objections to the revised scheme, their concerns are summarised below:

- Increase in local traffic
- Loss of recreational land/space which is used by local residents
- Privacy related concerns from the proposed new dwellings into neighbouring properties.
- Noise and other disturbance due to the building works taking place on site
- Loss of trees and planting currently on the site
- Overcrowding and overdevelopment of the site and wider area

OBSERVATIONS

Principle of development:

Housing policy

1. The application details the erection of 2no. two storey detached dwellings with associated landscaping and parking on previously undeveloped land lying to the eastern side of Rothesey Crescent, Sale. The site itself remains unallocated in the Adopted Unitary Development Plan. As the proposal is proposing development upon greenfield land, it has to be considered in the light of Policies L1.7- L1.8 of the Trafford Core Strategy.
2. Specifically, Policy L1.7 which sets an indicative target of 80% of new housing provision to be built upon brownfield land. In order to achieve this, the Council

will release previously developed land and sustainable urban area green-field land in order of priority.

3. The first priority which details the release of land within regional centers and inner areas for new development of housing does not apply within this case due to the location of the site. Therefore the application will need to be considered against the second and third points of Policy L1.7.
4. The applicant has submitted a statement in order to satisfy the requirements of Policy L1.7. The application site is located within an established residential area and is considered to be within a sustainable location close to public transport links and local schools and other community facilities. It is therefore considered that the proposal will specifically make a positive contribution towards Strategic Objective SO1 and the Sale Place Objective SAO1 in terms of meeting housing needs and promoting high quality housing in sustainable locations of a size, density and tenure to meet the needs of the community.
5. In terms of Policy L2 the application is for family housing and so is in compliance with L2.4.
6. The proposed site is not identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). However, the Council cannot at present demonstrate a 5 year supply of housing and so as such the proposal should be considered in light of paragraph 49 of NPPF. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. As stated above the applicant has demonstrated that the application site is sustainable. The proposal would also see the creation of two additional dwellings, which albeit of limited scale will contribute to the Council's ability to meet its overall housing land target. Additionally there is likely to be a small economic benefit during the construction phase of the proposal.
7. It is therefore considered that although the site to be developed is greenfield land, on balance the proposal satisfies the tests of Policy L1.7. The application site is situated within a sustainable location and the development would also make a positive contribution to the Council's housing land target as set out in Policy L1 of the Core strategy and would increase the provision of family homes within the area in accordance with Policy L2.

Open Space

8. In looking at the existing use of the site it is considered the land is "other open space" in terms of the open space described in Policy R5. This policy states that existing open space of all sizes will be protected to meet deficiencies and that any development which results in an "unacceptable" loss of quantity of open space will not be permitted.

9. Paragraph 74 of the National Planning Policy Framework states that: “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
10. In considering the proposal against these policies it is acknowledged as stated by the applicant that the most recent Open Space Assessment of Need (2009) states that both Broadheath and St Marys wards are sufficient in open space. The Greenspace Strategy also states the site is well within the recommended distance (600m) of a Neighborhood Park namely Woodheys Park. However, the site is well used by local residents for dog walking etc. and so should not be considered as surplus in light of NPPF bullet 1 above.
11. It is considered, however, that the proposed development would only result in a small loss to the area of open space and the remaining area would still provide for local recreation. Although currently the remaining area of land remains under private ownership and its continued use by the public could therefore not be assured, the applicants are offering, as part of their application, to pass the ownership of the land to the Council in order to ensure that it would remain available for public use into the future. Any such transfer of ownership would further include funds for the maintenance of the wider area of Open Space to be used by the Council.
12. The long term benefit of ensuring this land would be available for the public to use freely would contribute towards the acceptability of the development in terms of Policy R5 and bullet point 2 of the NPPF detailed above. Furthermore, a small financial contribution, based on the area of land lost, would be required as compensation towards the quality of the remaining land. Thus the proposal would be considered as an improvement in terms of future open space provision within the local area.
13. It is therefore considered the proposed loss of part of the open space would be deemed acceptable in terms of policy R5 and NPPF. The quantity of land available for public use would be enhanced by its ownership being transferred over to the Council, whilst the quality of the retained space would be improved with the financial contribution that will be required.
14. In relation to Policy L8 and Planning Obligations, with the introduction of the Community Infrastructure Levy only planning obligations needed to mitigate the development would be applicable. In this particular case this would be on site

landscaping and improvement works for the remaining section of open space as well as the long term safeguarding of the remaining parcel of open-space.

15. Overall, in policy terms, it is considered that the erection of 2no. detached dwellings within this area would positively contribute to the Council's housing land target and would provide suitable family living accommodation within a sustainable location and thus remain in line with policies L1 and L2 of the TBC Core strategy. The development would also see the long term safeguarding of the remaining area of open space to be used by the local community and would allow this to be improved in terms of its overall quality and therefore remain in line with policy R5 of the TBC Core strategy and policies within the NPPF.

Design and Street Scene

16. Rothesay Crescent and its surrounding area remain largely diverse in terms of building styles and type, presenting a wide mix of semi-detached, detached and terraced dwellings; largely built at two storey level. The proposed two dwellings are considered to be of an acceptable size and scale and have been designed to remain in keeping with properties within the local area and are thus considered to be appropriate within their wider setting and the surrounding street scene.
17. Rothesay Crescent itself has a curvilinear layout with no clear building line running along the Crescent; the properties, however, all have a similar set-back from the road. A similar building line has been provided within the proposed development. It can be seen that the setbacks along the street-scene mainly act as driveways and areas of soft landscaping which the proposed dwellings would further seek to mirror. Properties along the Crescent also retain average distances of 1 metre to their side boundaries, which the two proposed dwellings have also been designed to achieve, thus working to retain the element of space within their plots and the wider street scene.
18. Reasonable sized private garden areas have been detailed to the rear of the proposed dwellings, which remain on a similar scale to those of neighbouring properties to the west of the site. The garden areas have been kept at this scale to ensure minimal conflict with the trees and area of open space to the rear of the site, further explained within the trees section of this report.
19. The two properties have been designed to feature gabled roof designs and their overall height and scale has been kept in-line with neighbouring properties sited along Rothesay Crescent. The properties further detail many common features of properties within the area including; chimney stacks, bay windows, integral porches and garages, allowing them to tie in with the character and feel of the local area and these features are further considered to add a greater level of interest to the dwellings.

20. The overall quality of the design of the dwellings remains high. The dwellings feature centrally sited forward projecting gabled ends, the ridge height of which has been kept lower than that of the main house, allowing the main body of the house to appear much more prominent within the street scene. The front elevations have been further broken up through the use of large window openings which detail stone lintels above. The attached garage remains set-back from the main elevation allowing the main house to appear much more prominent, this also has a much lower ridge height in comparison to the main dwellings allowing it to appear secondary. The two properties retain a clear uniform style of design and are thus considered to enhance the appearance of the wider street scene and are thus considered to be acceptable.
21. The proposed dwellings would only occupy a small area of the western most side of the existing parcel of land on the Crescent and thus the remaining area of open space would remain unaffected. The properties would further be clearly separated from the remaining area of land through boundary fencing, along their western and northern side boundaries. Considering that the properties would only occupy a total area of around 10% of the existing area of open land, (including that connecting from Cherry Lane to Woodhouse Lane), it is considered that the element of space and openness which derives much of the character and style of the surrounding street scene would be retained.
22. Permitted development rights would also be partly removed by condition, should permission be granted. This would ensure future occupants would have to apply for planning permission to erect side, rear and dormer extensions as well as front porch extensions on what remains an already constrained site, without further approval by the LPA. Such a condition would also include the removal of rights to alter any side and front boundaries and thus would minimise any future harm for the wider street-scene and the visual amenity of the open space.

Amenity

23. The proposed openings within the front elevation of the dwellings would exceed the Council's amenity related guidelines in terms of distances to the front facing neighbouring properties on Rothesey Crescent and thus are considered not to pose any material overlooking related concerns. To the rear of the proposed dwellings lies open space and the closest properties are sited in excess of 40 metres away on Cherry Lane, thus any overlooking related concerns are considered to remain minimal. The properties only detail two openings within their side elevations at first floor level which would be for bathrooms and en-suites and would be obscurely glazed limiting any amenity related concerns.
24. The proposed dwellings have been designed to maintain a similar overall height equivalent to that of neighbouring properties and would retain in excess of 21 metres to the opposite facing neighbouring properties, sited to the south-eastern side of the site. The dwellings would also retain a distance of 1 metre to the

western side adjoining boundary, with number 31 Rothesay Crescent. The proposed dwellings would not project any further forward of number 31 Rothesay Crescent towards the rear. Furthermore, number 31 has no main habitable room side facing openings and thus any material overbearing related concerns from the erection of the dwellings is considered to be minimal.

Parking

25. The proposed dwellings would be required to accommodate 3 vehicles on site in order to meet the TBC Core strategies L4 Policy guidelines for 4 bedroom dwellings. It is recognised that the two dwellings would adequately be able to provide 3 off-road car parking spaces, one of which would be within the attached garage and a further two within their front drive areas and thus this is deemed to be acceptable. A condition is recommended to ensure the retention of the garage as such.
26. As the proposal is for two new dwellings within an existing urban well established residential area any increase in traffic posed by two new dwellings is considered to remain minimal and is not considered to materially worsen the existing situation of the area.

Trees

27. The proposal does not detail the removal of any of the trees that are sited to the northern and eastern side boundaries of the application site; thus the erection of the dwellings would also not affect the trees that remain protected by a TPO, as these are sited further away from the site boundary. Furthermore, the application details the use of a Tree Protection Scheme which would ensure any trees sited to the northern and eastern side boundaries of the site would not be affected from the proposed works. The proposed dwellings are also considered to have reasonable sized private garden areas to the rear and there is no undue concern that there would be pressure in the future to carry out significant works to these trees. The Tree Protection scheme detailed above and further landscaping conditions will be attached should permission be granted to ensure adequate screening of the development from the wider street scene, as well as the well-being of the trees sited adjacent to the development site.

DEVELOPER CONTRIBUTIONS

28. In accordance with Policy L8 of the Trafford Core Strategy and revised SPD1: Planning Obligations (2014) it is necessary to provide an element of specific green infrastructure. In order to secure this, a landscaping condition will be attached to make specific reference to the need to provide at least 6 additional trees on site as part of the landscaping proposal.

29. The remaining area of open space sited around the proposed housing, including the area of trees which is sited between Cherry Lane and Woodhouse Lane is to be safeguarded for future public use by the developer handing the ownership of this area of land to the Council. This transfer is to be safeguarded through the use of a Legal Agreement.
30. The developer would also be subject to paying the Council a one off payment of £18,173, which would be used to cover future maintenance costs of the area of land which is to be handed over to the Council post-the transfer of ownership. (This sum has been calculated using the area of the remaining open space to be transferred to the Council $5,060.8\text{sqm} \times £11.97 = £60,577.8$ – capital cost 30% of this figure = £18,173).
31. The transfer of ownership will be preceded by an on-going monthly maintenance payment payable by the developer to the Council's Ground-force team, until the formal moment of transfer of ownership. This sum is still to be confirmed by Trafford's Ground Force team.
32. The development would also require a one off payment of £6,655 to compensate for the loss of open space that would incur through the development. This has been calculated using the Revised SPD 1 guidelines ($556\text{sqm} \times £11.97$). The funds will be used to improve the quality of local open space as stated within bullet two of paragraph 74 of the National Planning Policy Framework and thus bring benefit to the local area by improving the overall quality of local open space in line with Policy R5 of the TBC Core strategy and policies within the NPPF.
33. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the moderate zone for residential development, consequently private market houses will be liable to a CIL charge rate of £40 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure the remaining area of open space for long term public use, alongside two one off contributions from the land owner of £6,655 for improvement works to local open space and £18,173 for future maintenance of the open space, together with an on-going monthly maintenance figure payable to the Council until the point of formal transfer.
- (B) In the circumstances where the S106 Agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Head of Planning; and

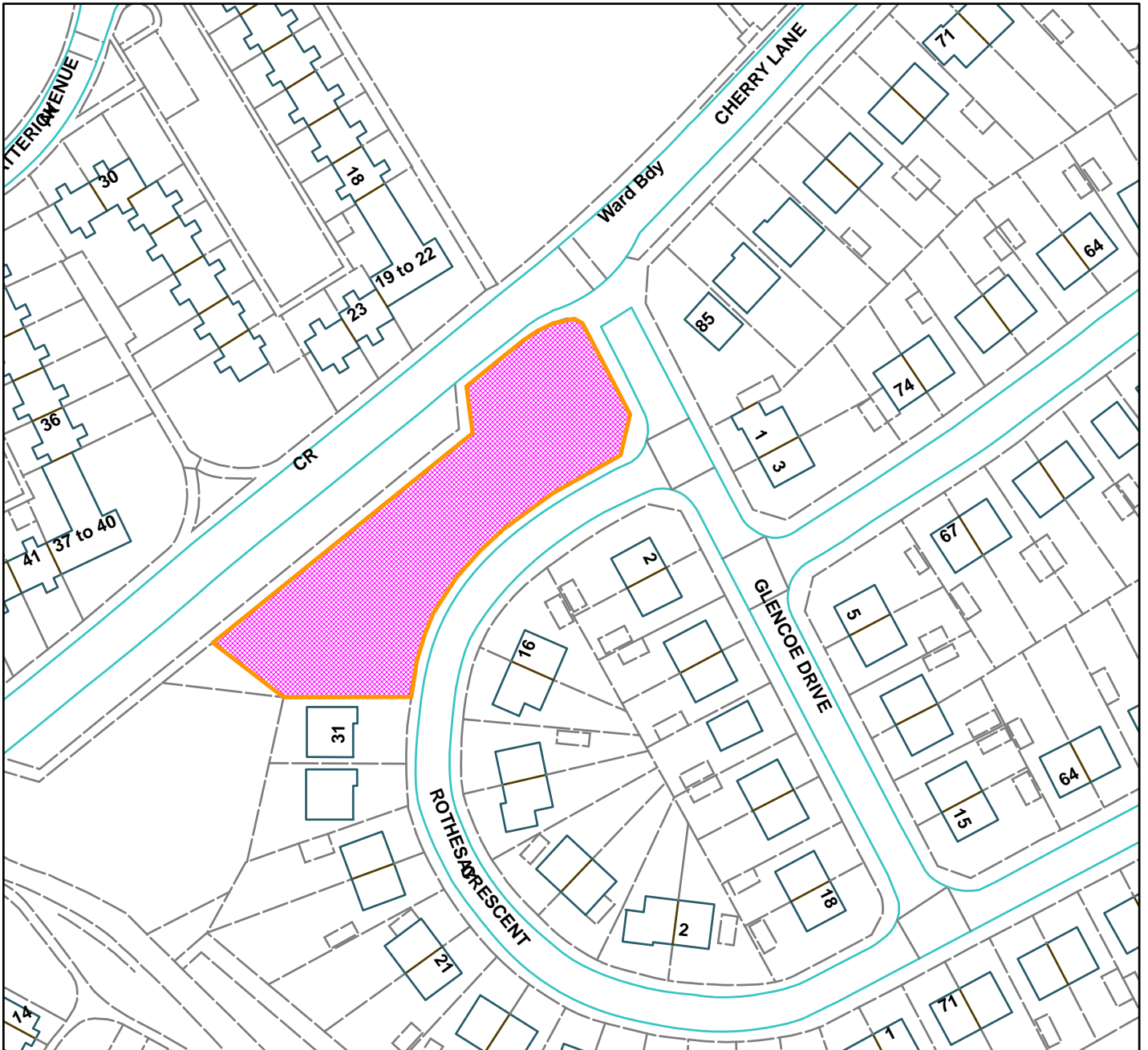
(C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -

1. Standard
2. Details compliance with plans
3. Submission of materials
4. Removal of Rights to alter or extend
5. Obscure glazing within bathroom and en-suite openings at first floor level
6. Landscaping scheme – to further include details of six additional trees being provided on site
7. Tree protection scheme
8. Submission of further details regarding boundary fencing to open space and front drive areas
9. Use of porous material for driveways
10. Removal of PD to convert garage into living accommodation
11. Sustainable Urban Drainage scheme

IG



Land at Rothesay Crescent, Sale (site hatched on plan)



Scale: 1:1,069

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	01/06/2015
MSA Number	100023172 (2012)

WARD: Urmston

83363/VAR/2014

DEPARTURE: NO

Variation of Condition 1 (parking provision and layout) of planning permission 78051/FULL/2012 (erection of new building containing 10no. apartments) to reduce the number of off-street parking spaces associated with the building to six

31-33 Gloucester Road, Urmston

APPLICANT: Brookmoor Developments Ltd

AGENT: N/A

RECOMMENDATION: GRANT

SITE

The application site relates to a mid-terrace three-storey building that has been recently rebuilt and extended to the rear to create 10 apartments (9 x 1-bed & 1 x 2-bed). These works were approved under planning permission ref: 78051/FULL/2012 which sought to regularise a series of unauthorised external works that deviated away from planning approval H/65124, which only granted consent for the refurbishment of the existing building of 10 residential units.

To the rear of the property is an informal parking area, accessed by an unmade track which runs behind the terrace accessed off Gloucester Road. Gloucester Road is a one-way street (south-east) that links Station Road with Stretford Road.

PROPOSAL

This application seeks to vary condition 1 of planning permission 78051/FULL/2012

Condition 1 is worded as follows:-

Within 1 month of the date of this planning permission a scheme for creating 8no. car parking spaces with associated creation/retention of boundary treatment and landscaping shall be submitted to the Local Planning Authority. The scheme shall also provide details of a bin store, which shall include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste to the rear of the property. The approved scheme shall be implemented within 1 month following written approval of the submitted details and shall be retained at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: *In the interests of highway safety and residential and visual amenity and in accordance with Policy L4, L5 and L7 of the Trafford Core Strategy.*

A discharge of condition application was received by the Council in February 2014 (ref: 82405/COND/2014). Although eight car parking spaces have been marked out to the rear of the property, these have not been provided in a manner that accords with the Council's Parking Standards and Design Supplementary Planning

Document. As such, it was not possible to discharge condition one of planning permission 78051/FULL/2012. This application seeks to vary condition one of the consent, so that the parking spaces provided accord with the Council's Parking Standards and Design SPD. The number of parking spaces provided within the curtilage of the site will be reduced from eight to six.

THE DEVELOPMENT PLAN IN TRAFFORD

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; and
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26th April 2012. On the 13th March 2013, the Council resolved that the Minerals Plan, together with consequential changes to the Trafford Policies Map, be adopted and it came into force on the 26th April 2013. The GM Joint Minerals Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district specific planning documents for the purpose of determining planning applications.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility
L7 – Design

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT UDP POLICIES / PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

82405/COND/2014 – Application for approval of details reserved by conditions of grant of planning permission 78051/FULL/2012. Condition one not discharged 4th April 2014.

78051/FULL/2012 - Retrospective application for the substantial demolition of building containing 10 no. self-contained 1-bed residential units and the erection of new building containing 10 no. residential apartments (9 no. 1 bed; 1 no. 2-bed). Application approved 24th April 2012.

H/65124 – Refurbishment of existing 10no. residential units. Refurbishment and extension of living accommodation into the basement. Four-storey rear extension including basement and attic accommodation. Application approved September 2006.

H/64539 – Four-storey rear extension (including basement) and refurbishment of existing building. Increase in number of dwellings from 10 to 12. Application withdrawn June 2006

APPLICANT'S SUBMISSION

The applicant has submitted a revised car park plan detailing how 6 parking spaces, cycling provision and refuse storage will be provided on site.

CONSULTATIONS

Local Highway Authority – The LHA is concerned that only six parking spaces are being provided for a development of 10 flats. Further consideration of their response is provided within the observations section of this Committee report.

REPRESENTATIONS

No representations have been received as a consequence of the planning application publicity.

OBSERVATIONS

1. The applicant has submitted no further information in support of the planning application, except for a revised parking layout plan identifying the proposed parking, cycle rails, and bin store. Information submitted in support of planning

application 78051/FULL/2012 remains relevant to the consideration of the application.

2. The main planning issues considered under the previous application were:-

- Principle of development
- Design and appearance and residential amenity
- Access and highways
- Planning obligations

3. The original assessment of these matters remains relevant and accurate and therefore there is no requirement to revisit these issues through this application. The main planning issue to be considered in the determination of this application is whether the existing level of parking provision associated with the site (six spaces) is resulting in demonstrable harm to the parking amenities of other surrounding residents.

4. Policy L4.14 and Appendix 3 of the Core Strategy, supplemented by the Parking Standards and Design Supplementary Planning Document (SPD) identify the parking standards for a range of development types across the borough. The SPD identifies three accessibility areas which cover various parts of the Borough. Urmston is identified as being located within Area B and as such the following parking standards and bicycle standards apply:-

Dwelling size	Parking spaces	Bicycles
1 bed	1	1 (allocated) 1 (communal)
2 – 3 bed	2	2 (allocated) 1 (communal)

5. Based upon the above maxima parking standards 11 off-street car parking spaces should be associated with a development of this size. The applicant has submitted information which shows that the parking area to the rear of the application building is only capable of accommodating six independent and workable bays, when maneuvering space and bin storage is accounted for.

