

**WARD:** Sale Moor

**84587/VAR/14**

**DEPARTURE: No**

**Variation of condition 2 and removal of condition 5 of planning permission 80225/HHA/2013 (Erection of part single storey/part two storey side extension and single storey rear extension to provide additional living accommodation) to allow a new window in the ground floor side elevation and clear glazing to the utility room window.**

19 Fraser Avenue, Sale, M33 2TF

**APPLICANT:** Mrs Kehoe

**AGENT:**

**RECOMMENDATION: GRANT**

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

### **SITE**

The application site comprises a two storey semi-detached dwelling situated close to the turning circle at the end of a cul-de-sac. There is an existing driveway to the side of the house with a garage set back from the property.

The property has recently been extended with a part single storey/part two storey side and single storey rear extension.

### **PROPOSAL**

Variation of condition 2 and removal of condition 5 of planning permission 80225/HHA/2013 (Erection of part single storey/part two storey side extension and single storey rear extension to provide additional living accommodation) to allow a new window in the ground floor side elevation and clear glazing to the utility room window.

This application relates to variation/removal of conditions which would involve no increase in floor space.

### **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2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF).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 1<sup>st</sup> 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 26<sup>th</sup> 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

L5 – Climate Change

L7 – Design

#### **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**

80225/HHA/2013 – Erection of part single storey/part two storey side extension and single storey rear extension to provide additional living accommodation.

Approved with conditions 13 May 2013

#### **CONSULTATIONS**

None received

#### **REPRESENTATIONS**

Cllr Joanne Bennett – objects to the application on the following grounds:

- Loss of privacy to the next door neighbour;

- Neighbour feels she can no longer use her back door.

Neighbours – 1 letter of objection has been received from the facing neighbours on the grounds of loss of privacy.

## **OBSERVATIONS**

### **BACKGROUND**

1. Permission for the extension was granted under application reference 80225/HHA/2013 subject to a condition requiring the utility room window to be fitted with obscure glazing and a condition requiring development to be carried out only in accordance with the approved plans.
2. The applicant was of the understanding that amended plans had been submitted to the Council which included an additional kitchen window in the side elevation however the Council has no record of these. The extension has been built and this application is therefore retrospective, to retain the additional window and clear glazing.

### **PRINCIPLE OF DEVELOPMENT**

3. As permission has been granted for the extension it is therefore only the impact of the additional window and clear glazing to the utility room which is to be considered under this application.

### **RESIDENTIAL AMENITY**

#### Utility room window

4. A site visit has been undertaken from inside the application property and it is considered that there is no undue overlooking or loss of privacy from this window which looks out to the blank elevation of the neighbouring property.

#### Kitchen window

5. Condition 2 of the original approval requires work to be carried out in accordance with the approved plans which did not include a kitchen window on the side elevation. It is therefore necessary to consider any additional windows on a case-by-case basis. It should be noted that an additional window could have been inserted in this position at a later date under permitted development. To be permitted development, the windows should be inserted only once the extension is completed and as an entirely separate building operation. Whilst this was not the case, the outcome is considered to be the same.
6. There was a kitchen window in the side wall of the original dwelling in a similar position. The proposal brings this window approximately 1.5 metres closer. The window faces a door and a window in the neighbouring property however it is considered that bringing the window closer would not create an unacceptable

level of overlooking above what can be reasonably expected between semi-detached properties and would not result in a significantly increased impact on the neighbour's privacy.

#### DEVELOPER CONTRIBUTIONS

7. No planning obligations are required.

#### CONCLUSION

8. Taking into consideration the relationship with the neighbouring property and the fact that a kitchen window could have been inserted in the same position under permitted development at a later date, it is considered that the proposal would cause no undue harm to the occupiers of the adjacent property. The proposal is considered to be in compliance with the relevant Trafford Core Strategy policies and the relevant sections of the NPPF.