6. Paragraph 5.5.4 of the Parking Standards and Design SPD states that parking provision below the maximum standard will only be allowed where there will be no adverse impact on on-street parking arising from the development through meeting one or more of the following criteria:-

- i. There is sufficient capacity for on-street parking without detrimentally affecting the safety and convenience of other residents and occupiers and road users.
- ii. The developer can demonstrate that satisfactory sustainable travel measures including residential travel plans are proposed and how they will be implemented.
- iii. There is no on-street parking permitted in the vicinity of the development (so there is no potential for on-street parking to

- detrimentally affect the safety and convenience of other residents and occupiers).
- iv. The development includes garage spaces.
 - v. The development meets other planning objectives and would not unacceptably worsen the parking situation.
7. The Local Highway Authority (LHA) has expressed concern with the level of car parking associated with these residential units. As part of their assessment a site visit to inspect levels of on-street car parking was conducted late on a weekday night. This revealed that much of the northern side of Gloucester Road was quite heavily parked with cars. Parking is allowed on the southern side of the street, although residents appear not to park here, presumably due to the narrowness of the highway. Space for car parking was observed at Gloucester Road's extremities, close to Stretford Road and at the other end outside of the parade of shops.
 8. The parking pressures along the northern side of Gloucester Road are noted, however there does appear, based on the LHA's particular site visit, to be some capacity to park within a reasonable vicinity of the site if a space cannot be secured within the rear car park. In addition to this, weight should also be afforded to the sites relatively sustainable location. The site is located in close proximity to Urmston Town Centre, the railway station and regular bus routes. It is therefore considered that the daily needs of occupants can be satisfied whilst access to public transport presents residents with real opportunities to travel further afield without the need for access to a private motor vehicle.
 9. The LHA has also expressed concern with the level of cycle provision associated with the apartment building. A revised plan submitted by the applicant has shown that a maximum of four cycles can be accommodated within a secure cycle store. Whilst this falls short of the maximum standards (11 spaces) set out within Parking Standards SPD for a development of this size, it is recognised that 78051/FULL/2012 did not grant permission for any additional residential units on the site and that no cycle parking provision was previously provided.
 10. Substantial weight is attached to the fact that no neighbour objections have been received in response to this application, and that the LHA has not reported any complaints being made about parking in this area. Given, the flats have been in occupation since 2009, and there have been no objections to the proposed parking layout, it is concluded that the parking pressures on the roads that surround the site are not so significant or acute that it would prevent residents from parking in close proximity of their property.
 11. When all of the above material considerations are weighed in the planning balance it is not considered that the proposed quantum of parking provision (which could potentially result in an additional two cars parked on the street) would result in a degree of harm to the parking amenities of the area that is so great as to justify a refusal of planning permission. In addition to this, the scheme would satisfy criterion i) and v) of the Parking Standards and Design

SPD. Therefore, it is recommended that planning permission be granted for this variation of condition.

RECOMMENDATION:

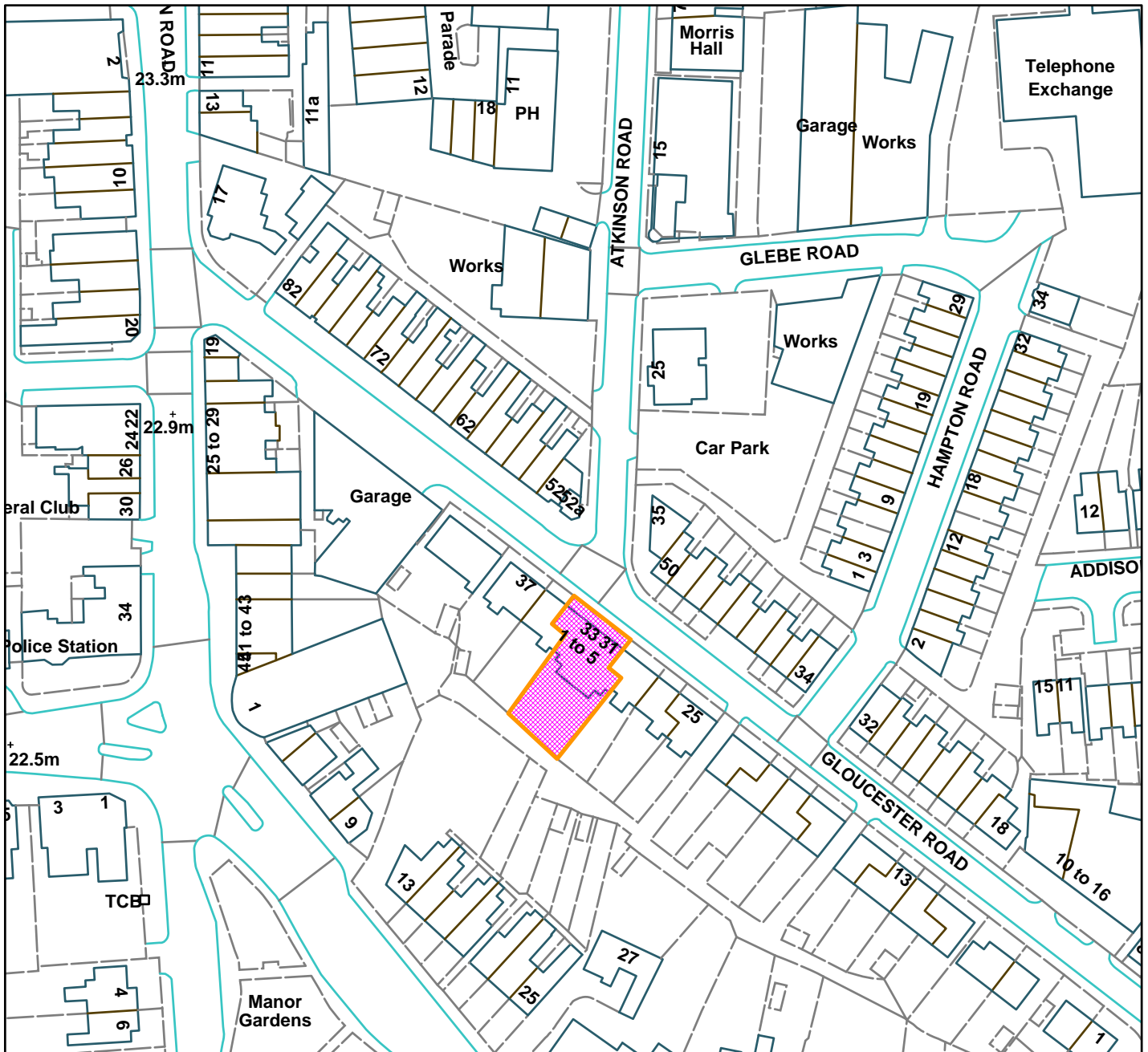
GRANT subject to the following condition:-

- 1. Within 1 month of the date of this planning permission 6no. car parking spaces shall be marked out within the rear parking area in accordance with that shown on approved drawing no. 06 Rev: A, dated 03.04.14. Provision shall also be made for the accommodation of cycle storage and for bin storage, including separate recycling receptacles for paper, glass and cans, in addition to other household waste, also in accordance with this approved drawing. This layout shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.*

JP



31-33 Gloucester Road, Urmston (site hatched on map)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	01/06/2015
MSA Number	100023172 (2012)

WARD: Sale Moor

84508/FUL/14

DEPARTURE: No

Proposed demolition of 71 and 73 Northenden Road, Sale to allow for the construction of 24no. new residential dwellings with associated roads, parking and landscape works.

Park House, 73 Northenden Road, Sale, M33 2DG

APPLICANT: Altin Homes

AGENT: Calder Peel Partnership

RECOMMENDATION: GRANT

SITE

The site fronts onto Northenden Road and is approximately 450 metres to the east of Sale Town Centre.

To the east, there are existing two storey residential properties on Holly Grove, which have main habitable room windows in rear elevations facing into the site. To the north, lies Worthington Park with a children's playground in the area closest to the site. To the south, on the opposite side of Northenden Road, are two large modern four storey apartment blocks and, to the east of these, a children's day nursery.

To the west, the adjacent site has been cleared and is now under construction, following the granting of planning permissions H/71297, 80241/VAR/2013 and 83077/VAR/2014 for a development of 7 dwellings and 11 apartments.

There are two main buildings on the site: Park House, a traditional Victorian red brick two / three storey property, which is set approximately 20-25m back from the road and a more modern two storey building at the rear of the site, which was formerly a children's home. There is also a small brick garage towards the north-western corner of the site. There are two existing vehicular accesses in the centre of the Northenden Road frontage. In addition, a tarmac footpath leads south to north through the site, linking Northenden Road with an access into Worthington Park.

There are a large number of trees on the site and the front boundary is formed by a brick wall at the western end with trees and bushes behind it and a stone wall at the eastern end with trees and a hedge to the rear. There is a mature hedge along the boundary with the houses to the east on Holly Grove.

PROPOSAL

This application proposes the demolition of the existing two buildings at the site to allow for the construction of 24No. new residential dwellings with associated roads, parking and landscape works.

This application seeks consent to develop the site for residential use by proposing 24no dwellings. The proposal comprises:

- 23no. 4 bedroom dwellinghouses. These would be two storeys in height with accommodation within the roof space with dormer windows and rooflights. The proposed dwellings would be semi-detached albeit three positioned at the front of the site adjacent to Northern Road where a terrace of three dwellings would be erected.
- 1no. 5 bedroom detached dwellinghouse. This would be two storeys in height with accommodation within the roof space with dormer window at the rear and rooflights to the front.

The existing two buildings on the site would be demolished.

The proposed dwellings would be of brick construction and tiled roofs (materials not specified at this stage). They would feature gabled roofs and fenestration of a vertical emphasis. The development would consist of private market housing.

Soft landscaping would be introduced around the site with some existing mature trees retained to the front and rear of the site. All proposed dwellings would feature private outdoor amenity space in the form of rear gardens.

Vehicular access is proposed from a single position off Northenden Road. Parking provision would be provided with off street parking for each property and some including integral garages. Pedestrian access to Worthington Park from Northenden Road would be retained through the site.

Since initial submission, amended plans have been received. The amended plans received detail elevation alterations to the dwellings with the replacement of proposed rear dormers to the dwellings on the eastern side of the development with rooflights instead. A pedestrian footpath has been provided to both sides of the road within the site and amendments made to the access arrangements for plots 1, 2, 3, 23 and 24 to provide sufficient space for manoeuvring. Driveways to plots 10, 11, 15, 16 have also been amended to ensure sufficient space to park and an additional parking plan supplied by the applicant. Landscaping details have also been amended since initial submission, in particular along the boundary with Holly Grove residences.

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

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

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

H3 – Land Release for New Housing Development
H4 – Release of Other Land for Development

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Planning Guidelines New Residential Development
SPD1 – Planning Obligations
SPD3 – Parking Standards and Design

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

There is little planning history to the site and none are directly relevant to this proposal.

APPLICANT'S SUBMISSION

The application is accompanied by the following detailed supporting statements:

Planning Statement
Design and Access Statement
Heritage Statement
Transport Statement
Arboricultural Statement
Flood Risk Assessment
Protected Species Survey Report (Bats)
Crime Impact Statement
Carbon Budget Statement
Affordable Housing Statement and Viability Appraisal in respect of affordable housing provision

CONSULTATIONS

Electricity North West: Comment the development is adjacent to or affects Electricity North West operational land or electricity distribution assets. Applicant to ensure development does not encroach over either the land or any ancillary rights of access or cable easements and to contact ENW.

Greater Manchester Police Design for Security: No objections, subject to the applicant addressing the recommendations contained within the Crime Impact Statement.

LHA: No objection. Amended plans have been received since initial submission and these have addressed initial concerns regarding the access road, footpaths within the site and car parking provision.

Pollution and Licensing: No objections. Comment that the site is situated on brownfield land and a condition is recommended requiring a contaminated land Phase 1 report, and submission and approval of subsequent investigations, risk assessment and remediation as necessary.

United Utilities: Any comments received will be included within the Additional Information Report.

Greater Manchester Ecology: No objections, providing no trees are removed from the site between 1st March and 31st July any year unless a detailed bird nest survey has been carried out and scheme of landscaping submitted for approval to the Council. Also a condition requiring the roof tiles, the boarding on the extended eaves and the fascia boards to both existing buildings (proposed to be demolished) are removed carefully by hand, with the presence of bat borne in mind. Furthermore conditions requiring details for tree protection and lighting plan to be submitted to the Council for assessment.

Environment Agency – No objections or comments on the scheme.

Pollution and Drainage – No objections, subject to a condition regarding sustainable urban drainage.

Transport for Greater Manchester – No objection in principle, subject to details of the relocation of the bus stop being agreed prior to development.

Tree Officer – No objections.

Contaminated Land – No objection, subject to condition.

REPRESENTATIONS

Neighbours - 29 letters of objection received and 4 letters of comment received to the original submission. 13 letters of objection have been received concerned with the closure of the footpath through the site (this appears to be the result of concerns that the footpath might be closed but it would remain open following the applicant's proposals, as explained in the observations section of this report).

The remaining comments/objections are summarised as follows: -

- Object to the demolition of Park House, it is a fine Victorian building and there are few examples remaining in Sale. Park House has a rich history and it is a sorry case that it has to be demolished, resulting in the loss of yet another historic Sale building.
- Increase in population will put added pressure on infrastructure and services and add to congestion and demand for local school places
- Less open space as a result of scheme – visual, natural and environmental deterioration for residents and neighbours
- Air quality impact from more cars and cars waiting
- Only one footpath within the site the site and lighting shown
- The proposal is out of character with the area and not similar to 20th Century architecture found within the area
- Loss of privacy from large rear dormer windows overlooking Holly Grove and proximity to the boundaries with these properties

- Tree screening proposed on eastern boundary does not identify the tree species
- Volume of traffic generated by the development is unacceptable and there is insufficient parking in the site. Parking and increase in demand will result in danger and problems locally in terms of highway and traffic safety
- Loss of tree detrimental to the aesthetics of the area
- One access and single road will result in problems for larger vehicles like refuse trucks
- Detrimental impact on drainage in the area
- Poor relocation of bus stop
- Park House could be used for weddings when the Town Hall is in use
- Overshadowing of No 75 Northenden Road. Height and proximity of the development to this property unacceptable. Overlooking from dormer windows to No. 75. Existing Yew Trees on the site provide privacy to No. 75.
- Parked cars within the site will restrict the use of the footpath
- Overly cramped development
- Existing car park at the site is useful and should be retained
- The stone archway around the entrance door of Park House should be retained and fireplaces inside the building could be reused elsewhere in the borough, for example the Town Hall.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The NPPF includes within its core planning principles the need to deliver the homes that are needed and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy L2 of the Core Strategy (Meeting Housing Needs) states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council's Sustainable Community Strategy. Of relevance to this application it requires new development to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, not harmful to the character or amenity of the immediately surrounding area and in accordance with Policy L7 (Design) and other relevant policies within the Development Plan.
2. The site lies within the urban area of Sale and is unallocated on the Revised Trafford Unitary Development Plan Proposals Map. The site is identified in Policy HO1 and Appendix C of the draft Trafford Land Allocations Plan (February 2014) as being suitable for approximately 40 residential units.
3. The Council does not, at present, have a five year supply of immediately available housing and this site is not identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). Given the lack of a demonstrable five year supply, the proposal should be considered in light of paragraph 49 of the NPPF. Paragraph 49 states that housing applications should be considered in

the context of the presumption in favour of sustainable development. It is considered that this proposal will make a positive contribution to the Council's housing land supply and in addition the proposal will contribute to meeting targets for the development of brownfield land (Policy L1.7) and would result in sustainable development.

4. Policy L2.6 of the Core Strategy seeks to ensure that proposals contribute to meeting the housing needs of the Borough. In particular developers should make it clear how their proposals will make a contribution to the creation of mixed and sustainable local communities, be adaptable to the needs of residents over time, contribute to meeting the target split between small and large accommodation and increase the provision of family homes. This scheme will provide 24 dwellings comprised as:
 - House Type A – 3 bedrooms plus study – 4no units
 - House Type A (with car port) – 3 bedrooms plus study – 2no. units
 - House Type B - 3 bedrooms plus study – 2no. units
 - House Type C – 4 bedrooms – 10no. units
 - House Type D - 3 bedrooms plus playroom – 5no. units
 - House Type D+ - 5 bedrooms – 1no. unit
5. Taking into account the proposed mix of accommodation it is considered that the proposal will help to meet housing needs in the borough and in particular will make a positive contribution to the provision of family homes in this sustainable location.
6. The site is previously developed land within a sustainable location, close to Sale Town Centre where comprehensive services and facilities are available. The site is close to a number of primary and secondary schools and the site is well served by public transport with bus stops on Northenden Road within walking distance and also being within walking distance of Sale Metrolink stop.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA AND HERITAGE ASSETS

7. National planning policy as set out in the NPPF states that the Government attaches great importance to the design of the built environment and how good design is a key aspect of sustainable development (Section 7 of the NPPF). NPPF requires developments to add to the overall quality of the area; respond to local character and history and reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58). Amongst the core planning principles the NPPF states that planning should: “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” “take account of the different roles and character of different areas, promoting the vitality of our main urban areas...” (Set out in paragraph 17).

8. The National Planning Policy Framework states a presumption in favour of sustainable development. With regards to the historic environment the NPPF states that local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131).

DEMOLITION OF PARK HOUSE AND 71 NORTHENDEN ROAD

9. It is proposed to demolish Park House and 71 Northenden Road, positioned at the rear of the site behind Park House. The latter is not considered to be of merit in design and the demolition of this building is acceptable. However Park House dates from the late 19th Century and is considered to be of considerable architectural merit although it has previously been extended at the rear at single storey level in an unsympathetic manner and is considered to be a non-designated heritage asset. There is some merit to features inside the property however it is not a listed building and therefore the loss of any interior features cannot be considered in this planning application.
10. Policies 127 and 128 of the NPPF should be considered when assessing proposals that affect heritage assets. Paragraph 128 requires an assessment of the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 132 of the NPPF states the more significant the heritage asset the greater the presumption in favour of its conservation.
11. The applicants have submitted a Heritage Statement by a conservation professional which concludes Park House is of medium/low significance overall which is based on the evidential value of its historic features and its Gothic Revival architectural style in locally sourced materials. While the proposed scheme would result in the total demolition of the building this must be weighed against the public benefits of new residential housing provision.
12. Park House is surrounded by a largely urban landscape and while it makes a positive contribution to the character and appearance of the area when viewed from Northenden Road, this must be weighed against the positive impacts of the development, in accordance with the NPPF and its presumption in favour of sustainable development.
13. The NPPF states at Paragraph 135, '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 affect directly or

indirectly 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.'

14. The proposal would result in a redevelopment scheme of good quality design and the provision of 24 family sized residential dwellings in a suitable location and would make further use of the largely underused open space within the site. Therefore on balance the demolition of the building is considered to be acceptable in principle and while this would involve the loss of the non-designated heritage asset, the public benefits from the re-development and future use of the site are considered to outweigh this harm.

DESIGN AND STREETSCENE

15. Policy L7 of the Core Strategy requires new development to 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.
16. There are six different house types proposed throughout the development in semi-detached or terraced form predominantly and one detached property. All dwelling types are of two storeys with a habitable third floor within the roof level. The houses are all characterised by a distinct design utilising a fenestration pattern that contemporarily reflects the vertical emphasis of traditional established housing in the vicinity.
17. Houses would be positioned off a new cul-de-sac road within the site and the frontage onto Northenden Road would feature 5 dwellings set back behind landscaping and hard surfacing. Within the site houses would face one another positioned either side of the road with front gardens.
18. The dwellings would be of brick construction with gabled roofs featuring dormers and rooflights and while the dwellings would have a distinctive design they would provide a complimentary contrast to other dwellings in the vicinity. It is considered the proposal would result in a quality redevelopment that would complement the character and appearance of the area.

RESIDENTIAL AMENITY

19. Policy L7 of the Adopted Core Strategy requires new development to not prejudice the amenity of occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion or noise and disturbance. The Council's Guidelines for new residential development recommends that where there would be major facing windows, two storey dwellings should retain a

minimum distance of 21m across public highways and 27 metres across private gardens and three storey dwellings should retain a minimum distance of 24m across public highways and 30 metres across private gardens. Distances to rear garden boundaries from main windows should be 10.5m for 2 storey houses. Where there is a main principal elevation facing a two storey blank gable a minimum distance of 15m should normally be provided.

20. The properties proposed to the front of the site would face Northenden Road. Opposite the development site is a property in use as a day nursery and a residential development, known as Hampton House and Dane House. The distance between the proposed properties (Plots 1, 2, 3, 23 & 24) and these existing properties would be between 47 - 50m. The Council's SPG: New Residential Development recommends a privacy separation of 21m for developments of two-storeys over a road. These properties would be set back from Northenden Road and would conformably exceed the required separation distance as set out within the SPG. Therefore it is not considered the development would result in an unacceptable level of overlooking to the occupiers of residential properties in Northenden Road to the south of the site.
21. Number 75 Northenden Road would be the closest existing residential property located next to Plot 1 to the south of the site. The flank side elevation of number 75 would be positioned approximately 11m from the gable elevation of Plot 1. The front ground floor level window in the side elevation of No. 75 is a secondary window to the property's front living room. Additionally the side windows at ground floor level to the rear of No. 75 are secondary windows to the property's kitchen and family room. At first floor level the existing windows in the side elevation of No. 75 serve bedrooms. However the building line of proposed Plots 1-3 would be set forward of these windows and there would be no windows provided in the gable elevation adjacent to No. 75. Therefore, it is not considered the development would result in an overbearing impact or loss of privacy to the occupiers of No. 75 Northenden Road. Furthermore planning permission has recently been approved at No. 75 for the erection of a double garage with garden room to be positioned between the main building at No. 75 and Plot 1 of the proposed development (ref: 85105/HHA/15).
22. The adjacent site to the west of the subject site is currently under redevelopment following grant of planning permission ref: H/71297 for erection of 11 apartments and 7 houses with associated car parking and landscaping. The proposed flank elevation of Plot 23 would be positioned over 4m from the side elevation of the approved apartment building at 65-69 Northenden Road. No habitable room windows were approved in the side elevation of the apartment block and there would be none in the proposed side elevation of Plot 23. The building line would be in line with that approved at the apartment block and it is considered the proposed development would not have a detrimental impact upon the residential amenity enjoyed by the future occupants of the apartments at 65-69 Northenden Road.

23. Plots 16-22 would be positioned on the western side of the site. To the rear these properties would face towards the above mentioned approved development at No. 65-69 Northenden Road. Plots 19-22 would overlook the approved car parking to the adjacent development. Plots 16 - 18 would face rearwards to the gable elevation of an approved dwelling currently under construction to feature no habitable room windows in the side elevation. The separation distance between the proposed Plots an 16-18 would be between 12.5m-13m and although this is under the guidance contained within the SPG, in light of the fact there would be no habitable room windows in the side elevation of the dwelling under construction at 65-69 Northenden Road it is not considered there would be an issue of overlooking or undue sense of enclosure to the future occupants of the dwellings.
24. Within the site the proposed Plots 4-9 and 16-22 would overlook one another across the proposed cul-de-sac road. The separation distance across the road would be between 19 - 22m. While in some instances this would be below the guideline requirement for two storey properties across roads, it is not considered there would be such a detrimental impact upon the residential amenity of the future occupants of the properties to warrant a refusal on these grounds.
25. To the north of the site, Plots 10-15 would overlook Worthington Park to the rear. To front of the properties a minimum of 15m would be retained between the elevations facing the side gables of the properties opposite. This would meet the requirements of the Council's SPG: New Residential Development.
26. Lastly the proposed dwellings at Plots 4 - 9 would be positioned to the eastern boundary of the site with rearward views to the properties located in Holly Grove. The application proposals have been amended since initial submission to remove dormer windows to the rear roofslopes and replacement with rooflights. All the garden depths to Plots 4-9 would meet the guidelines requirement of 10.5m depth and the interface distances between the proposed dwellings and the existing rear windows of properties in Holly Grove would be between 27m - 32m. Therefore the proposal is not considered to result in a detrimental impact to residential amenity enjoyed by the occupants of existing Holly Grove properties.
27. The separation distances referenced above are considered to be sufficient to prevent the proposed buildings from having an unreasonably overbearing or visually intrusive impact on existing neighbouring properties, and should ensure that the development does not unduly overshadow them either.
28. All dwellings would have their own private outdoor amenity space. Refuse bins associated with the dwellings are to be accommodated within rear gardens or adjacent to properties in-between plots. Soft landscaping would be introduced to the front of all the proposed dwellings with trees to be provided to front and rear gardens. Together with the nearby public park area to the north of the site the

proposal is considered to provide ample private amenity space for the occupants of the proposed dwellings.

ARBORICULTURAL AND ECOLOGICAL ISSUES

29. Hard and soft landscaping is shown on the submitted plans, with trees planted in gardens and to the front of properties. Landscaping to the east of the site on the boundary with Holly Grove has been negotiated between the applicants and Holly Grove residents and this will help reduce the visual impact of the development when viewed from the rear of Holly Grove properties. It is acknowledged that the development will require the loss of many trees on the site, but important trees standing on the Northenden Road frontage, including a fine Copper Beech (T1 on the tree survey) and a Lime tree that is subject to a tree preservation order (T24) will be retained. Trees will also be retained at the northerly extremities of the site, where the latter meets Worthington Park. It is acknowledged the trees on this northern boundary are close to the proposed dwellings (Plots 10-15) and requests to fell trees here may be received in future. Nevertheless should this happen, there exists substantial existing trees within Worthington Park to the north of the boundary which would ensure the retention of sufficient screening to limit the visual impact of the development when viewed from within the park. A condition is recommended requiring a tree protection scheme to be submitted and a further condition requiring the Local Planning Authority to be notified 10 working days prior to commencement of works at the site to ensure the erection of fences and special surfaces are properly supervised.
30. The proposed landscaping scheme has been assessed and is considered to be acceptable, utilising semi-mature trees to ensure immediate impact at planting. A condition is recommended requiring compliance with the scheme and the protection of all planted trees for a minimum of 10 years.
31. The Greater Manchester Ecology Unit assessed the proposals and raised no objections to the scheme, subject to conditions. It is recommended proposed demolition of the existing buildings is partly undertaken by hand to ensure no detrimental impact to protected species. Similarly conditions are recommended to ensure protecting of nesting birds.

ACCESS AND PARKING

32. The proposed development provides 24 dwellings all providing 4+ bedrooms. Under the Council's Parking Standards a scheme of this size and mix generates a requirement for a maximum of 72 car parking spaces. Amended plans have been received since initial submission and this show the proposal would provide 65 car parking spaces. SPD3 states that for residential development, car parking below the maximum standard will only be allowed where there will be no adverse impact on on-street parking arising from the development.

33. The Local Highway Authority was consulted on the initial submitted scheme and the subsequent revised scheme showing additional car parking provision. It is considered the revised scheme shows an increased level of off street parking and while the proposed level of provision would be 7 spaces less than the maximum standard, this is a relatively small number and the excess could reasonably be accommodated on street within the development. Proposed driveways would be 5.5m in length and an aisle width of 6m would be provided throughout the site. The proposed access to the site from Northenden Road has also been assessed and is considered to be acceptable in terms of highway safety.
34. Secure cycle parking can be accommodated at each dwelling comfortably. Pedestrian footpaths would be provided either side of the cul-de-sac road and existing pedestrian access to Worthington Park would be retained from Northenden Road through the site, utilising the proposed footpath.
35. The submitted Transport Statement has been assessed and in regards to the trip generation for the proposals, it is stated that there will be the addition of 1 vehicle per 5 minutes in the AM peak and 1 per 7 minutes in the PM peak. This is considered acceptable and there are no objections raised to this element of the proposal.
36. An existing bus stop is located to the front of the site on Northenden Road. In consultation with Transport for Greater Manchester, the relocation of this bus stop is acceptable in principle. However a condition is recommended requiring the details of the relocated bus stop to be agreed on site by the applicants in consultation with TfGM and Greater Manchester Police, prior to commencement of development.

CRIME AND SECURITY

37. The applicant has engaged with GM Police Design for Security prior to submission and included a Crime Impact Statement as part of the application. This explains the scheme will result in the removal of redundant buildings and will bring additional activity and vitality to the area. The proposal would maximise surveillance and activity to the street and defensible space is provided to the front and rear of properties with secure gardens low fences or hedges defining semi-private space to the front. Greater Manchester Police raise no objections to the scheme, subject to the development being constructed in accordance with the recommendation contained within the submitted Crime Impact Statement which includes provision of details of boundary treatment and hard surfacing. Conditions requiring details of boundary treatment to be submitted and compliance with the submitted landscaping plan which includes hard surfacing details are therefore recommended.

FLOOD RISK AND DRAINAGE

38. A Flood Risk Assessment has been submitted with the application and notes that the site is identified as being located within Flood Zone 1 (low risk) of the Environment Agency Flood Zones. Based on the available information the probability of the site flooding from surface water is low and the risk of flooding from other sources is also low. It is recommended any approval includes conditions relating to submissions of schemes to limit the surface water run-off generated by the proposed development and to manage the risk of flooding from overland flow of surface water.
39. The proposal is considered acceptable in terms of flood risk and drainage, subject to conditions.

PLANNING CONTRIBUTIONS

40. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development. Consequently private market houses would be liable to a CIL charge rate of £40 per square metre. However there are existing buildings on the site and where applicable the floorspace of these may be taken into account when calculating the area of chargeable floorspace at the relevant charging rates.
41. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Sale area is identified as a "moderate" market location where the affordable housing contribution set out in Policy L2 is 20%. This equates to a requirement for 4.8 of the 24 dwellings to be affordable.
42. The applicant has submitted a viability appraisal which concludes the provision of affordable housing would negatively impact on the scheme's viability. The appraisal identifies a number of abnormal costs such as asbestos removal and costs to relocate a bus stop. The Council's Principal Surveyor has assessed the appraisal and accepts in this case the applicants have proven the scheme as submitted does not allow the provision of any affordable housing.

RECOMMENDATION: GRANT subject to the following conditions:-

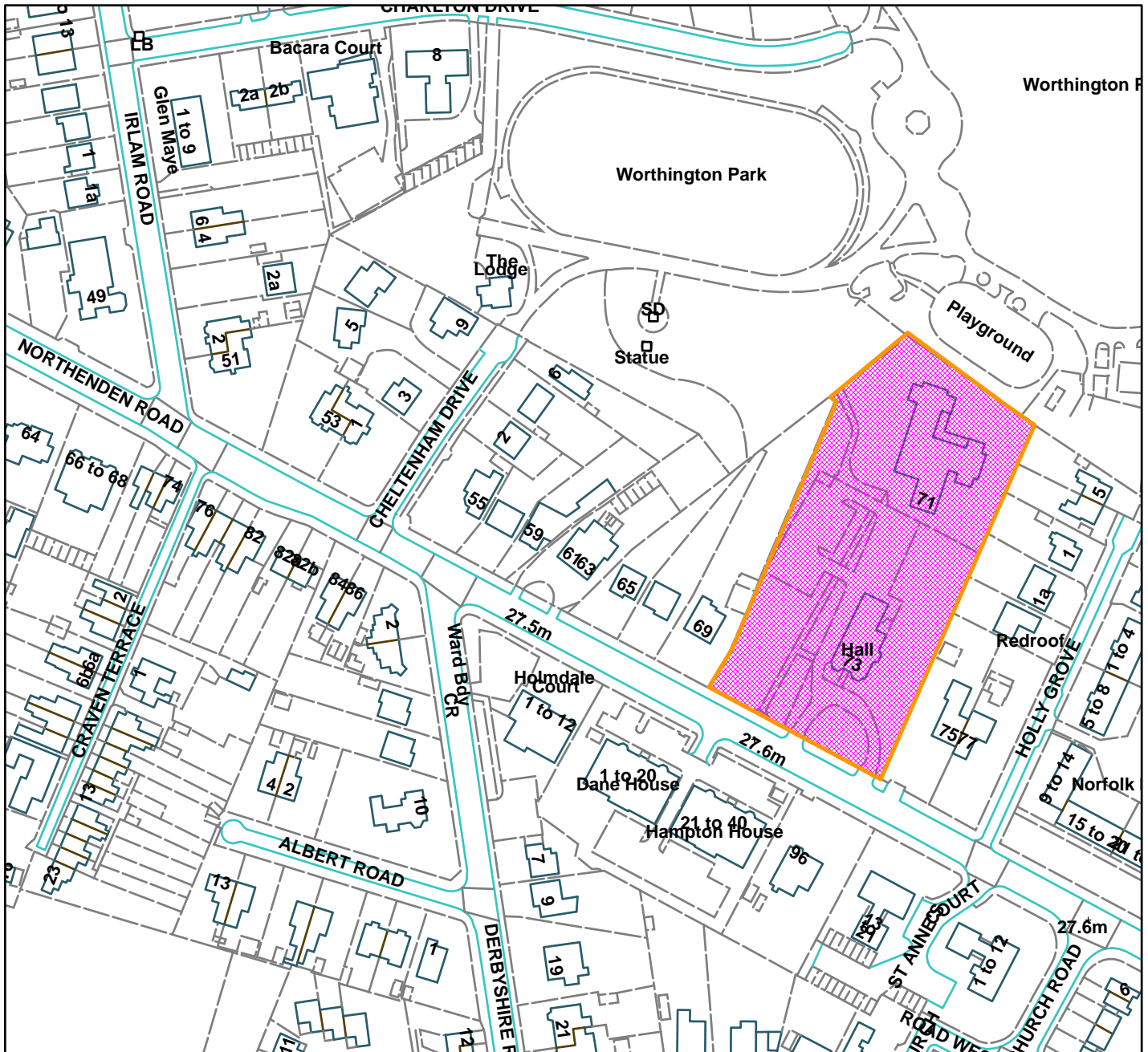
1. Standard
2. Compliance with plans
3. Materials
4. Landscaping - compliance with landscape plan drawing M2379.021
5. Ecology – No removal of trees within bird breeding season unless approved in writing by the LPA following the submission of a detailed bird nest survey
6. Boundary treatment

7. Lighting
8. Provision and retention of parking
9. Construction Management Plan including wheel cleansing
10. Tree Protection Plan & provision of 10 workings days notification to LPA prior to commencement of development to ensure satisfactory standard of tree protection
11. Drainage –sustainable drainage scheme to comply with Policy L5 of the Core Strategy
12. Removal of permitted development rights - no conversion of garages, no side extensions on driveways, no dormer windows or 2 storey extensions on Plots 1-9, 23, 24 and 16.
13. Contaminated land
14. Measures to protect bats during construction
15. Details of vehicular access to site to be provided to LPA prior to commencement
16. Details of relocation of bus stop prior to commencement of development

LB



Park House, 73 Northenden Road, Sale (site hatched on plan)



Scale: 1:2,000

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	01/06/2015
MSA Number	100023172 (2012)

WARD: Hale Barns

84541/FUL/14

DEPARTURE: NO

Proposed demolition of existing dwelling to allow erection of a replacement three storey dwelling set within sunken garden area. Alterations to existing access with landscaping works through-out.

61 Bankhall Lane, Hale Barns, WA15 0LN

APPLICANT: Mr Offland

AGENT: PWA Planning

RECOMMENDATION: GRANT with conditions

Councillor Myers has requested that this application be determined by the Planning Development Control Committee for reasons set out within the report

The application was deferred from consideration at the Committee of 9 April 2015 to allow further consideration of the points raised in the letters of objection.

SITE

The application relates to a two storey detached property sited on the northern side of Bankhall Lane, Hale Barns. Situated within a large residential area the site has other residential dwellings sited to its northern, eastern and western sides. To the southern side of the site lies open land in the green belt. The property itself appears to be of mid-to late twentieth century build and is set in the middle of a triangular shaped plot, retaining a large set back from Bankhall Lane itself. The main property has a gabled roof design and has been extended to the rear in the form of a single storey extension. There also lies a detached garage sited to the eastern side of the site connected to the main house by a canopy type structure.

The site is situated within sub-area C of the South Hale Conservation Area.

PROPOSAL

The application proposes the demolition of the existing dwelling to allow for the erection of a replacement three storey dwelling which would be erected within a sunken garden area. The proposed dwelling would be of a contemporary design and the works would also see changes to the existing access alongside the addition of further landscaping.

The application has been amended due to concerns raised by the Local Planning Authority regarding the amenity of neighbouring properties, further discussed within the Observations section of this this report.

The total floor-space created from the proposed development would be 654m².

This would be an increase of 57m² from the existing situation on site, as the existing dwelling has a gross floor space area of 597m².

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4–Sustainable transport and accessibility

L7–Design

R1 – Historic Environments

PROPOSALS MAP NOTATION

ENV21- Conservation Areas

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

South Hale Conservation Area Guidelines

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

H/62340 –Conversion of existing garage to provide additional living accommodation and alterations to front porch. Approved with conditions on 03/06/2005.

H/61911 – Conversion of existing garage to provide living accommodation, erection of double garage to side/front and alterations to front porch. Refused on appeal – 31/03/2005.

APPLICANT'S SUBMISSION

- Planning statement
- Design and Access statement and Heritage Statement
- Additional information on reference objects, façade materials and overlooking analysis
- Bat Survey
- Arboricultural report
- Cross sectional drawings to show both the existing and proposed situation on site between the application dwelling and the eastern side neighbouring property number 59 Bankhall Lane – submitted further to representation made from neighbour at number 59 Bankhall Lane.

These will be discussed within the Observation section of this report where appropriate.

CONSULTATIONS

None

REPRESENTATIONS

Councillor Myers has called in the application to planning committee in response to serious concerns raised by the adjoining neighbour at number 59 Bankhall Lane, relating to the loss of privacy and overbearing related concerns from the proposed development.

Neighbours: 1 objection letter- based upon initial scheme – the points within this are summarised below:

- Concerns of overlooking from the proposed two large window openings
- Concerns regarding inter-looking from the proposed windows within the western side elevation of the proposed new dwelling
- Concerns over the prospect of overlooking from the proposed open roof terrace area
- Concerns over the bulk and massing of the proposed dwelling in relation to number 59
- Loss of light concerns

Objection letter 2 – based upon the revised scheme:

- Impact on number 59 Bankhall Lane a non-designated heritage asset
- Application is not in line with the South Hale Conservation Area Guidelines
- Concerns regarding the proposed materials
- Proposed planting would pose overbearing related concerns for number 59

- Concerns regarding the proposed building line
- Amenity relate concerns from proposed window openings within eastern side facing elevation

Any further comments will be included within the Additional Information Report.

OBSERVATIONS

IMPACT ON CONSERVATION AREA

Loss of existing building

1. The application proposes the demolition of the existing dwelling on site, to allow for the erection of a new larger detached dwelling, built over three levels and set within a sunken garden area. The existing dwelling is a mid-to-late-twentieth century dwelling, built within the former side garden area of number 59 Bankhall Lane (sited to the west of the site). The existing dwelling is considered to have little historic or architectural value, as it does not display any of the key architectural features exhibited by many of the neighbouring properties within this section of the Conservation Area. It is therefore considered to make a neutral contribution to the Conservation Area and its demolition is thus considered to be acceptable.

Design

2. The South Hale Conservation guidelines note within policy 5.1.3 that houses are of great variety, including Victorian, Edwardian and modern. Nearly all are large, many substantial. The older houses in particular have interesting rooflines. And decorative upper storeys. Policy 5.3.9 further states within Sub-Area C “The majority of the properties are large and spacious, detached, two-storey dwellings that are of the Edwardian period, inter-war or modern. A small number are large three storey Victorian dwellings. The properties are often set a long way back from the road with separate garages and have large and mature-landscaped gardens. Many of the properties are obscured by the landscaping within their curtilages.”
3. The agents for the neighbour have commented that the use of the word “modern” within the guidelines reflects what would have been deemed modern at the time of their release, the 1970’s. Whilst that may be the case, the South Hale conservation area does include many examples of late 20th and early 21st century developments, particularly replacement dwellings and some apartment developments. It is thus considered that the guidelines as written, and the character of the area as a whole, do not preclude the development of a modern design new dwelling on this plot.
4. The proposed new dwelling has been designed to feature a very contemporary and rather unique design, with the entire dwelling being set within an area of sunken garden. The dwelling would have a curved design in a triangular shape, in-line with that of the wider site, with each floor set in a slightly different orientation. The main material for the elevations would be cedar panels; there would also be large areas of

glazing with copper clad window frames. The property would have a flat/Sedum roof.

5. The proposal details a dwelling which would be finished to a high overall quality and be set over three levels. The ground floor and second floor would roughly be of the same size and would be much smaller in size compared to the first floor which would overhang towards the eastern side boundary of the site. The overhang would have room for parking underneath and have an open roof terrace sited above, considered to add further character to the dwelling.
6. It is considered that the design of the proposed dwelling is such that it would preserve the character and appearance of the South Hale conservation area.

Spaciousness

7. The existing dwelling retains a distance of 3.6 metres to its western side boundary at both single and two storey level. 4.9 metres is currently retained to its eastern side boundary at two storey level, and this is reduced at single storey level to a distance of 0.4 metres. The South Hale Conservation guidelines detail a minimum requirement of 4 metres to be retained to each side boundary of the site and a combined distance of 18metres to be retained to both. Whilst the proposed dwelling has been designed and sited to retain a minimum distance of 4 metres to each side boundary, increasing slightly to 5 metres due to the curved design, neither the existing nor the proposed dwelling comply with the combined distances guideline within the South Hale SPG. It is noted that the overall distances retained to the side boundaries of the site, at two storey level would be slightly reduced from 8.5 metres to 8 metres as proposed, however to the east of the site this would be increased from 0.4 metres at single storey level to 4 metres. It should further be noted that to the eastern side of the site, 4 metres would be retained to the middle first floor level of the dwelling, which is larger in size when compared to the ground floor and second floor levels, as it overhangs to the eastern side boundary. The lower ground floor level of the dwelling would therefore actually retain a distances of 8.4 metres to this boundary. At second floor level, which has a curved triangular design, 14.5 metres would be retained to this boundary at its western most point, reducing to 4 metres at the eastern most point. It is therefore considered that the small degree of spaciousness which would be lost at first floor level would be compensated for and further improved overall as part of the proposal.
8. It should however be noted that although the single storey garage element of the existing dwelling allows for views both over and above; adding to the element of space within the site. This garage runs parallel to the eastern side boundary of the site for the full length of the main house, thus adding to the overall hard area coverage of the site and its main built form. The proposed dwelling, however, would be sited much more centrally within the site and retain a larger overall distance from the eastern side boundary than the current situation on site. This, as noted above, would also be increased to the western side boundary at two storey level from 3.6

metres to 4 metres. As such taking this and the additional 4 metres of space being proposed to the eastern side of the site into account, the proposed dwelling is considered to preserve an acceptable level of spaciousness within the site.

9. It should further be noted that the proposed new dwelling with its contemporary design and unique style would also curve away from its two side boundaries; therefore although a distance of 4 metres would be retained at the closest point to the side boundaries, this would actually be increased to the northern and southern ends of the dwelling to approximately 6.7metres. The ground floor level of the dwelling would also be set in from the eastern side boundary compared to the first floor level of the dwelling which would overhang the ground floor; this distance would therefore increase from 4 metres at two storey level to 8.7 metres, an overall increase of 8.2 metres from the existing situation on site with the single storey garage. It is therefore considered that any loss of spaciousness through the development of the proposed dwelling at first floor level would be compensated for and improved overall through the development.
10. Due to the dwelling being set further forward than the existing, it would retain a larger distance from the rear boundary of the site, adding to its sense of space and openness. The existing dwelling retains a distance of 34m to the rear boundary which is proposed to increase to 36m under the proposal, this remains far in excess of the South Hale Conservation Area guidelines which detail a distance of 20metres to be retained to a rear boundary.
11. To the front boundary, the distance retained would be reduced from 19m to 16.6m as proposed; therefore although the distance retained to the rear boundary would be increased through the proposal, this would be reduced to the front when compared to the existing situation. The overall combined loss of space to the front and rear boundaries from the existing situation on site to that proposed would be 0.4 metres (currently 34m to rear boundary and 19m to front, proposed 36m to rear boundary and 16.6m to front). Whilst 16.6m remains less than the guideline figure of 21 metres, this is considered to be acceptable whilst having regard to the general position of adjacent buildings in relation to their front boundaries. Currently a non-linear building line runs along this section of Bankhall Lane, which itself curves along its length. It is considered that the relationship of adjacent houses to the road is such that the positioning of the proposed building would be acceptable. 16.6 metres is also greater than the distance currently retained by number of 59 Bankhall Lane to the west which retains a distance of 15.5 metres at its closest point.