#### **RECOMMENDATION: GRANT subject to the following conditions:**

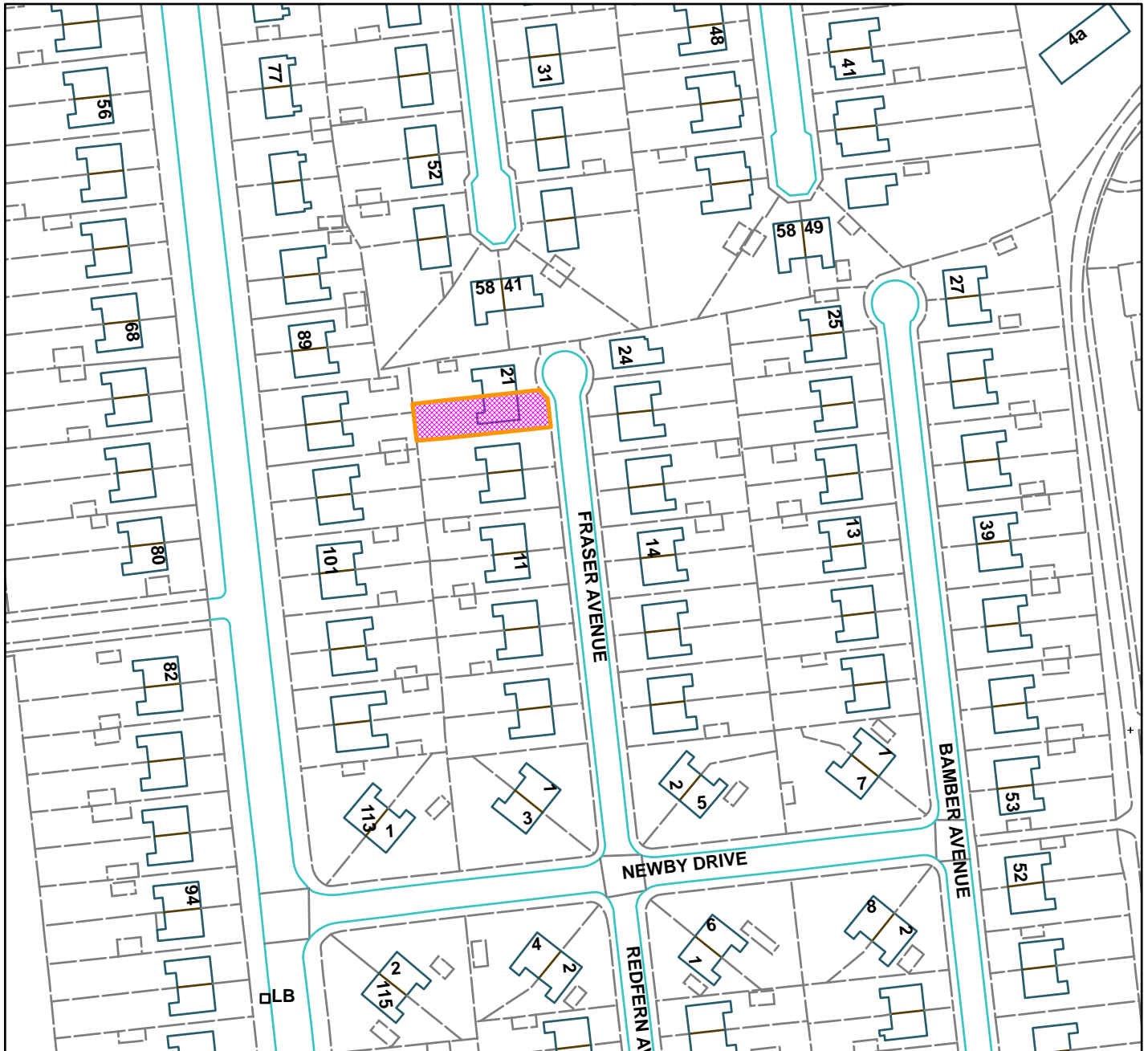
1. Details – compliance with list of approved plans

JE

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19 Fraser Avenue, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Timperley

**84668/OUT/15**

**DEPARTURE: NO**

**Outline planning application for the demolition of the existing Vicarage to allow for the erection of up to 4no. dwellings.**

Holy Cross Church, Park Road, Timperley, WA15 6QG

**APPLICANT:** The PCC of Christ Church

**AGENT:** Buttress

**RECOMMENDATION: GRANT**

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**SITE**

This application relates to a parcel of land, currently part of The Holy Cross Church site in Timperley, sited on the north-western side of the junction between Park Road, and Acresfield Road. The site is situated within a predominantly residential area. The Holy Cross Church is sited to the west of the site and the church's car-park is sited to the north. Residential properties are located to the sites southern and eastern side boundaries. The parcel of land currently houses the church's former vicarage building, which is currently vacant. The vicarage is sited on the north-western corner of the site, set within its private grounds. The vicarage dates back to 1905 and has many typical Edwardian features including; gabled ends and bay windows.