Landscaping and Tree Cover

12. The proposal would significantly reduce the hard area coverage of the site, further complying with South Hale Conservation Area guidelines which set specific figures for hard area coverage per each Sub-area within the Conservation Area. The existing dwelling has a hard area coverage figure of 47% of the site, through the

proposal this would be reduced to 28% due to the increases in the landscaping to all sides of the dwelling. It should also be noted that the proposal also includes a Green Roof design which would further reduce the hard area coverage of the site if this was taken into the overall calculation. As such this is considered to represent an improvement to the current situation on site.

13. The proposal would also seek to improve and enhance the quality of tree cover within the area further and improve the landscaping within the site itself and along the site boundaries. The landscaping scheme details the planting of a total of 27 trees which would be planted at advance nursery stock level, sited along the southern front and western side boundaries; as well as within the rear garden area of the site. The scheme further details the strengthening of the Beech hedge planted along the western side boundary of the site and the hedging that forms the front boundary of the site, allowing only glimpses of the property to be visible from the wider street scene along Bankhall Lane. The proposal thus complies with policy 6.10.1 which reinforces the importance of boundary planting and reinforces the fact that the areas character derives in particular from its spaciousness and landscaping which are detailed to be improved and maintained.
14. The proposed dwelling is considered to preserve and enhance the character and appearance of the Conservation Area in line with policy 6.1.1 from the South Hale Conservation Area guidelines, as the development pays particular regard to spaciousness and landscaping, both of which it proposes to enhance and is seen to significantly better the site from the existing situation and thus make a much more positive contribution to the wider Conservation Area.

IMPACT ON 59 BANKHALL LANE AS A NON-DESIGNATED HERITAGE ASSETT

15. Number 59 Bankhall Lane, an early 1900's built Edwardian property, is considered to hold a degree of architectural and historical merit which reflects a number of elements of the conservation area in terms of age, style and materials. As such it is considered that the property makes a positive contribution to the character and appearance of the Conservation Area and could be considered as a non-designated heritage asset.
16. For the reasons set out above in assessing the impact of the development on the South Hale Conservation Area, (and in particular having regard to the loss of the garden to no.59 arising from the development of the existing house at no.61) the proposed development is considered not to harm the setting of number 59 Bankhall Lane. It has been considered that any harm to the setting of this dwelling occurred when the existing dwelling at number 61 Bankhall Lane was erected on the former side garden area of No.59. It is considered that the proposed development would not detract from the setting of No.59 especially having regard to the existing situation.

17. The existing dwelling at No. 61 as noted above is considered to make a neutral contribution to the South Hale conservation area, whereas the proposed dwelling due to reasons set out above is considered to make a positive contribution to the wider conservation area and as such is considered to be an improvement from the current situation on site. It is therefore considered that the proposal would not pose any additional harm to the setting of number 59 Bankhall Lane.

RESIDENTIAL AMENITY

Privacy

59 Bankhall Lane

18. In relation to number 59 to the western side of the site; the proposal includes 3 door openings at ground floor level within the sunken garden area of the site, taking this and the 3 metre hedge which forms the western side boundary of the site into account, it is considered these door openings would pose minimal new overlooking related concerns. It should be further noted that the western side boundary is due to be further strengthened by additional planting where appropriate as part of the landscaping scheme and as such any new concerns would be further minimised.

19. The dwelling further proposes additional openings at first floor level to serve two bedrooms, and two further openings at second floor level to serve bathrooms within its western elevation. These would, however, be conditioned to be both obscure glazed and non-opening unless they are 1.7 metres above floor level, thus the openings are considered to pose minimal overlooking related concerns. It should be noted that as the dwelling has a very open internal layout, it is considered that obscure glazing the bedroom windows would not harm the amenity of the occupants of the dwelling.

20. The proposal further details the addition of two full length window openings at both the south-western and north-western end corners of the dwelling, both of these openings would be sited just over 4 metres away from the adjoining boundary, due to the curving nature of the proposal. Although these openings would be set at upper ground floor level (central first floor), due the dwelling being set within a sunken area of ground, the upper ground floor would not be much higher than the ground floor of number 59 and as such would not provide elevated views of the neighbour's front garden area. With regards to the opening at south-western end of the dwelling the applicants have further amended this opening to feature timber fins, these would be added along its western most side elevation which would restrict views from the opening from falling directly into 59 Bankhall Lane's front garden area and eastern side window openings. The fins would be conditioned to be installed and retained at a fixed angle, restricting views away from No.59 and projecting them towards the front boundary of the site.

21. From first floor level, the views would be further restricted due to the internal first floor being set back from the window opening, creating a mezzanine floor level within the dwelling. A set back from the window for a distance of 2.7metres would be created internally allowing only restricted views into the neighbouring site. Taking this and the angled restricted views ensured by the timber fins into account any overlooking potential from this opening to the neighbour's front garden area is considered to remain minimal. Any such views are also considered to hold marginal concerns as number 59's main private garden areas lie to the rear and western side of their property and not to the front; thus the opening is considered to be acceptable.
22. To the rear north-western side of the dwelling there is a similar opening proposed, this however relates to a staircase. This would also have restricted views by using the same timber fins externally along the northern most rear section of the opening, restricting views from the opening into number 59 Bankhall Lane's rear garden area. The opening has further been amended and would now also have timber cladding added to its western most section which would entirely screen the western side of the opening externally from view and thus remove any issues of direct overlooking to the western side boundary as well as the perception of overlooking for the neighbouring property. Taking this and the use of the window into account (relating to a staircase) it is again considered that any amenity related concerns would likely remain minimal.
23. Number 59 has a first floor bedroom opening sited within its western side facing elevation; this is set in slightly from the bulk of the main dwelling and thus achieves a greater distance to the adjoining boundary than the main house and thus would not be directly opposite the proposed large staircase opening. As noted above, the proposed openings western most section would be externally covered by cladding and thus would not allow for views through. Due to the angle of the proposed opening and the use of the fins which would be conditioned, there would not be any direct views into the neighbouring properties window openings. It should further be noted that the first floor bedroom also has a second window within the rear north facing elevation and as such the proposal is not considered to lead to an undue loss of amenity.
24. The proposed areas of open roof-terrace at second floor level would be sited away from the western side boundary of the site and are considered not to pose any material overlooking potential for the number 59 Bankhall Lane, as these would only allow for views to the rear and front garden areas of the application site, restricted by the screen to the eastern side and the built form of the second floor of the dwelling to the west. It is however noted that there would be the potential to look out over a small area of the front-western most side of number 59's garden area from the front section of the terrace, however due to the distances involved and this not forming the main private amenity space for the occupants of number 59 this is considered to be acceptable.

65 Bankhall Lane

25. With regards to number 65 Bankhall Lane, lying to the east of the application dwelling. The eastern side boundary is formed from high level planting which ranges from approximately 3m-4m at the northernmost end of the site and then increases in size to approximately 8m-12m+ towards the southern end of the site and is not permeable at any point. The proposed dwelling would retain a distance of at least 4 metres from this boundary at any given point. The proposal details the creation of two large window openings at first floor level within the dwellings eastern side elevation.
26. As a result of the sunken element of the proposal, the first floor of the dwelling would be level with the ground floor level of number 65 Bankhall Lane to the east of the site. As such the openings would not provide an elevated view into the eastern neighbour's property, this coupled with the current form of boundary treatment is considered to mitigate any material overlooking related concerns from the proposed openings. It should also be noted that number 65 is sited in excess of 15 metres away from the adjoining boundary so any such concerns would likely remain minimal.
27. The proposal would also include two areas of open-terrace at second floor level. In relation to number 65 to the east, the applicants have proposed a non-permeable screen to be added along the eastern elevation of the terraces. The screen would be formed from a sustainable material of bamboo and soft planting and would not allow for views through. The screen would be at least 1.8 metres in height and would also taper around the north-eastern side corner to ensure minimal overlooking potential into number 65's rear and front garden areas; as such these are considered to be acceptable. The proposed screen would be subject to a condition requiring its submission to the LPA for approval prior to the commencement of the development if Planning Permission is granted.

Neighbour's to the rear of the dwelling

28. The proposed dwelling would retain distances of 16.6 metres to the front boundary of the site and in excess of 21 metres to the rear boundary of the site. It is therefore considered that the proposed new dwelling would pose minimal concerns for the neighbouring properties to the north of the site given the extensive size of the rear garden area, measuring 36metres from the proposed rear elevation of the dwelling. There also lie no properties to the southern side of the site.

Overbearing

Number 59 Bankhall Lane

29. With regards to number 59, the proposed new dwelling would be 0.5 metre greater in its overall height when compared to the existing main two storey dwelling currently

on site (increasing from a maximum ridge height of 7.0m to an overall height of 7.5m from the existing ground level). The new dwelling would also be no closer to number 59 than the existing.

30. Although as noted above the existing dwelling is largely built at two storey level, this currently has a single storey section erected to its rear. The height difference from this single storey element to that proposed is thus greater, measuring 3.3 metres. The proposed dwelling would however lessen its overall rearwards projection by 1.4 metres than the existing dwelling on site. Currently the two storey section of number 59 steps ahead of that of number 61's by a distance of 3.5 metres, as the remaining rear most section of number 61 is built at single storey level. The Council's householder extension guidelines detail: "two storey extensions.. should not normally project more than 1.5 metres close to a shared boundary. If the extension is set away from the boundary by than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary", in this case this distance is 4 metres. Number 61 would therefore be able to increase their rear footprint for an additional 5.5 metres beyond the rear of number 59's rear building line at two storey level and remain compliant with the Councils guidelines. The two dwellings two storey mass's would thus be almost level to the rear under the proposal, with the proposed dwelling projecting 1 metre beyond the rear elevation of 59, compliant with local guidelines and thus considered to be acceptable.
31. Number 59 Bankhall Lane has a number of ground floor rooms which have openings sited within its eastern side facing elevation. To the front of the property there lies a large living room; this has its primary opening, a large bay window sited within its main front south facing elevation. There remain secondary smaller openings to this room sited within the eastern side facing elevation, however, the main outlook and source of light for the room remains the window to the front of the dwelling. Therefore any overbearing related concerns for the side facing openings would be compensated for by the larger main opening to the front of the dwelling. It should be further noted that these secondary side facing openings already look out onto a two storey dwelling and thus the proposal would not pose any new material impact on this room.
32. To the rear of the dwelling lies a kitchen-diner through-room, with openings both within the east facing side elevation and north facing rear elevation. All 3 openings are similar in size and act as sources of light and outlook for this large through-room. The existing east facing openings currently look out onto the single storey element of number 61, albeit with a tall hedge in between. It is therefore noted there would be a degree of additional impact upon the east facing openings due to the erection of the new dwelling, with the increase of massing to the rear of the application site through the erection of the proposed dwelling. However given the open-nature of this room it is considered that any overbearing related concerns would be mitigated through the openings within the rear elevation of the dwelling and any such overbearing impact would not be so much worse than the existing situation to justify the refusal of the application. It should be further be noted although there would be an increase in

massing towards the rear end of the proposed dwelling, this would not be a traditional two storey rectangular structure but a curving one, the dwelling would thus curve away from the boundary and thus pose lesser levels of harm and as such this is considered to be acceptable.

33. Positioned centrally within the dwelling at number 59 there further lies a non-main habitable room, which is sited underneath the main internal staircase. This has its sole opening sited within its eastern side facing elevation and is considered to be affected to a degree by the works, however as this already outlooks onto a two storey structure the additional 0.5 metre increase in the overall height of the proposed dwelling is not considered to pose any material harm to this room, given its nature.
34. The proposed dwelling would project ahead of number 59's front elevation for a distance of approximately 2.5 metres at its closest point to the western side boundary. This distance would then increase to approximately 3.8 metres at the furthest point away from the side boundary, however due to this point of the dwelling being set approximately 8 metres away from number 59 any overbearing related concerns for the front facing opening are considered to remain minimal. As noted in the above sections the dwelling would be sited 4 metres away from the adjoining boundary of the site and as such it is considered that any overbearing related concerns would be off-set by the distances retained to the side boundary. All of the main habitable rooms that number 59 has towards the front of the dwelling have their primary openings within their main front elevation and any secondary openings within their east facing elevation; thus the additional projection coupled with the distances being retained is not considered to lead to any material overbearing related concerns. Currently along this section of Bankhall Lane a curvilinear building line can be seen with each property set slightly ahead of the one before, dropping towards the eastern side. The proposed dwelling would continue with this pattern and as such is considered to be acceptable, as it would step ahead of number 59 but would still remain set-back from number 63 to its east.
35. The proposed new dwelling is considered not to pose any material overbearing related concerns for the properties sited to its eastern and northern sides due to the substantial sized separation distances involved. Number 63 would be sited 15 metres away from the adjoining eastern side common boundary, this currently has a height of around 2-4 metres and as such any overbearing related concerns are considered to remain minimal.
36. The further submitted detailed cross sections submitted by the applicants further demonstrate that although the massing towards the rear of the dwelling would increase, this would not be to such an exceptional level to justify refusal. Further to this as the rear ground floor/first floor rear facing rooms within number 59 have openings to the rear as well as to the side any loss of amenity would be compensated for. When looking at the dwelling from the front of Bankhall Lane it is considered that the 0.5 metre increase would not be so detrimental to that amenity

of number 59 to justify refusal of the application. With regards to overbearing, as the first floor and ground floor main habitable rooms have their main outlook within the main front south facing elevation any overbearing related concerns would remain minimal.

37. It should further be noted that the landscaping is not considered to lead to any material increase in overbearing related concerns for number 59 to the east of the dwelling. Although number 59 has openings at ground floor level within their side elevation, the room's to which these windows relate have further openings within the front facing and rear facing elevations and thus any minimal impact would be compensated for. Furthermore a level of planting already exists along this boundary and therefore the existing openings already face onto such planting. Therefore it is considered that any additional harm posed by the increase in planting would not be so great as to outweigh the positive contribution the additional landscaping would make to the character of the wider Conservation Area.

38. It should be further noted that the current situation in terms of the western side boundary and the front facing southern boundary on site remains poor and as such any increases in planting are not only seen to improve the setting of both numbers 61 and 59 Bankhall Lane, but would also add to the character and style of the wider Conservation Area and surrounding street scene.

PARKING

39. The proposal would create space to safely accommodate in excess of 4 vehicles on site at any given time, this thus complies with the Council's adopted L4 parking guidelines for residential properties with in excess of 3 bedrooms within this area. As such the proposal is considered to be acceptable on parking grounds.

DEVELOPER CONTRIBUTIONS

40. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'hot zone' for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, and apartments will be liable to a CIL charge rate of £65 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

RECOMMENDATION: GRANT subject to the following conditions:-

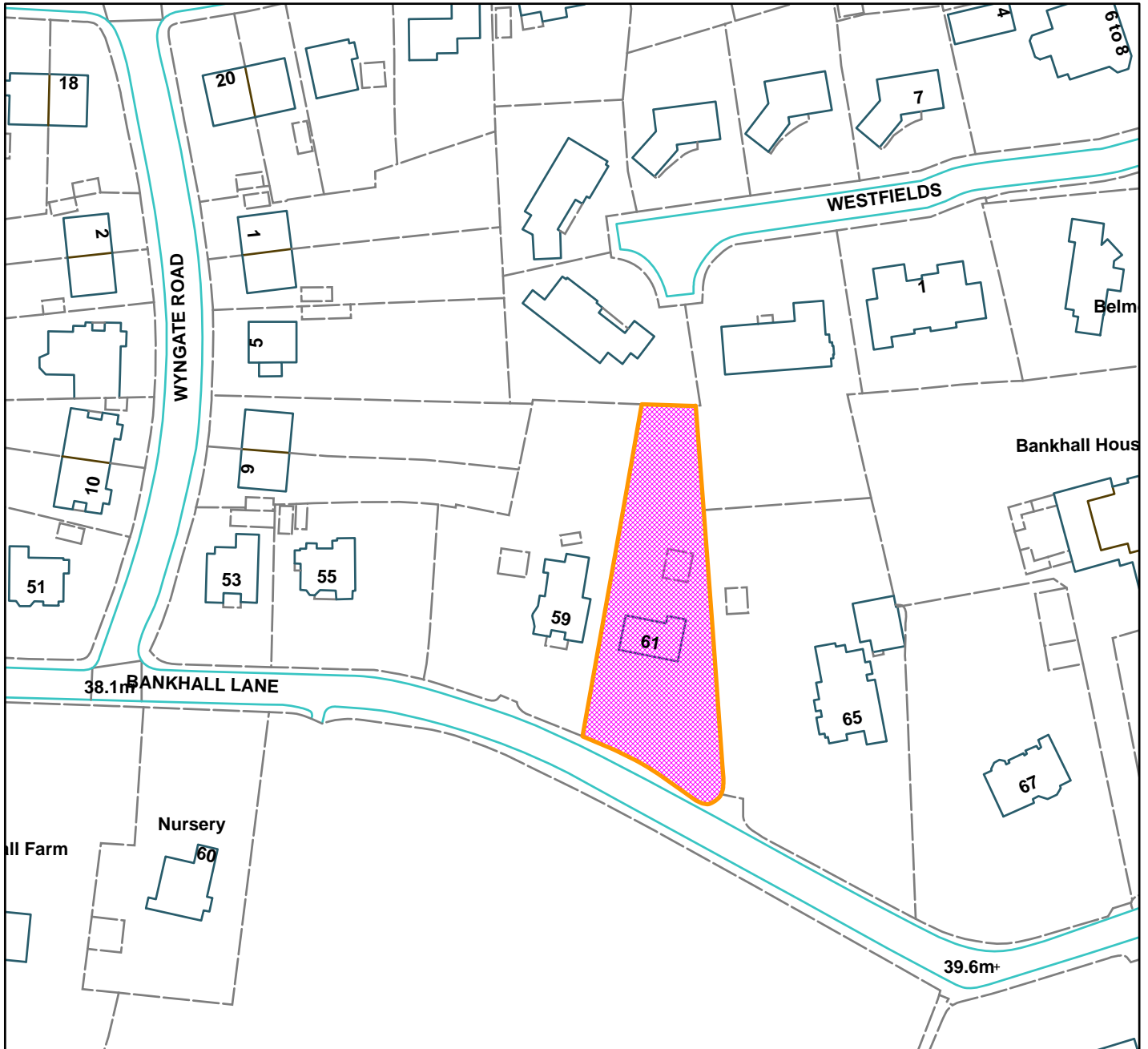
1. Standard
2. Submission of materials
3. Details – compliance with list of plans
4. Obscure glazing
5. Windows to be fixed shut under 1.7 metres above floor level
6. Removal of Permitted Development Rights

7. Non-standard – fins retention and their angle
8. Submission of further details of the proposed privacy screens on roof terrace – provision and retention of screens
9. Tree protection scheme
10. Landscaping scheme
11. Retention of external fins on south-western side and north-western side window openings
12. Submission of details on green roof

IG



61 Bankhall Lane, Hale Barns (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	01/06/2015
MSA Number	100023172 (2012)

WARD: Broadheath

84653/FUL/15

DEPARTURE: No

Change of use from church building to a mixed use building used for emergency homeless provision and continued use as a place of worship.

Newstead Church, Newstead Terrace, Timperley, WA15 6JS

APPLICANT: The Trustees of Newstead Evangelical Church

AGENT: N/A

RECOMMENDATION: GRANT

SITE

The application site relates to Newstead Evangelical Church, a detached single storey building used as a place of worship, located at the western end of Newstead Terrace. Newstead Terrace is a residential street with mainly terraced properties to the north and south side; the Moss Trooper Public House is located at the eastern end of Newstead Terrace at its junction with Moss Lane.

The surrounding area is predominantly residential, immediately beyond the north side of Newstead Terrace is Network Rail land.

PROPOSAL

This application proposes a mixed use of the church building to enable it to be used for providing emergency homeless accommodation whilst still being used as a place of worship. It will be carried out under the auspices of Timperley Community Church, the present tenants of Newstead Church. The provision of emergency homeless accommodation was originally set up four years ago at Timperley Methodist Church, but that location is no longer in use and there is no emergency homeless accommodation available in the Borough.

It is proposed to provide accommodation for six visitors at any one time as a maximum, with provision for two volunteer supervisors to reside overnight. The accommodation would be supervised by the volunteers between the hours of 10pm -8am, which allows the visitors to have breakfast and travel to Sale Waterside at 9am which is part of the referral system.

Only those individuals who have been through the referral system in place through Trafford Council, Housing Options Service Trafford (HOST) will be eligible for emergency accommodation. Whereby, when an individual presents to HOST in a crisis

situation, overnight shelter is provided until they are registered on the system for consideration for permanent accommodation.

In the past the Timperley Methodist Church had been registered for Severe Weather Emergency Protocol (SWEP). SWEP is normally instigated when the temperature is forecast to drop to zero degrees (or below) for three consecutive nights. A suitable SWEP will ensure that the Local Authority can provide suitable accommodation at short notice in order to prevent harm and death due to severe weather conditions. The applicants have been registered with Trafford Council as Traffords SWEP provider, but wish to extend provision to a seven days a week all year round service, as the SWEP provision has been limited to the months of November- February, temperature dependant.

It is estimated that the Church has approximately 30 volunteers who would work on a rota basis to cover any particular night when accommodation is required. When an individual reports to HOST, HOST will contact the church to advise when the accommodation is required. The HOST referral process allows the individual to be assessed for their suitability for accommodation.

There would be no change to the existing floorspace of the building nor are there any external alterations to the building proposed. The building has a kitchen and w.c facilities but no bath or shower provision.

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L2 – Meeting Housing Needs

L4 – Sustainable Transport and Accessibility

L7 - Design

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

None

CONSULTATIONS

Greater Manchester Police (Neighbourhood Police Team & Design For Security – No objections)

Pollution, Housing & Licensing – No objections

LHA – No objections

Network Rail – No objections

REPRESENTATIONS

Neighbours - 25 Letters of objection have been received, raising the following issues of concern:-

Residential Amenity

- Existing church impacts on residential amenity through over-looking and noise
- The timing of the occupants coming and going will cause a nuisance.
- I moved here because I felt safe, I would not have done so if there was a building nearby used for homeless provision, whilst I care about the plight of the homeless the welfare of my family must come first
- What guarantee that a future change would not house alcoholics and drug users
- Poor street lighting around Church
- If Council make a rogue decision, the rear windows should be conditioned to be removed to protect the privacy of residents on Dale Grove.

Highways

- Proposal will result in more traffic
- There is little parking space without blocking the access to 38 Dale Grove and the railway maintenance gates.
- No assessment of impact on the area or highways
- The road is unadopted and in poor condition (history of right of way/access disputes with Council/Residents/Network Rail)

General

- The building is in a rundown condition
- It was set on fire in the past when trying to help undesirables
- Will be detrimental when selling properties
- Additional operations linked to the proposal such as cooking, waste and laundry will be located to the front and impact on character and appearance
- This is the wrong place to have a homeless shelter
- Building not designed for occupation
- No limit on the amount of people using it
- The Church have not maintained fences
- The plans do not itemise the homeless category to be housed
- No details from applicant how building will be updated with regards security catering, heating/cooling, ventilation, pest control and sound insulation (security important given proximity to Railway land)
- It has not been shown how Trafford Council would be able to demonstrate that the development was acceptable and sustainable, or how they might be able to mitigate this by way of planning obligations.
- Provision would be better in a town centre (Most homeless will be from out of the area)
- Concerns of a very transient population residing at the church
- Concern that lack of time to comprehensively check all residents
- Some occupants with criminal convictions, serious un-treated mental health disorders, problems with substance abuse more prevalent in homeless community (Crisis May 2003)
- Concern over possible increase in crime and anti-social behaviour
- Winter month provision different from all year around provision
- A number of young and old people live on Newstead Terrace – will feel less safe to let children play on the street
- Previous use of building as a youth club resulted in noise, thefts from garages
- People already wandering the street at all hours looking for provision, there is a pub 40m away, not a good idea.
- Where will those using the facility go during the day
- What if volunteers fail to show up
- If the facility is full, those turned away may sleep in the nearby park

- Research on the internet suggests that the Church may be part of a sect called 'Christian Church' based in North America.
- Are there any quantifiable benefits to the church or the Council? E.g. cost reduction
- The church has only recently reopened, we are being asked to trust the management of the church.

One letter of support has been received.

OBSERVATIONS

STRATEGIC AND LOCAL CONTEXT

1. The Governments National Housing Strategy is geared towards housing growth and the improvement of housing services within the spectrum of reduced funding for local government. The strategy includes a commitment towards the provision of choice, opportunity and support to vulnerable households, families on low incomes and those looking for work. The Governments specific agenda for homelessness is to:-
 - Tackle the complex underlying causes of homelessness;
 - Prevent homelessness at an earlier stage; and
 - Deliver integrated services for the support of the homeless
2. The 2002 Homelessness Act requires Local Authorities to take a strategic approach to dealing with the issue of homelessness within their borders through carrying out a review of homelessness within their area; and producing a homelessness strategy based on the findings of this review. The Act states that the purpose of this strategic approach is to prevent homelessness in the district of the local authority; ensure that accommodation is or will be available for people in the district who are or may become homeless; and provide support for people in the district who are or may become homeless.
3. Trafford Council have an adopted homelessness strategy entitled, Trafford Homelessness Strategy 2015-2018. The strategy represents '*Trafford Council's commitment to provide a comprehensive, high quality service to homeless households, and in particular, to prevent homelessness occurring*' (Para.1). With regards to homelessness and housing need in Trafford, '*three key stages have set the strategic Objectives for this strategy....Keeping – Preventing homelessness and keeping households in their own home where possible; Temporary – Providing the right type of temporary accommodation, available when needed and Sustainable – ensuring there is a supply of suitable alternative accommodation and giving people skills to maintain their tenancy*' (para.4).
4. The strategy recognises that the overall supply of temporary accommodation available within Trafford is limited (although such accommodation is largely available for families and single applicants who are homeless and have support

needs). For those single homeless people with no priority need, there is no direct access emergency accommodation within Trafford; in the past such individuals have had to be placed outside of the borough. The strategy also identifies the role the applicant of this proposed development has played in the past in providing SWEP accommodation, run by volunteers.

RESIDENTIAL AND VISUAL AMENITY

5. The church building is surrounded by residential properties to the east, south and west sides of the site. The application site is restrictive with a pedestrian pathway around the sides and rear of the building, the church building retains approximately 1m to the residential boundaries. The boundary treatment consists mainly of approximately 2m high concrete post and timber infill panel fences. The church has three windows on the rear (south) elevation which face towards the rear garden boundaries of properties along Dale Grove, two of these windows are obscured glazed serving an office and store room, the third window serves a kitchen which is clear glazed. On the east elevation is a clear glazed window, this window serves the room in which the beds would be provided for those seeking overnight accommodation. An emergency door to this room is located on the south facing elevation. A resident had expressed concern regarding lack of street lighting in the vicinity of the site, the building has external lighting and Newstead Terrace has street lighting columns along the south side of the road.
6. A number of the residents which share a boundary with the church building have raised concerns regarding overlooking from the users of the accommodation. The current situation as exits is that users of the church are afforded views from the clear glazed windows, during the day and into the evening, albeit these views are of timber fencing within 1m of the window. The upper levels of the rear elevations of the properties along Dale Grove are partially visible from within the kitchen area only, but as indicated these views currently exist. The proposed use of these rooms by people staying overnight is not going to result in any undue overlooking or loss of privacy to the nearby residents.
7. The facility will provide sleeping accommodation and access to w.c and basic washing facilities in the form of sinks. No baths or showers are provided within the building which reflects the basic nature of the emergency accommodation being provided. A concern of a number of the residents has been the possibility of the premises being used as a hostel with additional numbers to that proposed. An appropriate condition would be attached to any grant of planning permission to limit the numbers of people that would be able to use the premises to six visitors maximum.
8. Residents have expressed concern regarding a possible increase in crime and anti-social behaviour if the development is granted planning permission. The end users of the emergency accommodation are assumed by many residents to have

a criminal background or are liable to substance and alcohol abuse. The Council have consulted with GMP, which included the local neighbourhood police team, who have raised no objections to the proposal. The Council must assess this proposal on its merits and cannot be guided by assumptions of perceived increase in crime and anti-social behaviour.

9. The proposed development does not involve any external alterations to the building and therefore there is no adverse impact on the streetscene likely to occur as a result of this proposal.

HIGHWAYS

10. The application site has an area of hardstanding for parking for approximately 7 – 8 cars to the front and side of the premises. The proposed development will by its very nature not result in any increase in parking requirements within the site nor will it generate any additional traffic other than what the church use currently generates. A number of residents have expressed concerns over the condition of the road surface on Newstead Terrace and the potential for this road surface to deteriorate because of the proposal. This contention is not accepted, the end users of this emergency accommodation are more than likely to arrive by foot. The condition of the road surface and the issues raised regarding it not being adopted is not a consideration of this planning application.

DEVELOPER CONTRIBUTIONS

11. This proposal does not require any developer contributions with regards Trafford's Community Infrastructure Levy and also under SPD: Planning Obligations.

CONCLUSION

12. Whilst it is recognised that this proposed development has raised concerns amongst residents regarding an increase in crime and anti-social behaviour; the proposed use of the building for the emergency accommodation for individuals who require shelter is greatly needed due to a lack of such accommodation in the borough. The numbers involved at any one time are low and would be conditioned to prevent further people being able to access accommodation when the building is at its capacity of six visitors.

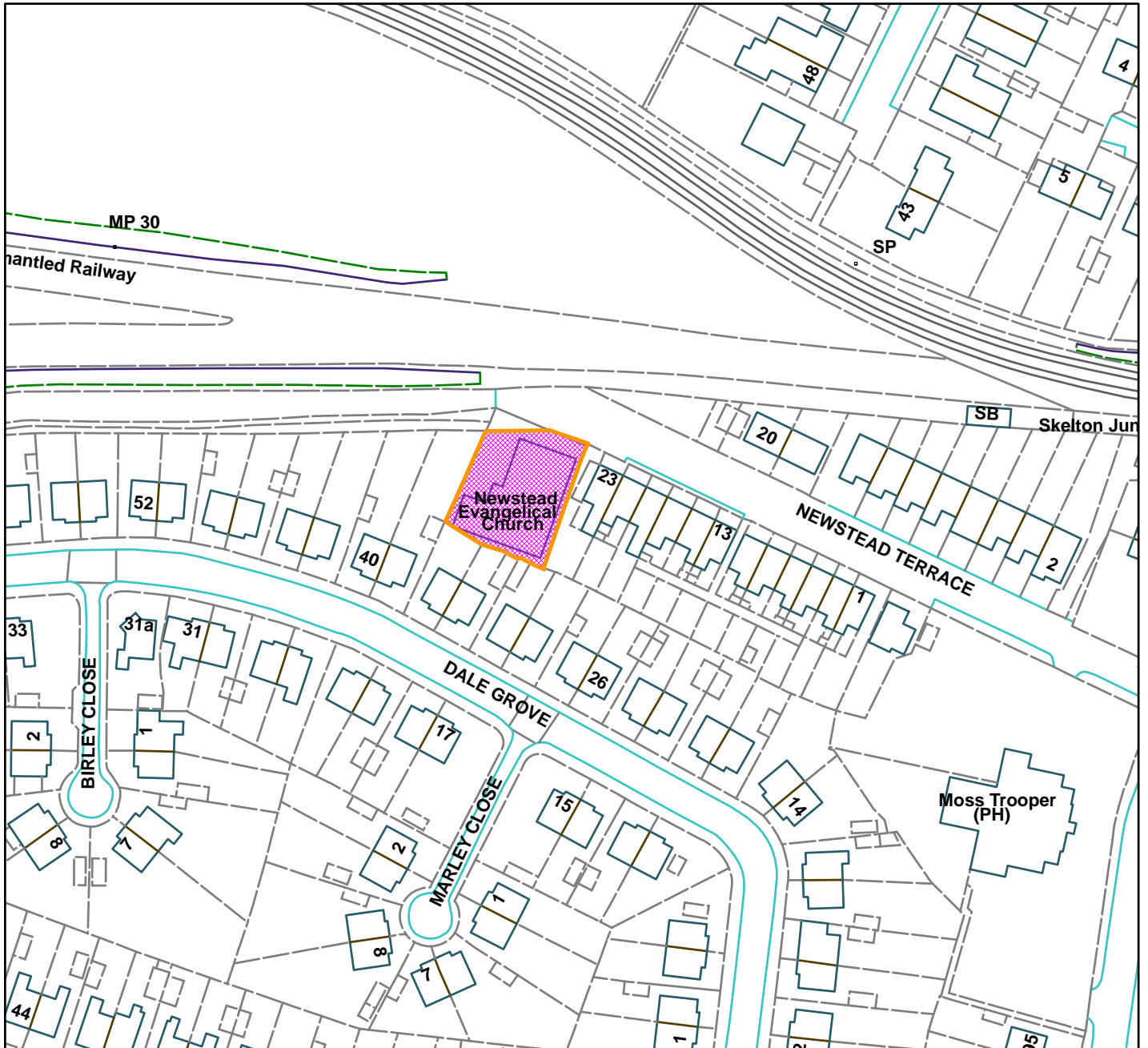
RECOMMENDATION: GRANT, subject to the following conditions:-

1. Standard
2. Approved Plans
3. Use Class restriction
4. Restrict to six visitors

CM



Newstead Church, Newstead Terrace, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	01/06/2015
MSA Number	100023172 (2012)

WARD: Longford

84703/FUL/15

DEPARTURE: No

Erection of 12 storey building with three basement levels to provide 89 apartments, basement car parking, cycle parking facilities, associated landscaping and vehicular access from Warwick Road.

M K M House, Warwick Road, Stretford, M16 0XX

APPLICANT: PHD1 LTD

AGENT: Roman Summer Associates Ltd

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

SITE

The application relates to a vacant site situated on the east side of Warwick Road, Old Trafford, between Chester Road and Talbot Road. The site extends to approximately 0.11 hectares and is currently hard surfaced and used for car parking. Previously there was a small two storey office building on the site.

Access into the site is via a single vehicle and pedestrian access/exit from Warwick Road. A 0.6m high brick wall and overgrown shrubs along the west boundary screens the site from passing pedestrians and motorists on Warwick Road. Existing boundary treatments comprise close boarded fencing with concrete posts to the south and palisade fencing to the east. To the north there is currently no boundary treatment other than a short length of brick wall extending from Warwick Road and temporary fence.

The application site is situated within an area comprising an eclectic mix of high and low rise residential and commercial developments. To the west, on the opposite side of Warwick Road and on Barlow and Hornby Roads off Warwick Road there are two storey semi-detached 19th century residential properties. To the south, a former multi-storey office building, Warwickgate House has been converted and increased in height to provide 83 residential apartments. Alterations to this building include the addition of projecting balconies on inclined supports. The car park for this development extends to the front and rear of the building and wraps around the east boundary of the application site. To the north side of the site is a vacant plot, formerly occupied by Anderton House and used by a car hire business. This site has been the subject of previous applications for a 13 storey hotel development (permission granted in 2010 but since expired) and a 12 storey building to provide 70 no. apartments (allowed on appeal in 2005 and further application minded to grant at committee in 2010 but which has since been disposed of as the legal agreement was never completed). To the rear of the site is Bowden Court which comprises four 4-storey apartment blocks accessed from Montague Road. White City Retail Park is also to the rear, separated from the site by Montague Road.

Warwick Road connects Old Trafford Metrolink station with Lancashire County Cricket

Ground and the Manchester United football stadium. On match days it is a busy pedestrian thoroughfare. Trafford Town Hall also fronts Warwick Road and is situated approximately 120m to the south of the application site.

PROPOSAL

The application seeks permission for a 12 storey building to provide 89 apartments and which includes three basement levels providing 108 car parking spaces. Entrance to the basement parking is through the building at ground floor and a ramp provides access to the basement parking. The ground floor includes the main entrance, plant room, bin store and one apartment and the eleven upper floors would provide between 9 and 5 apartments per floor. There would be 46 x one bed apartments (17 studio apartments and 29 x one bed) and 43 x two bed apartments.

The proposed building would occupy most of the width of the site, extending some 30.2m across and for a depth of 17.6m from front to rear, increasing to 23m with a projection on the centre of the rear elevation. The building would be predominantly 12 storey's high, although the height is reduced to 10 storey's on the southern side. The top two floors of the 12 storey element would be set back and the 10 storey element on the southern side would be 7 storeys at the front with the 3 top floors set back. The proposed materials are indicated as predominantly white brick with light coloured cement particle board, light coloured curtain walling and powder coated grey aluminium window frames. The building would extend up to the rear boundary and the area at the front includes areas of soft and hard landscaping, access to the basement car parking and 4 car parking spaces.

Amended plans have been submitted during consideration of the application in response to concerns raised over the scale and massing, design, materials and positioning of the building originally proposed. In summary the amendments reduce the width of the building to increase the distance retained to both side boundaries, set the building further back from Warwick Road, set back the upper floors of the front corner nearest Warwickgate House and amend the proposed brick from a blue smooth faced brick to white brick. The amendments reduce the number of apartments from 92 to 89 and increase the proportion of 1-bed units within the scheme.

The total floorspace of the proposed development would be approximately 9,106m² (inclusive of the basement car parking).

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

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

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

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PRINCIPAL RELEVANT CORE STRATEGY POLICIES

SL3 - Lancashire County Cricket Club Quarter

L1 - Land for New Homes

L2 – Meeting Housing Needs

L3 – Regeneration and Reducing Inequalities

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 - Design

L8 – Planning Obligations

W1 – Economy

R2 – Natural Environment

R3 – Green Infrastructure

PROPOSALS MAP NOTATION

Main Office Development Area

Old Trafford Priority Regeneration Area

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

H10 – Priority Regeneration Area: Old Trafford

S11 – Development outside Established Centres

Policy LAN1 – Local Centres of the emerging Land Allocations Plan (Draft LAP) should be regarded as a material consideration. This policy seeks to define the boundary of the Lancashire County Cricket Club Quarter Strategic Location and establishes that a minimum of 400 residential units will be delivered in this location over the plan period.

Policy RE1.1 of the Draft LAP seeks to designate the Old Trafford Priority Regeneration Area.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

77878/FULL/2011 - Erection of seven storey hotel, comprising ninety eight bedrooms and car parking at ground floor level. Approved 04/07/14

H/70074 - Demolition of existing building and erection of a 12 storey building comprising commercial units on ground floor (13 sq metres) with an 'apart-hotel' above comprising 94 suites and studio apartments. Car parking for 94 vehicles within basement levels with access from Warwick Road. Associated landscaping and boundary treatment works. The Planning Development Control Committee resolved to grant permission on 11/12/08 subject to a legal agreement, however the agreement didn't progress to completion and the application was treated as 'finally disposed of' on 05/07/13.

H/67590 – Demolition of existing building and erection of an 11 storey building comprising commercial units on ground floor (598 sq. m) and 70 no. residential apartments above, car parking for 35 vehicles and associated landscaping works. Refused 17/10/07

H/OUT/58750 – Erection of 10 storey building (above semi-basement parking) to provide 42 no. apartments with ancillary car parking. Withdrawn 12/07/06.

Adjacent site (Anderton House): -

75479/RENEWAL/2010 - Application for a new planning permission with an extended time limit for implementation to replace an extant planning permission (H/59909) (erection of 12 storey building to provide 70 no. apartments with associated car parking and landscaping). The Planning Development Control Committee resolved to grant permission on 14/10/10 subject to a legal agreement, however the agreement didn't progress to completion and the application was treated as 'finally disposed of' on 05/09/13.

H/67849 – Demolition of existing building and erection of a hotel building of between eight and thirteen storeys in height to create 226 bedrooms, 155 basement car parking spaces, public and staff areas, and associated external works. Approved 07/10/10

H/59909 – Erection of 12 storey building to provide 70 no. apartments with associated car parking and landscaping. Refused 02/12/04. Allowed on Appeal 22/06/05.

H/56211 - Demolition of existing car hire workshop and erection of a 14 storey building to provide 70 apartments with 105 car parking spaces and vehicular access from Warwick Road. Refused and Appeal Dismissed 06/04/04

APPLICANT'S SUBMISSION

The application includes a Planning Statement, Design and Access Statement, Transport Statement, Interim Travel Plan, Crime Impact Statement, Acoustic Report, Air Quality Assessment, Carbon Reduction Statement and Housing Statement in support of the application. These documents are referred to as appropriate in the report. The key points are summarised as follows: -

- The application proposes the regeneration of a prominent, vacant, brownfield 'eyesore' site with a flagship development.
- The site is located in the LCCC Quarter, an area earmarked as a strategic location for redevelopment. The site is ideally placed to provide a residential development to help facilitate the wider aim of sustainably developing the area into a mixed land use area.
- The scheme is of high quality and innovative design and layout. It will contribute to local distinctiveness and will be a marked improvement over the current condition of the site.
- The development will deliver the housing objectives of the NPPF and will help to build a mixed and balanced community, complementary to the other housing available and coming forward in this part of Trafford.
- The 12 storey height would be the same height as the previously approved apart-hotel scheme and lower than the approved scheme for the neighbouring site.
- The proposed development will sit harmoniously between Warwickgate House and any proposal for the neighbouring site to the north.

CONSULTATIONS

LHA – No objection. Although car parking provision is below the Council's standard the provision of 108 car parking spaces is considered acceptable having regard to the results of the car park surveys submitted with the application carried out at Warwickgate House, other development sites and on local roads. The indicative car parking and access layouts shown are acceptable and adequate cycle parking is included. Comments summarised in the Observations below.

Pollution and Licensing – Comments as follows: -

- The site is situated on brownfield land and a condition is recommended requiring a contaminated land Phase 1 report to assess the actual/potential contamination risks and submission and approval of subsequent investigations, risk assessment and remediation as necessary.
- The findings of the Air Quality Assessment are accepted. The Assessment demonstrates compliance with national Air Quality objectives will be maintained and so the development is not a concern in this regard. Recommend that a dust mitigation plan is submitted for approval before commencement of development.
- The Noise Assessment concludes that 'reasonable' internal noise levels can be achieved with the following basic mitigation for living rooms and bedrooms: traditional masonry walls, basic thermal double glazing and non-acoustic air

vents. If the detailed design specification meets this minimum standard then noise affecting the development would not be a concern.

- Recommend details for a lighting scheme are submitted for approval before commencement of the development.

Drainage – It will be necessary to constrain the peak discharge rate of storm water from this development in accordance with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Councils Level 2 Hybrid Strategic Flood Risk Assessment.

United Utilities – No objection subject to the following conditions: -

- This site must be drained on a separate system, with only foul drainage connected into the foul sewer and surface water should discharge to a Sustainable Drainage System.
- No surface water is discharged either directly or indirectly to the combined sewer network.