**PROPOSAL**

The application seeks outline planning consent for the demolition of the existing vicarage to allow for the development of up to 4 residential dwellings with all matters (access, appearance, scale, layout and landscaping) reserved. An indicative layout plan has been submitted which identifies four semi-detached dwellings. These are currently sited in two separate blocks, achieving small set-backs from Acresfield Road, with private amenity spaces to the front and rear. Access details are provided which indicate that the proposed dwellings would be accessed via private drives off Acresfield Road. Members will be aware that the layout of the scheme; scale, design, materials and architectural details of the buildings; landscaping and boundary treatments; and access proposals are all details to be submitted as part of a Reserved Matters application should outline permission be granted.

**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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- The **Greater Manchester Joint Waste Plan**, adopted 1<sup>st</sup> 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 26<sup>th</sup> 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  
R2 – Natural Environment

## **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**

**61020** - Extension to Church Hall to form new store and chapel following demolition of existing garages. Application approved 25.01.2005

**H/48730** - Erection of a new church. Application approved 22.03.2000

**H37484** - Erection of a pre-cast concrete garage for the storage of church equipment including tables, chairs etc. Application approved 06.08.1993

**H/65978** - Erection of store to rear following demolition of existing garages. Application approved 03.01.2007

**H10098** - Erection of 3 garages for use as store rooms. Application approved 30.07.1979

### **APPLICANT'S SUBMISSION**

To help demonstrate that the principle of residential development could be acceptable, the application has been accompanied by a range of supporting documents as follows: -

- Design and Access Statement
- Bat Survey
- Plans and drawings

### **CONSULTATIONS**

**Local Highways Authority:** The LHA has no objection in principle, however the applicant will need to provide information subsequently to confirm whether any parking spaces are being lost or gained within the church car park. In addition the applicant should note that the number of parking spaces required per dwelling will depend on the number of bedrooms proposed in each – at this stage it is considered that two parking spaces per dwelling shown on the plan are merely illustrative as the number required cannot be determined at this stage. The applicant has subsequently advised that the proposed scheme will not impact upon the parking provision within the church car park.

**Greater Manchester Ecology Unit:** A daytime preliminary Roost Assessment was conducted by Arbtech on 25<sup>th</sup> February 2015 in which further bat survey effort was recommended. The Dusk Dawn Bat survey comprised of an initial check internally, of all accessible roof voids for bats or signs of bats. A dusk emergence survey was carried out on 21<sup>st</sup> July 2015 followed by a dawn re-entry survey on 6<sup>th</sup> August 2015. Both of the surveys were undertaken in appropriate weather conditions and at optimum times for surveying for bats. No bats or signs of bats were found during the internal inspection and no bats were seen to emerge or re-enter the building during the dusk/dawn surveys. The general bat activity recorded in and around the site was low. Work can therefore proceed with a low risk to roosting bats.

Notwithstanding the above, bats are mobile in their habits and can be found in the most unlikely places. If bats are found at any time during works, then work should cease immediately and advice sought from Natural England or a suitably qualified bat worker. We would therefore suggest that an **informative** to this effect be placed on any permission, if granted.

#### **Biodiversity Enhancement**

In line with Section 11 of the NPPF, we would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development



- Bat boxes
- Bird boxes
- Native tree and shrub planting

In conclusion we are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the **informative** above.

**Greater Manchester Police – Crime Prevention Team** - No objection to residential development on the site. Recommend the use of a condition to ensure Secure by Design accreditation measures are used within the proposed development.

**United Utilities** - No objections subject a condition to ensure that a scheme for the disposal of foul and surface waters for the entire site has been submitted and approved in writing by the LPA.

## **REPRESENTATIONS**

**Councillor Brophy:** called in the application to planning committee in response to concerns raised by local residents, further discussed below.

**Neighbours:** A total of 9 neighbours made the following representations to the Local Planning Authority on the following grounds:

- Impact on privacy
- Loss of light
- Noise associated with the proposed building works
- Traffic related concerns from increased use of Acresfield and Park Road through the proposed development
- Overdevelopment of the site
- Loss of parking provision within church grounds
- Loss of Vicarage building

## **OBSERVATIONS**

1. The scheme was originally submitted for the erection of 6 semi-detached dwellings, however concerns were raised by Officers and the scheme has subsequently been revised to reduce the number of dwellings to up to 4 dwellings. It is on this basis that the scheme has been assessed.