TfGM – The site is well located in relation to public transport and this type of high density residential development at this location is supported. It should be ensured that future residents are encouraged to use these sustainable modes to access the development. The pedestrian and cycling environment within and around the site should be designed to be as safe, attractive and convenient as possible, including natural surveillance from the development where possible. TfGM would support proposals to segregate the pedestrian and cycle access to the building from the vehicular access. Recommend that a number of secure, cycle parking spaces for visitors are provided in a convenient location close to the building front entrance benefitting from natural surveillance or CCTV coverage. Recommend that any permission includes a condition requiring a full Travel Plan to include a range of measures promoting a choice of transport mode and a clear monitoring regime with agreed targets.

REPRESENTATIONS

Neighbours – Concerns raised on behalf of the Residents Committee for Warwickgate House on the originally submitted plans, summarised as follows: -

- The building line sits right on top of the boundary line on the south elevation. Query whether the developers are going to remove the fencing line along this boundary.
- Impact of 9 storey block on this boundary will create a dark, unwelcoming access point into the rear car park of Warwickgate House and more than likely create a wind tunnel affect. It will also be impossible to construct this elevation without closing the only usable access to the rear car park. If the development was pushed back 1.5m from this boundary, it would let more light in through the access, and could be constructed from the developers own land.
- This elevation is also a bit bland, as all Warwickgate House residents will see this driving through to the rear car park.

- The rear elevation sits right on the boundary line, which means it's impossible to build without access from the adjacent land. If the building is pushed back from the boundary it could be easily constructed.
- A number of flats with balconies on the front elevation will have views blocked towards the football ground as the building sits so far forward from Warwickgate House. It would be sensible to push the building line back, as it will affect residents amenity spaces on the balconies.
- Unclear how refuse lorries are going to service the flats. Question if they would reverse in and block access to the car park, or do a kerbside pick up which would affect Warwick Road.
- Apart from the above the Residents Committee for Warwickgate House welcome the new development.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. The NPPF includes within its core planning principles the need to deliver the homes that are needed and states housing applications should be considered in the context of the presumption in favour of sustainable development. Policy L2 of the Core Strategy (Meeting Housing Needs) states that all new residential development proposals will be assessed for the contribution that will be made to meeting the housing needs of the Borough and the wider aspirations of the Council's Sustainable Community Strategy. Of relevance to this application it requires new development to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, not harmful to the character or amenity of the immediately surrounding area and in accordance with Policy L7 (Design) and other relevant policies within the Development Plan.
2. The Council does not, at present, have a five year supply of immediately available housing land and this site is not identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). Given the lack of a demonstrable five year supply, the proposal should be considered in light of paragraph 49 of NPPF. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.
3. The site is situated within the Lancashire County Cricket Club Quarter Strategic Location and also within the Old Trafford Priority Regeneration Area, designated in both the Revised UDP and the Draft LAP. Policy SL3 states a major mixed-use development will be delivered in this Location to provide a high quality experience for visitors balanced with a new, high quality residential neighbourhood centred around an improved stadium at Lancashire County Cricket Club. This part of Old Trafford forms part of wider redevelopment proposals for Lancashire County Cricket Club and Trafford Town Hall, which includes a range of mixed-use activities including new business, residential, retail

and leisure space. In relation to residential development Policy SL3 seeks to deliver 400 new homes in this location comprising predominantly accommodation suitable for families. Whilst it is considered that this site could make a valuable contribution to the delivery of these new homes, it is also important to consider the contribution that the development will make to meeting the borough's overall housing needs.

4. The proposed development is for a mix of 1 bed and 2 bed apartments. Policy L2 states that 1 bed general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. The applicant has provided a statement justifying the provision of the 1 bed apartments. Given the sustainable location of the site, close to the Regional Centre and within a Regeneration Area, it is considered that the 1 bed apartments can provide a positive contribution to the housing stock within that area, particularly providing accommodation for first time buyers.
5. Policy L2 of the Core Strategy states in respect of all qualifying development proposals, appropriate provision should be made to meet the identified need for affordable housing. The Old Trafford area is identified as a "cold" market location where under normal market conditions an affordable housing contribution of 5% will be sought. The supporting text of Policy L2 recognises that under poor market conditions a 5% contribution could inhibit development in these locations and therefore such applications will not trigger a requirement to provide affordable housing. It is considered that the Borough is still under "cold" market conditions and therefore a contribution towards affordable housing would not be required at the present time.
6. The site is previously developed land, having regard to it being predominantly hard surfaced and in use as a car park. It is within a sustainable and accessible location, well served by public transport being within walking distance of Old Trafford Metrolink stop and bus stops on Chester Road which provide frequent bus services to Manchester and other destinations.
7. It is also considered that residential development in an appropriate form provides an opportunity to enhance the appearance of this site and its contribution to the appearance of the area; the site is currently vacant and in a visually poor condition being dominated by hardstanding and poor quality vegetation to the western (front) side of the site.
8. The site was formerly in employment use, having previously been occupied by an office and although now vacant it constitutes employment land by virtue of its last active use. The NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or

buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. In this case and having regard to the fact the site has been vacant for a number of years and marketed in the past and that the loss of the site for employment purposes has previously been accepted by the Council in previous applications for a hotel and an apart-hotel (although both would have provided an element of employment), it is considered there should be no requirement to retain the site for an employment use. Furthermore, although Policy SL3 as summarised above seeks mixed-use development in this location it doesn't specifically refer to office or other employment use.

9. The proposal will make a positive contribution towards the Council's housing land supply and is on previously developed land in a sustainable location. The principle of the development is therefore in accordance with the NPPF and the Trafford Core Strategy (Policy L2 and Strategic Objective SO1) and there is no land use policy objection to the proposal.

IMPACT IN THE STREETSCENE AND ON THE CHARACTER OF THE AREA

10. Policy L7 (Design) requires development to 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. Policy L2 (Meeting Housing Needs) also requires development not to be harmful to the character or amenity of the immediately surrounding area. The NPPF also emphasises the importance of good design and states planning decisions should add to the overall quality of the area; respond to local character and reflect the identity of local surroundings and materials; and be visually attractive as a result of good architecture and appropriate landscaping.

Siting, scale and height

11. In previous applications for tall buildings on this site it was stated the Council does not object to high quality tall buildings in appropriate locations and which make positive contributions to the skyline and streetscene. However, any such development proposals must relate well to the surrounding development and be sympathetically integrated within the streetscene. This part of Warwick Road is characterised by a mixture of high and low rise developments, including a number of office developments which are six or seven storeys in height. To the south Warwickgate House is an 11 storey building. The vacant site to the north has also been subject to previous applications for a tall building that were considered to be acceptable and approved, although there are no extant permissions. These include a 12 storey building of 70 apartments allowed on appeal in 2005 (ref. H/59909) and which was subsequently further considered

and approved subject to a legal agreement in 2010 (ref. 75479/RENEWAL/2010). The site was also subject of an application for an 8 to 13 storey high hotel development which was approved in 2010 (ref. H/67849).

12. The application site itself has also been subject to a number of previous applications for tall buildings. Most recently a 7 storey hotel was approved in 2014 and this permission remains extant (ref. 77878/FULL/2011). Prior to this a 12 storey 'apart-hotel' development was approved subject to a legal agreement in 2008, although the legal agreement didn't proceed and the application was subsequently disposed of (ref. H/70074). Given the above planning history and the immediate context it is considered a tall building on this site is acceptable in principle.
13. The proposed building takes the form of a predominantly 12 storey and part 10 storey, part 7 storey block on a rectangular footprint, with central projection to the rear elevation. The building would extend 30.2m across the width of the site, which retains only limited separation to the side boundaries; 3m to the northern boundary and 1.5m to the southern boundary (with Warwickgate House). The front elevation would be set back between 9.6m and 10.8m from the front boundary which would be approximately 4.8m forward of Warwickgate House. In terms of height the proposed building would be 35m high which is comparable to Warwickgate House. The top two floors of the 12 storey section would be set back 2.2m from the main front elevation and the top three floors of the 10 storey section would be set back 2.2m from the front elevation.
14. Due to its width, height and extending forward of Warwickgate House, the proposed building would dominate the site and be prominent in the street scene. The impact of the building is considered further below, however it is relevant to have regard to the fact that this would also have been the case with the previously approved scheme for an apart-hotel on the site. That scheme was for a 12 storey building of similar height and on a footprint that covers a significant proportion of the site and with similar set back from road. Whilst there is no extant permission for this development, there has been no material change in circumstances in terms of the situation on site since that resolution to grant permission.
15. The building would be positioned relatively close to the front boundary for such a large building and forward of Warwickgate House. Whilst this is a concern it is acknowledged that the previously approved 12 storey scheme also extended forward of Warwickgate House to a similar extent. The previously accepted schemes for the Anderton House site also extended further forward than the proposal. The Trafford public house further north on Warwick Road extends close to the highway and the 6-storey Warwick House further to the south is also closer to the highway than the proposal. The 6 storey building at 701 Chester Road at the northern end of Warwick Road also extends close to Warwick Road. In this context and having regard to the design which seeks to mitigate against

any harmful impact (see below), it is considered the proposed siting of the building relative to Warwick Road is acceptable.

16. In comparison to the previous minded to grant scheme for a 12 storey apart-hotel on the site the proposed building would be similar in height (35m compared to 34m) and similar in width, although the previous scheme stepped in at the sides from the seventh floor upwards and 'tapered' towards the eleventh floor. In the assessment of this application it was noted this asymmetrical approach in its design helps to reduce its visual impact and add interest to the development. The current scheme would therefore be comparable to this previous scheme in terms of its width up to seventh floor but would be wider at the floors above and consequently would retain less space to Warwickgate House and to the adjacent site to the north than that scheme at these heights. The design of the current scheme seeks to visually break up the massing of the building by setting back the upper floors, including the seventh to ninth floors on the side adjacent to Warwickgate House and also provides a slight projection to the central element of the front elevation. These provide for articulation in the front elevation and successfully help break up the massing of the building to avoid being overly dominant for the site.
17. Views of the proposed building along Warwick Road from the south would predominantly be in the context of Warwickgate House which is a substantial building of similar height to the proposal and which is significantly wider. Although the building would project forward of Warwickgate House, the upper floors on this corner would be set back providing some relief to this projection and the scheme would be similar to the previous minded to grant scheme in terms of its height and projection. The projecting balconies and supports to the front of Warwickgate House and the trees along this side of Warwick Road would also partly obscure the building from the south and lessen the impact of this forward projection.
18. From the north the side and front elevations of the building would be prominent in the street scene, partly due to the fact that the adjacent site is currently vacant. In the event the adjacent site to the north (Anderton House site) were developed in the future with a tall building in a similar position to previously approved schemes on that site, this would obscure the side of the proposed building from this direction. From Chester Road and for the first part of Warwick Road the context is also informed by the Trafford public house close to the road and a 6/7 storey building at 701 Chester Road on the corner of Warwick Road which also extends close to Warwick Road. The previously minded to grant scheme on the site would also have been prominent in the street scene from this direction.

Design and materials

19. In terms of design and materials the building is contemporary in appearance and materials with a strong vertical emphasis. The building would be constructed

predominantly in white brick with elements of cement particle board and curtain walling both of which are indicated as being a light colour. The front and rear elevations would be dominated by glazing set within deep reveals and in powder coated grey aluminium frames set within a bold white brick framework. The brick colour has been amended from a smooth blue brick to white in response to concern that the dark colour originally proposed, in conjunction with the design and massing, would appear overly dominant for the site. The white brick would result in a lighter appearance to the development and also reflects the white evident on Warwickgate House. The design and materials incorporate characteristics evident in surrounding buildings, including the use of white brick, curtain walling and extensive use of glazing, whilst also resulting in a distinctive individual design. Whilst the proposed palette of materials is generally considered appropriate for the building and its context, specific products and colours haven't been specified at this stage and would need careful consideration to ensure they complement each other and result in a high quality development. A condition requiring submission and approval of samples of materials would therefore be necessary.

20. Part of the ground floor front elevation including the main entrance would be recessed within the frame of the building which would add interest and articulation to the front elevation building at street level. The detailed treatment to the front of the site and the front boundary at street level is not clearly shown on the plans other than a hedge being indicated. It is recommended any permission includes a condition to require further details of boundary treatments to ensure this is appropriate to the Warwick Road street scene whilst also providing adequate security for the site.
21. Indicative planting is shown on the submitted plan and the Design and Access Statement refers to a maintained attractive landscaped area fronting onto Warwick Road. In the event of being approved a condition would be necessary requiring details of landscaping to be submitted and approved to ensure this is delivered and contributes to a good quality development.

Conclusion

22. It is considered the proposed development would be appropriate in its context and have acceptable impact in the street scene and on the character of the area, having regard to there being a number of other tall buildings in the vicinity and that the design provides for articulation and interest which visually breaks up the scale and massing of the building. Furthermore the development would make best use of an opportunity to improve the character and quality of an area, comprising the redevelopment of a vacant site in a Strategic Location. The proposal is therefore in accordance with Core Strategy Policies L2 and L7 and national planning guidance in the NPPF (paragraph 64).

IMPACT ON RESIDENTIAL AMENITY

23. Policy L7 requires new development to be compatible with the surrounding area and not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of (amongst other criteria) overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance. Policy L2 also requires development to not be harmful to the amenity of the immediately surrounding area and in accordance with Policy L7. The Council's adopted SPG for new residential development doesn't include specific guidelines for tall buildings and only provides guidance for development up to four storeys. This states where there would be major facing windows, development should retain a minimum distance of 24m across a public highway and 30m across private gardens. Distances to rear garden boundaries from main windows should be at least 13.5 m for 3 storey development.

Impact on Warwick Road properties

24. The proposed building would be situated directly opposite two storey residential properties fronting Warwick Road (these properties also have dormer windows to the front elevation at second floor level). There would be a distance of between 29.5m - 30.5m retained between the upper floor windows within the proposed development and main habitable room windows within these properties. Whilst this would comply with the 24m guideline referred to in the New Residential Development SPG, it is acknowledged that a 10-12 storey development would have a significantly greater impact than a development of 3 storeys to which the guidelines are intended to refer. Indeed, the potential overbearing impact on the surrounding residential properties formed one of the reasons the Council refused planning permission for application ref. H/67590 for an 11 storey building. Since then however, an application for a 12 storey apart-hotel was approved by the Planning Committee in 2008 (ref. H/70074) and the windows in the front elevation would have retained a distance of 24m to the properties opposite (these windows would be up to the eighth floor and those to the floors above would be set further back and are fewer in number compared to the current proposal). The current scheme would therefore retain a greater distance to the properties opposite than a previously minded to grant scheme, albeit it includes a greater number of windows overall. Given that the interface distance complies with the guideline in the SPG (notwithstanding the guideline doesn't refer to buildings more than 3 storeys) and that the distance would be greater than that of the previous 12 storey scheme, it is considered the development would not be unacceptably overbearing or result in unacceptable loss of privacy. Warwickgate House also establishes the principle of a tall residential building a similar distance directly opposite two storey dwellings. With regards to potential for overshadowing, a sunpath analysis has been submitted which demonstrates Warwickgate House already results in some overshadowing of these properties at certain times and the proposed building would not result in a materially greater impact.

25. With regards to any requirement for external lighting, it is important to ensure that this would not adversely impact on the residential properties opposite and the adjacent Warwickgate House. A suitable condition can be attached to any permission to require full details of any external lighting to ensure this does not disturb the occupiers of properties opposite and Warwickgate House.

Impact on Warwickgate House

26. The building would be erected 1.5m from the boundary with Warwickgate House on the southern side of the site. There are no windows in the side elevation of the Warwickgate House development facing the site (other than on the top floor) and the proposed building would not project beyond its rear elevation, therefore there would be no impact on its rear facing windows. In relation to the front elevation of Warwickgate House, the proposed building would extend approximately 5m further forward than that building. Whilst this would impact on views from front windows and balconies of those apartments nearest the development, the extent of projection forward and distance retained between the buildings is such that the development would not be visually intrusive or overbearing from those apartments. It is acknowledged concerns have been raised regarding loss of views of the football stadium from some apartments in Warwickgate House, however the affected apartments have no right to this view and it is considered this impact would not be detrimental to residential amenity.

27. Concerns have been raised that the building would result in a dark, unwelcoming access point into the rear car park of Warwickgate House and a wind tunnel effect and also a bland side elevation. The distance to this boundary has increased since these comments were made, from being right up to the boundary to retaining a gap of 1.5m. Whilst this would still result in a relatively enclosed space between the two buildings, it is considered this would not be unduly detrimental to amenity given it is only used for access. With regards to the appearance of this elevation, the amended plans introduce horizontal soldier course brick banding at selected floor levels and continue the glazed curtain walling to the front part of the side elevation, both of which add some visual interest to this elevation.

28. No windows are proposed in the main side elevations of the building and the only side facing windows would be in the central projection to the rear which would be 13.5m from the boundary with Warwickgate House and face its car park. There would be no overlooking into rear windows of Warwickgate House at this distance and given the angle of the windows relative to each other.

Impact on Bowden Court

29. A distance of approximately 46m would be retained to Nos. 1-16 Bowden Court directly behind the site from the central projection which has no rear facing

windows and a distance of approximately 50m would be retained from the main rear elevation within which windows are proposed. This complies with the above guidelines, though it is acknowledged the guidelines only refer to up to 3 storey development and this proposal is 10-12 storeys. Nevertheless the distance retained is still some 25m+ over and above the guideline for 3 storey development and it is considered the building would be far enough away so as not to be overbearing from Bowden Court, or result in loss of privacy. It is also noted that the distance retained to Bowden Court would be greater than that of the previous 12 storey scheme approved by Planning Committee (ref. H/70074) which was 35m.

Amenity for future occupiers of the development

30. The Council's Guidelines for new residential development indicate 18 sq. m of adequately screened communal area per flat is generally sufficient for the functional requirements. No outside amenity space for future occupiers would be provided within the development, other than a limited amount of open space/landscaping to the front of the building. Whilst this could potentially provide some amenity space for occupiers this is well below the above standard and is unlikely to be sufficient for the future occupiers. It is therefore considered a contribution towards off-site provision is justified and this is considered below.
31. The submitted Noise Assessment concludes that 'reasonable' internal noise levels can be achieved (following the guidance of BS 8233: 2014 "Guidance on sound insulation and noise reduction for buildings") with the following basic mitigation for living rooms and bedrooms: traditional masonry walls, basic thermal double glazing and non-acoustic air vents. Subject to the detailed design specification meeting this minimum standard then noise affecting the development would not be a concern.

ACCESS AND CAR PARKING

32. Access and egress to the basement car parking would be from Warwick Road to the right-hand side of the frontage in a similar position as the existing access and through the building. The proposed access is considered acceptable in terms of its width and visibility for the development and the LHA confirm the car parking and access layouts within the site are acceptable. In terms of traffic generation the Transport Statement shows that the volume of traffic generated by the development will be modest and will not have significant impact on the operation of the local highway network.
33. The Council's car parking standard in this location as detailed in Appendix 4 of the Core Strategy is 1 space for one bed dwellings and 2 spaces for two bed dwellings, which results in a requirement for 132 spaces. The level of car parking provided on site is 108 spaces and therefore less than the Council's standard. In pre-application discussion, the LHA expressed concern about the proposed level

of car parking compared to the standard and the applicant has responded by carrying out an agreed programme of evening and overnight surveys at similar local development sites and on local streets (Warwick Road, Barlow Road and Hornby Road). The application includes a Transport Statement and Car Park Report with the results of these surveys, including assessment of the potential for overspill parking on Warwick Road and the two residential streets opposite and car park surveys for Warwickgate House by way of comparison of the actual parking demand for existing apartments in this location and also an assessment of a development in Salford to make a further comparison.

34. Warwickgate House comprises 83 apartments with 91 car parking spaces. Surveys were carried out during daytime (0700-1900) and during evening/overnight (1900-0100). The maximum observed car park occupancy was 64, which is about 70% of the available car park capacity. The level of occupancy of the flats was believed to be greater than 90% at the time of the surveys.
35. The Saltra development off Trafford Road (in Salford) comprises 2 separate buildings. The larger building provides 279 car parking spaces for 287 flats. Maximum observed occupancy between 1900 and 0100 was 230, or 83% of available spaces. The smaller building provides 45 car parking spaces for 62 flats. Maximum observed occupancy was 41, or 85% of available spaces. The level of occupancy of the flats was believed to be greater than 90%.
36. Car parking on Warwick Road, Hornby Road and Barlow Road was surveyed between 1900 and 0100 on Wednesday 21 January, which coincided with an evening Council meeting. On Warwick Road, the number of parked cars varied between 9 and 12, within an area with an estimated parking capacity of 33. On Hornby Road, the number of parked cars varied between 1 and 3 and on Barlow Road between 3 and 5.
37. Overall, the surveys indicate that the maximum level of residents' parking at similar neighbouring developments is in the order of 0.77 cars per flat, or 0.85 cars per flat allowing for an assumed vacancy rate of 10%. The proposed provision of 108 car parking spaces for 89 flats is therefore considered acceptable and allows for some future growth in rates of car ownership. The on street surveys carried out on Warwick Road show a degree of spare on street capacity is available which should accommodate any overspill parking which might occur without impact on adjacent residential streets.
38. It is also acknowledged that the site is in a sustainable location, being within walking distance of the Metrolink stop at Old Trafford and bus stops on Chester Road and Talbot Road, therefore comprehensive tram and bus services are easily accessible from the site. An interim Travel Plan has also been submitted with the application setting out measures to reduce car usage. Targets would also be required and a full Travel Plan can be required by condition.

39. The Council's standards require either 1 allocated or 1 communal cycle parking space for 1 bedroom dwellings and 2 allocated or 1 communal space for 2 bedroom dwellings. The applicant has confirmed 89 cycle spaces will be provided in the form of cycle racks throughout the lower levels of the parking areas. This complies with the above standard for 89 communal spaces although a condition would be necessary to identify the location of the spaces and ensure they are provided prior to occupation and retained thereafter.

CRIME AND SECURITY ISSUES

40. The application includes a Crime Impact Statement prepared by Greater Manchester Police (Design for Security) which has assessed the development against the principles of 'Crime Prevention Through Environmental Design' (CPTED). The Statement concludes minor design changes are required and makes recommendations in respect of the main entrance door and control of access into the building, including the ground floor/basement parking and for enclosure/definition to the rear and frontage of site and protection to ground floor apartment. Subject to these issues being addressed, the design of the proposed scheme is considered acceptable. GMP recommends a condition to reflect the physical security specification listed within the report.

AIR QUALITY

41. The Air Quality Assessment concludes that the proposed development will have a 'negligible / not significant' impact on nearby existing sensitive receptors and the proposed sensitive receptors of the development. Additionally the assessment demonstrates that compliance with national Air Quality objectives will be maintained and so the development is not a concern in this regard. Temporary impacts of dust from the construction phase have been assessed as being 'not significant' provided site specific mitigation measures are put in place. The report states that a best practice dust mitigation plan will be written and implemented for the site and it is recommended this plan is submitted for approval before the commencement of the development.

FLOOD RISK AND DRAINAGE

42. The site is within Flood Zone 1 and a Flood Risk Assessment is not required. The site is within a Critical Drainage Area although the development is below the threshold requiring consultation with the Environment Agency. It is considered the proposed development would not be at risk of flooding nor increase the risk of flooding, subject to a sustainable urban drainage scheme for the site.
43. It will be necessary to constrain the peak discharge rate of storm water from this development in accordance with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Council's Level 2 Hybrid

Strategic Flood Risk Assessment. It is recommended a condition is attached requiring full details of the proposals to meet the requirements of the Guidance to be submitted and approved prior to commencement of development and none of the development brought into use until such details as approved are implemented in full. Such works to be retained and maintained thereafter.

44. United Utilities has no objection subject to conditions requiring that the site must be drained on a separate system, with only foul drainage connected into the foul sewer and surface water should discharge to a Sustainable Drainage System, and that no surface water is discharged either directly or indirectly to the combined sewer network. United Utilities also recommend a surface water drainage scheme is dealt with in the following order of priority: soakaway or other adequate infiltration system or, where that is not reasonably practicable; a watercourse, or where that is not reasonably practicable a sewer.

DEVELOPER CONTRIBUTIONS

45. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'cold zone' for residential development, consequently private market 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).
46. 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. SPD1: Planning Obligations sets out a standard of 1 tree per apartment and therefore this development would be expected to provide 89 trees on site. Due to the footprint of the proposed development there is only limited scope for tree planting on site (the plans indicate a small number of trees to the front) and it would not be feasible to require this amount of tree planting by condition. The SPD states the provision of alternative Green Infrastructure treatments could be provided in lieu of, or in combination with, tree provision. In this case this may include scope for native species hedge to the front of the site, green roof/ green wall and/or additional biodiversity or landscaping elements to a SUDS scheme. The requirement to provide GI treatment on site and to include details of the tree planting and landscaping at the front of the site as indicated on the site plan, can be secured by condition.
47. Policy L7 requires development to make appropriate provision for open space, where appropriate, in accordance with Policy R5 which requires all development to contribute on an appropriate scale to the provision of the standards set out in the policy 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 and SPD1: Planning Obligations states that large residential developments of approximately 100 units will need to provide new open space as part of the site design. The development would provide only limited informal open space on site

and it appears there will be limited opportunities for addressing the specific GI requirements in a landscaping scheme unless a green wall or roof is proposed. The nearest provision in the local area is Gorse Hill Park which is within the Gorse Hill ward and is deficient in open space as identified in the Open Space of Need Assessment 2009. Therefore it is concluded the application will have an impact on the surrounding environment and the future residents will place extra pressure on existing green spaces in the area. Gorse Hill Park has been identified in the Councils Greenspaces Project Plan to be in need of upgraded play provision and diversifying provision for children of different ages. Therefore in terms of the need for the proposed development to provide Local Open Space and children's play provision it is appropriate for a contribution to be made and which would need to be secured by a legal agreement. Using the calculations in SPD1 the appropriate contribution would be £51,381, calculated as follows:-

- 46 x 1 bed apartments equates to 60 residents requiring LOS at £161.59 per person = £9,695
- 43 x 2 bed apartments equates to 77 residents requiring LOS at £161.59 per person = £12,507
- 43 x 2 bed apartments require play provision at £378.95 per person which = £29,179

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT and subject to the following conditions:

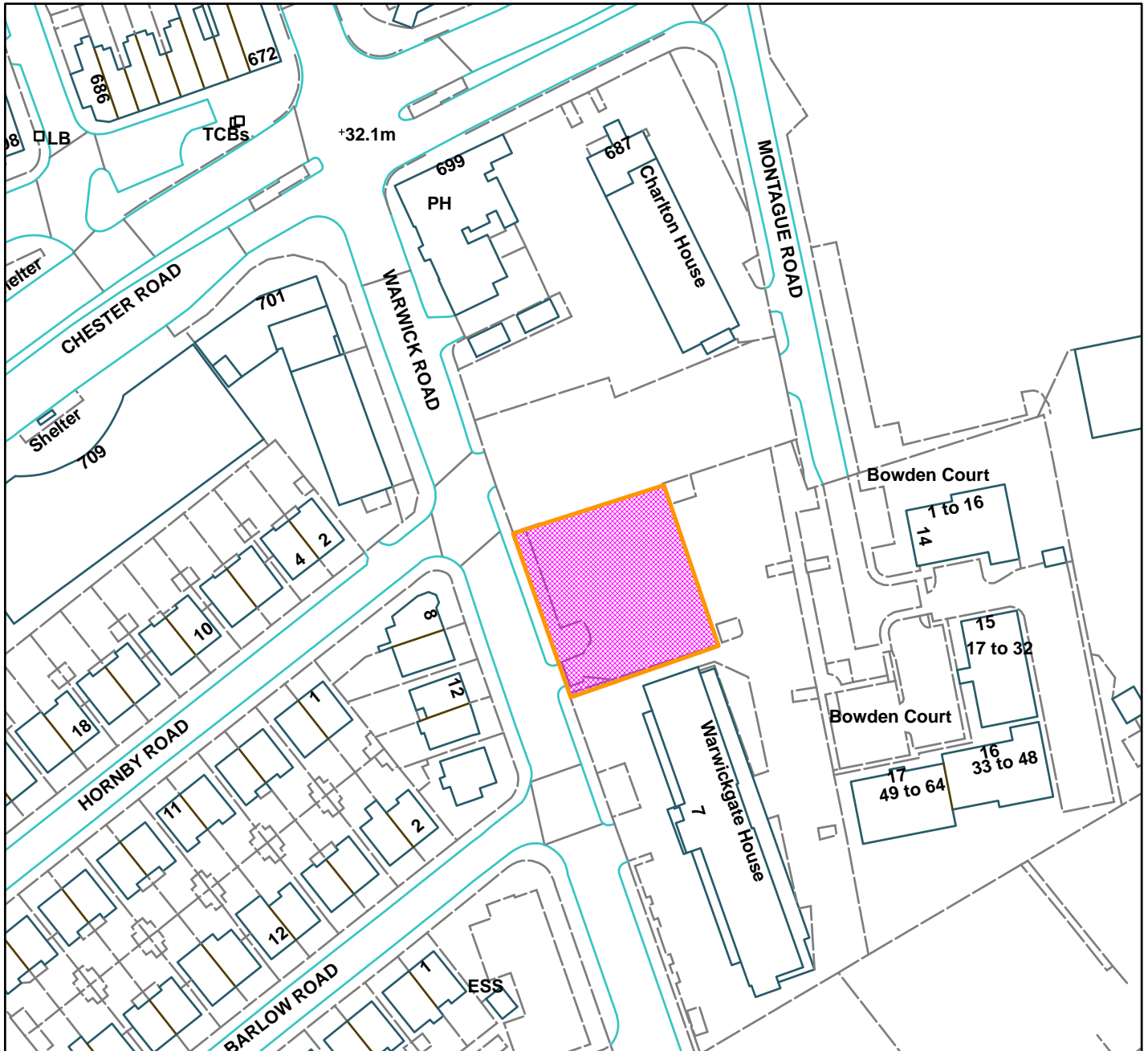
- (A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement to secure a maximum financial contribution of £51,381 towards improvements to Gorse Hill Park comprising: £22,202 towards Local Open Space and £29,179 towards play provision; and
- (B) In the circumstances where the S106 Agreement has not been completed within three months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Head of Planning Services; and
- (C) That upon satisfactory completion of the above legal agreement, planning permission be GRANTED subject to the following conditions: -
1. Standard 3 year time limit
 2. List of Approved Plans
 3. Materials to be submitted and approved
 4. Landscaping condition, including tree planting and Green Infrastructure
 5. Landscape maintenance scheme
 6. Details of boundary treatment to be submitted and approved
 7. Details of gate/shutter to car park to be submitted and approved
 8. Provision of access facilities condition
 9. Retention of access facilities condition
 10. Full Travel Plan to be submitted and approved

11. The peak discharge rate of storm water from this development shall be constrained in accordance with the limits indicated in the Guidance Document to the Manchester City, Salford City and Trafford Council's Level 2 Hybrid Strategic Flood Risk Assessment. No development shall be commenced unless and until full details of the proposals to meet the requirements of the Guidance have been submitted to and approved by the LPA and none of the development shall be brought into use until such details as approved are implemented in full. Such works to be retained and maintained thereafter. (requires Sustainable Urban Drainage / disposal at source solution to dealing with surface water run-off).
12. This site must be drained on a separate system, with only foul drainage connected into the foul sewer and surface water should discharge to a Sustainable Drainage System.
13. No surface water to be discharged either directly or indirectly to the combined sewer network.
14. Contaminated land assessment
15. Noise mitigation for living rooms and bedrooms: traditional masonry walls, basic thermal double glazing and non-acoustic air vents.
16. Construction Management Plan including wheel wash facilities and dust mitigation plan to be submitted and approved before commencement of development
17. Lighting strategy to be submitted and approved, to include any proposals to light the external façade of the building
18. Details for cycle parking provision to be submitted and approved and spaces to be provided and retained thereafter.
19. Security specification within the Crime Impact Statement (Section 4) to be provided and maintained thereafter.

RG



MKM House, Warwick Road, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	01/06/2015
MSA Number	100023172 (2012)

WARD: Longford

84970/VAR/15

DEPARTURE: NO

Variation of Conditions 2 and 3 of planning permission H/68876 in order to allow for sub-division (changes to drawings approved under condition 2) and to allow the sale of open A1 goods from within Unit 1 (amendment to condition 3)

Land at and adjacent to White City Retail Park, Chester Road, Old Trafford

APPLICANT: Mr D Lyons - Derwent Construction Ltd

AGENT: Mr Mark Aylward - Aylward Town Planning Ltd

RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT

SITE

The site lies within the White City Retail Park which has been established for over 20 years and is identified as one of the Borough's 3 Retail Warehouse Parks in the Trafford Unitary Development Plan. Four new retail units (reference H/68876) are currently under construction at the eastern end of the retail park on the former Homebase site. Of these four units, it is Unit A1 which is subject to this application. Units along the southern side of the site are being refurbished and re-clad to make them more attractive and suitable for modern retailing. The surrounding area is characterised by a mix of retail, leisure and residential uses.

PROPOSAL

This application has been made under Section 73 of the Town and Country Planning Act 1990. Section 73 allows applications to be made to vary condition(s) previously imposed on a planning permission. A Section 73 planning permission is the grant of a new planning consent.

This application seeks to vary conditions 2 and 3 of planning permission H/68876. Condition 2 relates to the list of approved plans (amended subsequently following approval of 85657/NMA/15) Condition 2 of the consent is worded as follows:-

"The development hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing: -

- *Dwg No. M3042 PL02 Rev C - Floor Plan*
- *Dwg No. M3042 PL03 Rev C - Elevations*
- *Dwg No. M3042 PL01 Rev L - Site Plan*
- *Dwg No. M3042 PL100 Rev B - Location Plan"*

"Reason: *For the avoidance of doubt and to clarify the permission, having regard to policies L4 and L7 of the Trafford Core Strategy".*

The applicant wishes to amend the condition to subdivide Unit 1 to form two units. Unit 1 would comprise 1114.8 square metres for A1 (food) retail floorspace and a

508 square metre non tradable mezzanine level. Unit 1A would comprise 311.6 square metres of A1 non-food retail floorspace and would be accessible via a new entrance door facing on to Chester Road. The approved plans in respect of the units 2 – 4 remain unchanged from that approved under planning permission H/68876, as amended by 85657/NMA/15.

Condition 3 of planning permission H/68876 imposes a restriction on the sale of certain types of goods from the approved retail units. Condition 3 of the consent is worded as follows:-

“The retail units hereby permitted, shall not, without the prior written approval of the Local Planning Authority, be used for any purpose falling outside Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall be used only for the sale of comparison goods. The following items shall not be sold: Food; Alcoholic Drinks; Tobacco; Newspapers and Magazines.”

“Reason: To ensure that adequate controls may be exercised over the use of this floorspace to ensure that the type of goods sold do not impact on nearby town centres and having regard to Proposals S11 and S12 of the Revised Trafford Unitary Development Plan.”

The applicant wishes to amend Condition 3 of planning permission H/68876 to remove the restriction on the sale of food goods from Unit1. The applicant has proposed to reword the condition as follows:-

“The retail units hereby permitted shall not be used for any purpose falling outside use class A1 and shall be used only for the sale of comparison goods (with the exception of unit 1). The following items shall not be sold from units 1A, 2, 3 and 4: food, alcoholic drinks, tobacco, newspapers and magazines.”

The applicant has confirmed that there will be no amendments to the approved car park layout (as provided by planning permission 84084/FULL/2014), the quantum of parking spaces or alignment, and no change to servicing, access or matters pertaining to non-car modes.

The applicant has confirmed that the lawful open A1 use of units H2 and H or I, as identified by plan reference M8539_AEW_XX-XX-DR_A-506 Rev P2, will be restricted and regulated by way of a s106 planning obligation. This matter is discussed further within subsequent sections of this report.

THE DEVELOPMENT PLAN IN TRAFFORD

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; and
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan**, adopted 26th April 2012. On the 13th March 2013, the Council resolved that the Minerals Plan, together with consequential changes to the Trafford Policies Map, be adopted and it came into force on the 26th April 2013. The GM Joint Minerals Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district specific planning documents for the purpose of determining planning applications.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L3 – Regeneration and reducing inequalities
 L4 – Sustainable Transport and Accessibility
 W1 – Economy
 W2 – Town Centres and Retail

PROPOSALS MAP NOTATION

Policy S12 – Retail Warehouse Park Development

PRINCIPAL RELEVANT UDP POLICIES / PROPOSALS

Policy S12 – Retail Warehouse Park Development

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

There have been numerous applications at White City Retail Park, however the following permissions are considered to be the most relevant to the determination of this application:-

85657/NMA/15 - Non-Material Amendment of Planning Permission H/68876 to amend the plan numbers in condition 2 to reflect the approved plans. Application approved

84084/FULL/2014 - Erection of a drive-through cafe unit (Use Class A3/A5) with associated access works, parking and landscaping. Application approved 14.01.2015

77987/VAR/2012 - Variation of Condition 2 (approved plans) of planning permission H/68876 (demolition of former Homebase Unit and 683 Chester Road and construction of 4 no. retail units with a total gross floorspace of 6660 sq.m., amendments to car parking layout to form an additional 74 spaces and development ancillary thereto. Application withdrawn

74483/FULL/2009 - Erection of new food retail store (Class A1) (9036 sqm. gross floor space) and two new non-food retail units (Class A1) (2357 sqm. gross floor space) with associated parking provision and landscaping, partial demolition and extension and alterations to existing non-food retail units, alterations to existing car park layout. Application refused 15.03.2010 and the appeal dismissed by the Secretary of State in his letter dated 22nd February 2011.

H/68876 - Demolition of "Homebase" unit and 683 Chester Road and construction of 4 no. retail units with a total gross floorspace of 6660 square metres, amendments to car parking layout to form an additional 74 spaces and development ancillary thereto. Application approved 24.12.2008

H/CLD/69691 - Certificate of Lawfulness of proposed use for use of the existing retail buildings on the application site for the retail sale of food. Application approved 12.08.2008

H/54806 - Demolition of existing retail unit, restaurant and leisure units and erection of new non-food retail units; relocation and erection of new management unit and electricity sub-station, revised access arrangements including new access from Chester Road and closure of existing access from White City Way; revised car parking, servicing and vehicle circulation arrangements. Application approved 23.01.2003

APPLICANT'S SUBMISSION

The applicant has submitted a Planning and Retail Statement in support of the application. This document provides the applicants sequential test and retail impacts analysis. The assessment concludes that the sequential test is passed and the impacts associated with the development will not be harmful to the on-going viability of any centre or anchor store.

Information submitted in support of planning application H/68876 remains relevant to the determination of this application, except where it has been superseded by information submitted in the Planning and Retail Statement.

CONSULTATIONS

Strategic Planning – Comments are included within the report

Local Highway Authority – No comments received to date.

REPRESENTATIONS

No representations have been received as a consequence of the planning application publicity.

OBSERVATIONS

1. Members will be aware that the approval of a Section 73 application grants a new planning permission in its own right. In terms of decision making, regard should be had to any changes on site or in the surrounding area and any changes to planning policy.
2. The matters listed below identify those matters which were considered previously by Members in the determination of the original application:-
 - Principle of development
 - Design and street scene
 - Residential amenity
 - Access, highways and car parking
 - Developer contributions
3. There is no requirement to revisit these issues through this application, other than where the proposed variations are material to the determination of the application.

PRINCIPLE OF DEVELOPMENT

i) Site circumstances

4. Since the permission was granted, there have been a number of amendments to the retail park, including the implementation of the permission and amendments to its configuration, layout and physical appearance, albeit that the quantum of retail floorspace remains the same as previously consented. Notwithstanding these changes in site circumstances, it is not considered that there have been any significant changes which should impact upon the determination of this S73 application.

ii) Changes in the Development Plan and planning policy

5. The previous application was determined in accordance with the relevant policies of the Revised Trafford Unitary Development Plan (UDP), the Regional Spatial Strategy (RSS) for the North West and national guidance contained within relevant Planning Policy Statements (PPS) at that time.

6. The development plan for the Borough is outlined in previous sections of this report. However, since the previous application was approved there has been a number of planning policy changes which are relevant to the determination of this application.
7. The Core Strategy was adopted by the Council in January 2012 and this replaced the vast majority of policies contained within the UDP, albeit that the UDP Proposals Map remains extant until such time that it is replaced. In addition the RSS was revoked on the 20th May 2013 and therefore does not form part of the development plan for Trafford. The National Planning Policy Framework (NPPF) was adopted in March 2012 and it replaces Planning Policy Statements and Planning Policy Guidance notes previously in force.
8. Despite the changes in national and local planning policy, the Core Strategy and the NPPF continue to direct retail development towards town centre locations. The UDP and Core Strategy also acknowledged that the sale of bulky comparison goods is acceptable in out of town retail parks, such as White City. Although the policy context for the determination of this application at a national and local level has changed it remains broadly consistent with that considered previously.
9. The principle of development was considered acceptable in the determination of the previous application as the development would not increase the quantum of retail floorspace; it would relate well to the existing retail park; and it would not impact upon the vitality and viability of nearby town centres through a restriction on the sale of goods to comparison goods only.
10. In respect of this S73 application, the applicant wishes to amend condition 3 to remove the restriction on the sale of food goods from Unit 1 only. Unit 1A would be used for the sale of non-food goods only, as per units 2, 3, and 4. Core Strategy policy W2.12 indicates that there is a presumption against the development of retail, leisure and other town centre-type uses outside of defined centres except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance. Further to this, Core Strategy Policy W2.14 indicates that further development within the retail warehouse parks should be limited to the sale of bulky comparison goods only.
11. The applicant has submitted a Planning and Retail Statement in support of the application, which has been reviewed by the Council's Strategic Planning Team. The document considers the implications of the change in restriction to the unit and provides an analysis of the resultant retail impacts. A key material consideration in the determination of this application is that the applicant proposes to restrict and regulate the open A1 use of some units to the eastern part of the Retail Park by entering into a s106 planning obligation. A Certificate of Lawfulness of proposed use (H/CLD/69691) was granted by the Council in 2008 which confirms that the total existing floorspace available for the sale of food amounts to 7,482 square metres.
12. Through the partial restriction of the A1 (food) consent by a s106 planning obligation the proposed variation of condition would not lead to an increase in

the quantum of A1 food retailing within the retail park, and nor would it increase the overall retail floorspace of that previously approved (H/68876). It is therefore concluded that the proposed scheme would not be materially different from that which has previously been approved and therefore would not constitute development which could be assessed against the national sequential test or would have a greater impact upon the vitality and viability of neighbouring centres. On this basis, the principle of selling food goods from Unit 1 is considered acceptable. Nevertheless, in their supporting Planning Statement, the applicant has been able to demonstrate to the satisfaction of the Council's Spatial Planning Team that there are no sequentially-preferable sites within or on the edge of an existing centre within the catchment that would be suitable or available for the proposed use and the proposal is acceptable in terms of Core Strategy Policy W2 and NPPF paragraph 24 in this regard.

13. In terms of the proposed subdivision of Unit 1, there are no restrictions on the original consent in terms of sub-division or amalgamation of units and as such there are no in principle matters arising.