## **PRINCIPLE OF DEVELOPMENT**

2. The application site is located within Timperley and comprises the former church vicarage and its curtilage. The vicarage will be demolished as part of the proposed scheme. The vicarage is an early 20<sup>th</sup> century property of typical Edwardian build. The property has no significant architectural or historical merit and is not considered to be a non-designated heritage asset as defined by the

NPPF. As such, its demolition in this instance, to allow for the erection of family homes is considered to be acceptable.

3. Part of the site is occupied by the existing vicarage, whilst the remainder of the site has not previously been developed and as such comprises greenfield land.
4. The Core Strategy aims to prioritise the development of previously developed land. Core Strategy Policy L1.7 sets a target of 80% of all new dwellings to be provided on brownfield land across the Borough. The policy states that, *“the Council will release previously developed land and sustainable urban area greenfield land, in the following order of priority:*
  - *Firstly land within the Regional Centre and Inner Areas;*
  - *Secondly, land that can be shown to contribute significantly to the achievement of the regeneration priorities set out in Policy L3 and / or strengthen and support Trafford’s 4 town centres; and*
  - *Thirdly land that can be shown to be of benefit to the achievement of the wider plan objectives set out in Chapters 4 and 5 of the Core Strategy. (Strategic Objectives and Place Objectives).”*
5. The application site is not located within either the Regional Centre or Inner Area and therefore the first priority is not applicable to the determination of this application. However, taking into consideration the second and third bullets of Policy L1.7, it is considered that the site is located in a sustainable location close to public transport links and local schools and other community facilities. It is considered that the proposal will make a positive contribution towards Strategic Objective SO1 and Sale Place Objective SAO1 in terms of meeting housing needs and delivering housing in sustainable locations of a size, density and tenure to meet the needs of the community.
6. NPPF paragraph 47 identifies a clear policy objective to, *“boost significantly the supply of housing”*. In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties.
7. The Council has indicated that it does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of *“boost(ing) significantly the supply of housing.”* Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.

8. In terms of Policy L2, the proposal would provide new dwellings within a sustainable location. Based upon the submitted indicative layout, the housing is likely to be in the form of small starter homes, which would not harm the character or the amenity of the surrounding area (further discussed below). With reference to Policy L2.5 specifically, the proposed dwellings would help meet the Council's 70% target of securing small homes.
9. Although part of the site comprises greenfield land, on balance the proposal satisfies the tests of Policy L1.7. The site is located within a sustainable location; would make a positive contribution to the Council's housing land target; and would increase the provision of small homes within the area in accordance with Policy L2.

## **DESIGN AND STREET SCENE**

10. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
11. Paragraph 2.2 of the New Residential Development SPD indicates that development will not be accepted at the expense of the character of the surrounding area. It states that the resulting plot sizes and frontages should, therefore, be sympathetic to the character of the area as well as being satisfactorily related to each other and the street scene.
12. The design and layout of the proposed development is a matter for consideration at Reserved Matters stage; however under the current application it is relevant to assess the relationship that the proposed dwellings would share with the existing residential dwellings sited on Acresfield Road, the Holy Cross Church, and with the Park Road street scene also. An indicative layout has been submitted in support of the planning application
13. The indicative layout has been designed to address the build line on Acresfield Road. This can be seen to either side of Acresfield Road and this rhythm of development has been continued to the junction with Park Road. To the east of the site is an apartment block which also includes a similar set back from the main road. As a result, the proposed dwellings have been designed to remain in-keeping with this building line, retaining a similar level of space from the eastern side front boundary.

14. To the southern side of the site lies Park Road. The existing properties on this block include substantial setbacks from Park Road. The corner plots retain a large visual gap from Park Road, this is the case for the residential properties to the southern side of the site and the apartment block sited to the east of the site. The current proposal would retain a similar sized setback as that retained by the existing apartment block, to the east, however little consideration is given to the Park Lane setback and this will need to be addressed fully through consideration of future reserved matters applications. At this stage, it is considered that further consideration should be given to the setback to Park Road as well as that on Acresfield Road, in addition to which a robust landscape strip will need to be incorporated to soften the impact of the development on this important corner plot. These matters will be addressed through consideration of future reserved matters applications. Notwithstanding these initial concerns, it is considered that an appropriate design solution could be delivered on site. The Council will retain full control of these matters through consideration of future reserved applications which will be assessed against the relevant design policies of the Core Strategy.