DESIGN

14. The proposed sub division of Unit 1 will require the creation of a new pedestrian entrance to the side (northern) elevation of the unit. Unit 1A will front on to Chester Road and pedestrian access to the unit will be provided. Units 1 – 4 will continue to front on to the retail park. The proposed access to Unit 1A is considered appropriate and is located to make best use of its prominent location. To the rear of Unit 1 (western elevation) a canopy and three personnel doors will be provided. It is considered that the proposed amendments to this elevation are acceptable and would not have a detrimental impact upon the streetscene as a consequence of their location.

HIGHWAYS

15. The proposed development will not result in any increase in floorspace or convenience floorspace across the retail park as a whole and there are no amendments proposed to the parking layout. Any comments received from the Local Highway Authority will be reported to the Planning Committee via the Additional Information Report.

CONDITIONS

16. When considering a Section 73 application it is important when considering an application to vary conditions that a Local Planning Authority is mindful of the six tests for the use of planning conditions, i.e. whether they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects. When assessing this application to vary conditions 2 and 3, the Local Planning Authority should take note, in particular, of whether the conditions as currently worded are necessary and reasonable.

17. A number of applications have been submitted to the Council to discharge conditions 5 (materials), 6 (landscaping), 7 (boundary treatments), 8 (access, parking and loading arrangements), 10 (cycle provision), and 11 (contaminated land) attached to planning permission H/68876. A number of these conditions have been discharged or part discharged and as such the conditions of the original approval have been amended to reflect the current position.

DEVELOPER CONTRIBUTIONS

18. The proposed development would not be liable for Community Infrastructure (CIL) contributions.

19. A s106 Planning Obligation has been suggested to secure the restriction and regulation of the lawful open A1 use relating to units I, H and H2 and as detailed on plan reference M8539_AEW_XX-XX-DR_A-506 Rev P2. The legal agreement will restrict the potential lawful sale of food and convenience goods from two retail units (H2 and H or I) with a combined floor area of between 2080 sq. m. and 2693 sq. m. whilst this planning permission will grant consent for a 1114.8 sq. m. unit for the sale of food goods (including a 508 sq. m. non-trading mezzanine). The s106 Planning Obligation will secure these heads of terms.

20. Members are advised that the obligations associated with the S106 Legal Agreement attached to the previous consent are currently in the process of being discharged. It is anticipated that these matters will be discharged prior to issuing this consent. It is considered that a deed of variation may be required to tie this permission to the original obligation.

RECOMMENDATION:

MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT and subject to the following conditions:

(A) That the application will propose a satisfactory form of development for the site upon completion of an appropriate legal agreement / undertaking to restrict the sale or display of convenience goods from Unit H2 and from Units I or H simultaneously; and to vary the original s106 Agreement as appropriate.

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

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

- 1) Standard 3 year time limit
- 2) Approved plans
- 3) The retail units hereby permitted shall not be used for any purpose falling outside use class A1 and shall be used only for the sale of comparison goods (with the

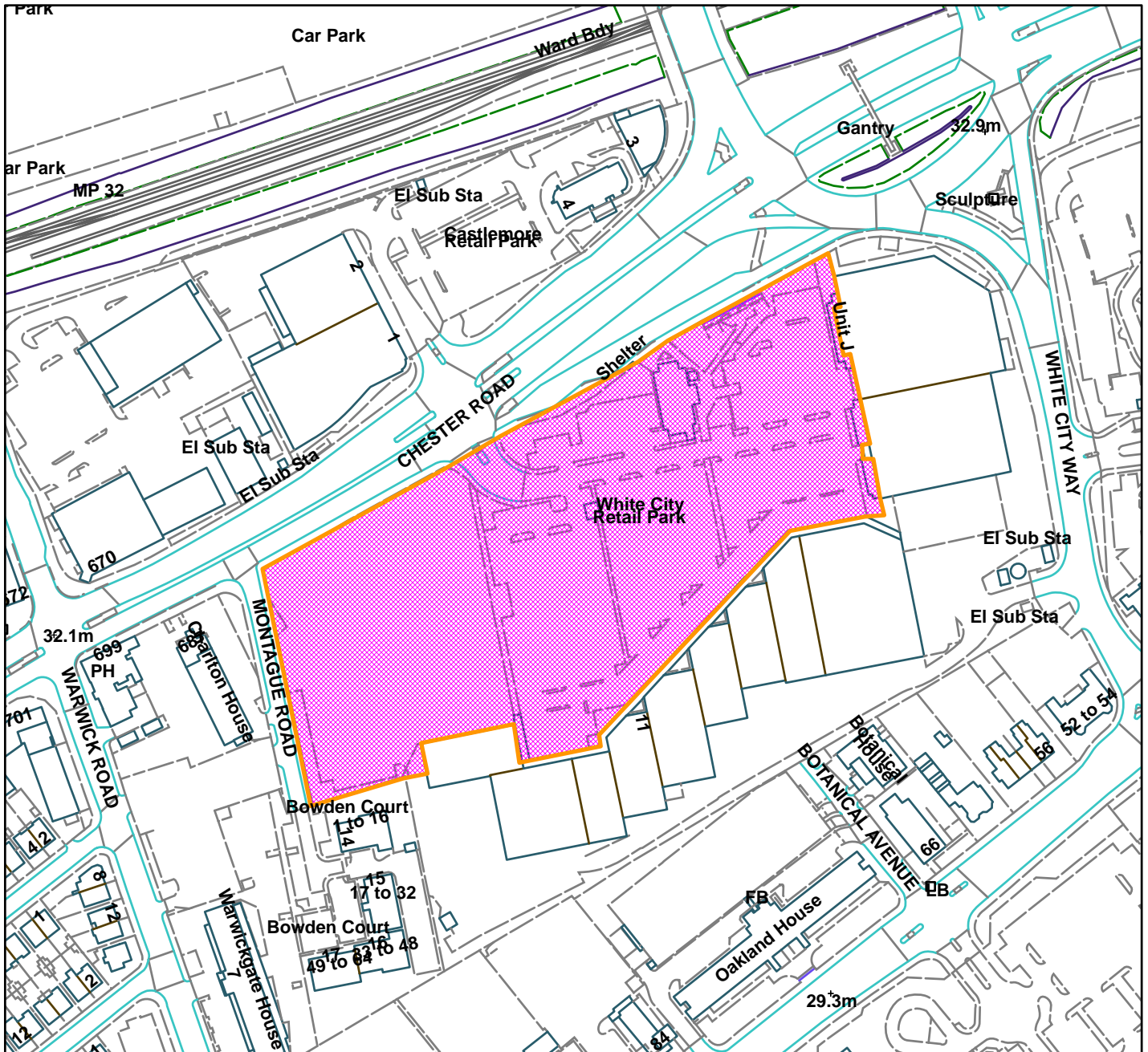
exception of unit 1). The following items shall not be sold from units 1A, 2, 3 and 4: food, alcoholic drinks, tobacco, newspapers and magazines.

- 4) The gross internal floorspace of the development hereby approved, including mezzanine floors shall not exceed 6660square metres
- 5) Materials in accordance with approved details
- 6) Landscaping
- 7) Boundary treatments in accordance with approved details
- 8) Provision of access facilities
- 9) Retention of access facilities
- 10) Submission and approval of a scheme to provide 34 cycle stands within the wider White City retail Park
- 11) Contaminated land verification report

JP



Land at and adjacent to White City Retail Park, Chester Road, Old Trafford (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	01/06/2015
MSA Number	100023172 (2012)

WARD: Village

85430/HHA/15

DEPARTURE: No

Demolition of existing rear conservatory and erection of a single storey rear, first floor side extension and the erection of a front door canopy. (Resubmission of Application No. 84829/HHA/15).

216 Brooklands Road, Sale, M33 3PH

APPLICANT: Mr Oakes

AGENT: JT Design Consultancy

RECOMMENDATION: REFUSE

The application has been called in by Councillor Laura Evans on the basis that the impact on the spaciousness of the area would be negligible, the proposal would not be cramped as it is set back from the road, and that constructing a similar extension to 218 Brooklands Road would allow them to sit better as a pair, complementing the surroundings.

SITE

The application relates to a large two storey detached dwelling on the western side of Brooklands Road, Sale. The application property occupies the corner of Brooklands Road and Esher Drive. Brooklands Road is characterised by sizable detached and semi-detached properties set in spacious, tree lined plots.

The application has extant planning permission 84829/HHA/15 for the erection of single storey rear extension, first floor side extension, and the erection of a porch canopy. The permission is similar to the current application, but differs as the approved first floor side extension is 4.5m wide.

PROPOSAL

Planning permission is sought for the erection of a first floor side extension, the erection of a single storey rear extension, and a porch canopy to the front elevation.

The proposed first floor side extension would be located above the existing double garage, and would be approx. 6.8m wide, set back from the front of the main dwelling by approx. 440mm, and flush with the rear elevation. The single storey rear extension would project approx. 3m to the rear of the property, and would be approx. 9.5m wide. The porch canopy would measure 1.4m by 3.3m. The proposed extensions would be rendered to match the existing property.

The increase in floor space of the proposed development would be 72 m².

DEVELOPMENT PLAN

The Development Plan in Trafford Comprises:

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 (Sustainable Transport and Accessibility) Maximum levels of car parking for broad classes of development are set out in Appendix 3 as part of a package of measures to promote sustainable transport choices, reduce the land-take of development, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion.

L5 (Climate Change) states that new development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.

L7 (Design) clearly sets out that development must be appropriate in its context, make best use of opportunities to improve the character and quality of an area and enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works and boundary treatment. Furthermore, policy L7 reveals that development must be compatible with the surrounding area and must not prejudice the amenity of the future occupiers of the development or occupants of adjacent properties.

PROPOSALS MAP NOTATION

None

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

None relevant

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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

RELEVANT PLANNING HISTORY

84829/HHA/15 - Erection of single storey rear/first floor side extension, and the erection of a porch canopy. Approve with conditions 14/04/2015

H37182 – Garage, kitchen and washroom extension side of dwellinghouse. Approved with conditions: 1980.

APPLICANT'S SUBMISSION

Design and Access Statement - The statement sets out the context of the site, design justification, and local policy context.

The applicant has submitted four letters of support from neighbouring properties 1 Esher Drive, 214 Brooklands Road, 201 Brooklands Road, and 218 Brooklands Road.

CONSULTATIONS

Environment Agency – The proposed development sits within Flood Zone 2 and is therefore at medium risk of fluvial flooding.

REPRESENTATIONS

Four letters of support were received as part of the applicant's submission as follows:

- Having the full width two storey extension to the side will have no detrimental effect on the enjoyment of surrounding properties;
- Feel that the proposal is in keeping with houses on Brooklands Road;
- It seems logical that number 216 Brooklands Road is built to match 218 as much as possible, to remain as a 'pair';
- Would welcome development on the house, as it has been in a terrible state for a number of years;

OBSERVATIONS

DESIGN AND APPEARANCE

1. In relation to matters of design, Policy L7 of the Core Strategy states development must:
 - Be appropriate in its context;

- Make best use of opportunities to improve the character and quality of an area; Enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, and boundary treatment
2. Paragraph 2.2 deals more specifically with reflecting the existing character of the property and states under 2.2.1 that:

“It is important that extensions should reflect the character, scale and form of the original dwelling by matching and harmonising with the existing architectural style and detailing. Ill-designed or excessively large extensions can spoil the appearance of your property. Careful consideration should be given to the individual details of the original property in designing any extension to help maintain and reinforce the style of the main dwelling and help an extension to blend in with the street scene.”
 3. Section 2.3 provides guidance on scale and advises under 2.3.1 that:

“Any extension should respect the scale and proportion of the original dwelling and should not dominate through excessive size and/or prominent siting. Extensions should be in proportion in their own right and in relation to the size of the original dwelling. Overlarge extensions can dominate the appearance of a property, unbalance its design and compete with the original dwelling to the detriment of the appearance of the house. Extensions that dominate the house or appear over-dominant in the surrounding area will not be acceptable. The cumulative effect of additions to the original property will be taken into account by the LPA.”
 4. SPD4 states in paragraph 3.1.7 that sides extensions should have regard to the following aims:

“-Proposals should be proportionate and complementary, in height and width, to the size of the original dwelling.

 - *Generally, side extensions that are over half the width of the original property can appear prominent in relation to the main dwelling. Side extensions should not be so wide that they detract from the original dwelling.*
 - *Extensions should be in keeping with the prevailing pattern of residential development and not erode the amount of space surrounding the dwelling.”*
 5. The original two storey dwelling is approx. 11.3m wide; the proposed extension would be approx. 6.8m wide, giving the overall width of the property to be approx. 18.1m wide. The proposed extension would be a significant addition to the main dwelling, resulting in an expansive property. Due to its proximity with Esher Road, which is discussed below, it is considered that it would appear very dominant in the street scene.
 6. The application site is located on a prominent corner location and is therefore subject to more stringent guidelines so as to protect the spaciousness of the area and ensure that the proposed development is not over-dominant, or disrupts the openness between the properties.

7. Paragraph 3.3 of the Council's SPD4 provides specific guidelines for side extensions on corner plots. The guidelines advise in paragraph 3.3.1 that:
"Extensions on corner properties, between the side of the house and the road, can appear unduly prominent and obtrusive, particularly if they come forward of the general line of the fronts of neighbouring properties. Extensions in these locations should not be visually over-dominating or disrupt the sense of openness between the properties and the street scene."
8. Paragraph 3.3.2 explains that:
"Each case must be considered individually, however a proposal is more likely to be acceptable if:
- There is plenty of space between the property and the back of the pavement on the road and the extension only takes up a small proportion of this space, which in most cases will not be more than 50% of the garden*
 - The proposal is in keeping with the building line and does not appear over-dominant in the street scene*
 - There is sufficient space left between the extended property and the back of the pavement to maintain the character of the surrounding area*
 - If the extension is set back from the front corner of the house*
 - If the extension is single storey rather than two storey*
 - The design of the proposal helps to minimize the visual impact on the street scene"*
9. The Council also has supplementary planning guidance 'Planning Guidelines for residential development in Brooklands' adopted in 1992, and amended in 1994. Given the dates this carries limited weight, but paragraphs 3.6 and 3.7 are largely consistent with SPD4 with regards to developments on corner plots.
10. SPD4 recommends that side extensions to corner properties should not extend more than half the distance between the side of the original dwelling and the side boundary. The existing space between the side of the property and the edge of the pavement is approx. 9m. The proposed extension would extend approximately 6.8m to the side, the site plan submitted illustrates that this would retain a distance of only 2.36m. The remaining space would be substantially less than 50% and is therefore not in line with guidance. As such it is considered that the proposed development would significantly erode the sense of spaciousness of the street scene and would be out of character with the area. Furthermore, the proposed development would also project beyond the building line of Esher Drive.
11. The applicant states that the application property is part of a pair of dwellings, alongside no. 218, which has already been significantly extended, and therefore the proposed development should be allowed. However, each planning application should be considered on its own merits and the context of the neighbouring dwelling differs from no. 216; the application site is located on a corner plot, and the adjacent extension was granted permission in 2007, under separate and now superseded planning guidelines. Furthermore, the majority of properties on corner plots in the surrounding area are set back significantly from the road, at least at first floor level. It is therefore not considered

that this would justify a departure from current guidelines, or is sound reasoning for an unacceptable scheme in a prominent location at no. 216. Additionally, SPD4 advises that in more spacious areas “considerably more room” is likely to be required. The spacious and leafy nature of Brooklands Road has largely been preserved; this is an important distinctive characteristic of the area, which should be protected.

12. The proposed single storey element would be located to the rear of the property and therefore not visible from the streetscene. The proposed porch canopy would be in scale and proportion to the main dwelling and would not detract from the design of the original house. It is therefore considered that these elements of the proposal are acceptable in terms of design and appearance.
13. The applicant received planning permission 84829/HHA/15 for a similar proposal, with a first floor side extension 4.5m wide; it is considered that this extant permission allows for a significant extension, but does not harm the character of the area.
14. Although much of the rear garden, and the front garden would be retained, given the scale and design of the proposed extension in this prominent location it is considered that there would be material harm to the character and appearance of the street scene due to loss of spaciousness. The proposal would therefore also conflict with SPD4. Furthermore, paragraph 64 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The proposal conflicts with the NPPF in these respects, and is therefore recommended for refusal.

RESIDENTIAL AMENITY

15. In relation to residential amenity, Policy L7 of the Core Strategy states development must not prejudice the amenity of the occupants of adjacent properties by reason of being overbearing, overshadowing, overlooking or visual intrusion.
16. SPD4 sets out detailed guidance for protecting neighbouring amenity (paras 2.14 to 2.18) as well as under the relevant sections for particular types of development.
17. Notwithstanding the proximity of the proposed extension to the back of the footpath on Esher Drive, the application property is set within a spacious plot, minimum privacy distances set out in SPD4 would be met under the current application; therefore no loss of privacy would occur to neighbouring dwellings.
18. The rear projection of the single storey element would accord with SPD4 guidelines, and is therefore considered to have an acceptable impact on the neighbouring properties.
19. It is therefore considered, that the proposal would not result in an unacceptable detrimental impact to the occupiers of surrounding properties in terms of loss of light,

loss of privacy or being overbearing in accordance with policy L7 of the adopted Core Strategy and the relevant policies contained within the SPD4.

PARKING

20. The number of bedrooms would not be increased as a result of the proposed development. The dwellinghouse has 4 bedrooms; the Council's SPD3 guidelines therefore recommend that 3 car parking spaces should be provided. The application site has ample off street car parking to accommodate more than 3 vehicles, and this is therefore considered acceptable.

DEVELOPER CONTRIBUTIONS

21. No planning obligations are required.

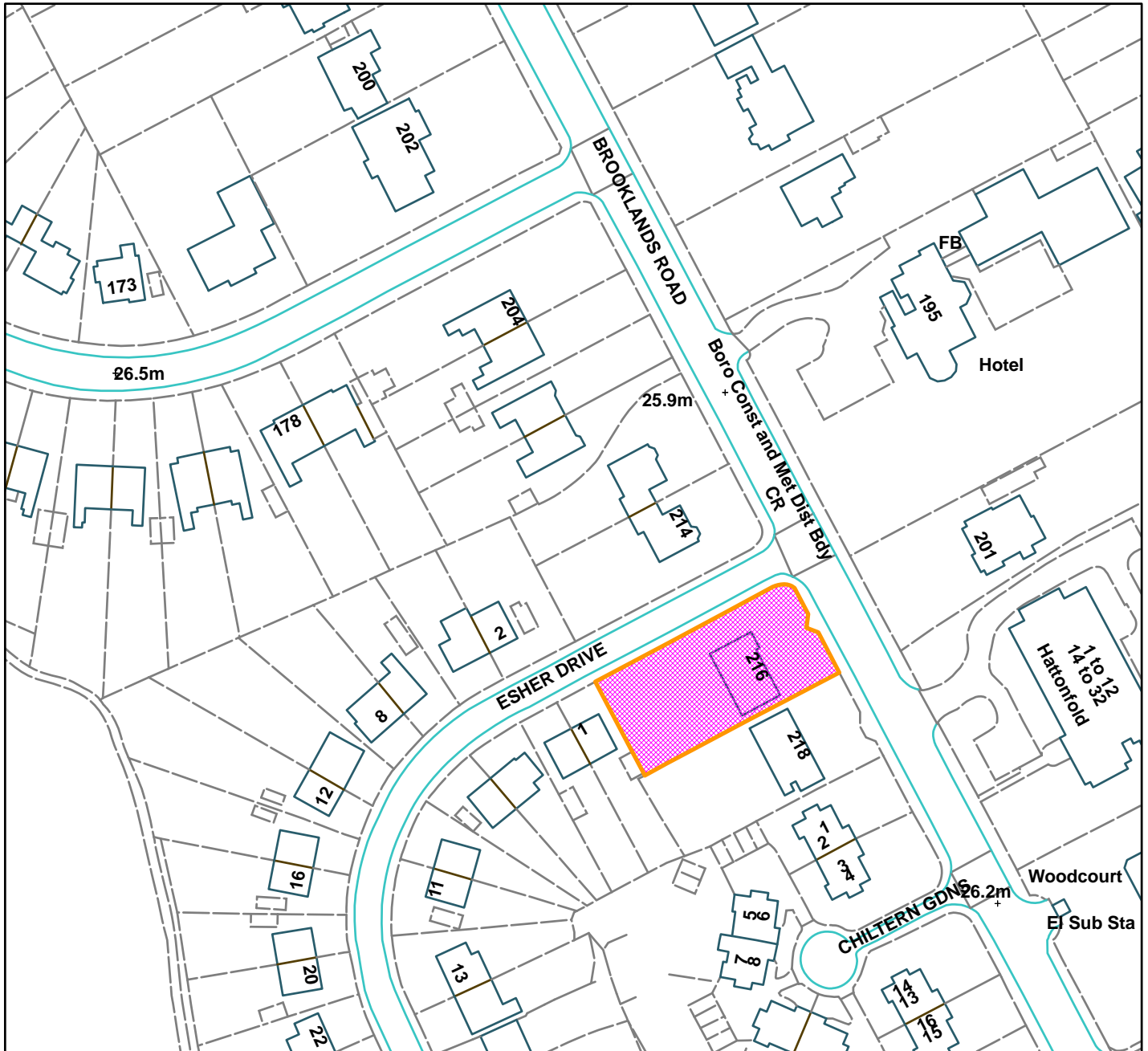
RECOMMENDATION: REFUSE

The proposal, by reason of its design, height, scale, massing and proximity to the side boundary with Esher Drive, would represent a visually intrusive, dominant and cramped form of development that would be out of keeping with the surrounding dwellings and would harm the spacious character of the area. The proposed development would therefore have a detrimental impact on the visual appearance and character of the street scene and the surrounding area. As such it would be contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Document, SPD4, A Guide for Designing House Extensions and Alterations and the NPPF.

OSt-A



216 Brooklands Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 11/06/2015
Date	02/06/2015
MSA Number	100023172 (2012)