## **RESIDENTIAL AMENITY**

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

16. The indicative layout has been submitted to demonstrate how the site could be developed to accommodate 4 semi-detached dwellings. On the basis of the indicative layout, the proposed dwellings would retain 21 metres to the west facing residential apartment block, and 10.2 metres to the rear boundary. Plots 1 and 4 would retain in excess of 21 metres to the residential dwellings sited to the northern and southern boundaries of the site. On the basis of the indicative layout, it is considered that a scheme could be developed on site which would protect the amenity of adjacent occupiers. The Local Planning Authority would retain control of detailed design issues and any future scheme would need to address the relevant development plan policies and the NPPF to ensure that a quality scheme is achieved, which protects the amenity of neighbouring occupiers.

17. With regards to noise and disturbance associated with the construction phase of development, it is noted that the development is small scale in nature and the number of vehicle movements associated with the erection of four new dwellings will be limited. On this basis, it is not considered that the erection of the proposed dwellings would result in neighbouring residents being exposed to an unacceptable increase in the level of noise and disturbance than what they are currently exposed to.

18. The proposal is therefore considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF as it would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy.

## **TREES AND LANDSCAPING**

19. The proposed layout provides the opportunity to accommodate new tree planting within the rear gardens of the proposed houses, and on the areas of open space to the front of the properties. It is considered that landscaping would also be needed along the southern boundary of the site, to soften the impact of the new dwellings when viewed from Park Road. The present layout demonstrates that an effective landscape buffer could be incorporated, given the large set back to Plot 1 from Park Road. This matter will be addressed in greater detail during the consideration of subsequent reserved matters application. The three existing trees on site are detailed as being retained and as such a tree protection scheme will be conditioned to any Outline planning permission, should this be granted.

## **HIGHWAYS AND PARKING**

20. Indicative highway details have been submitted as part of the application which indicates that individual vehicular accesses will be provided off Acresfield Road. All of the proposed units have front garden areas, which in turn lead to private drives to the sides of the properties. The Local Highways Authority has assessed the scheme and they raise no objections on highway safety grounds.
21. The indicative layout indicates that 2 parking spaces will be provided for each dwelling. Notwithstanding this, the indicative layout demonstrates that there is scope to increase the number of parking spaces on site should the size of dwellings (in terms of the number of bedrooms) make this a requirement.
22. The site area does not currently act as an overflow car park area for the Church and as a result of the proposed works the existing car parking provision of the Church would not be impacted.

## **ECOLOGY**

23. The applicant has submitted a preliminary Roost Assessment and a Dusk Dawn Bat survey in support of the planning application to assess the likelihood of bats roosting within the vicarage. The report states that no bats or signs of bats were found during the internal inspection and no bats were seen to emerge or re-enter the building during the dusk/dawn surveys. The general bat activity recorded in and around the site was low and therefore it is concluded that work can proceed with a low risk to roosting bats. The report has been assessed by Greater Manchester Ecology Unit (GMEU) and they do not disagree with the findings of the report, however they note that bats are mobile in their habits and can be

found in the most unlikely places. On this basis, an informative is recommended which requires all works to cease immediately if bats are found on site.

24. In accordance with section 11 of the NPPF, GMEU recommend that opportunities for biodiversity enhancement are incorporated into the new development. A planning condition has therefore been proposed to secure a number of biodiversity enhancements on site including the provision of bat bricks and/or tubes within the new development; bat boxes; bird boxes; and native tree and shrub planting. Details of this condition are included at the end of the report.

## **DEVELOPER CONTRIBUTIONS**

25. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate' 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).
26. No other planning obligations are required.

## **CONCLUSION**

27. The proposed development will provide 4 new family homes on site which would improve the quality and quantity of the housing stock in this part of the Borough. It is considered that the principle of residential development on this site is acceptable and that the development impacts associated with the scheme can be mitigated through the use of planning conditions where necessary. In accordance with paragraph 7 of the Framework, it is considered that the proposed development represents a sustainable form of development which complies with all relevant Policies set out in the Trafford Core Strategy and the NPPF.

## **RECOMMENDATION: GRANT subject to the following conditions**

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development for which outline planning permission has hereby been granted shall be started on any phase within the development until full details of the following reserved matters, in respect of that phase within the development, have been submitted to and approved in writing by the Local Planning Authority:
  - a) access;
  - b) appearance;
  - c) scale
  - d) layout; and

- e) landscaping
- 3. Approved plans
- 4. Details of how the development will incorporate opportunities to reduce crime
- 5. Drainage scheme details
- 6. Tree protection measures
- 7. Biodiversity enhancement measures
- 8. Access and parking arrangements to be provided before development is brought into use;

Informative

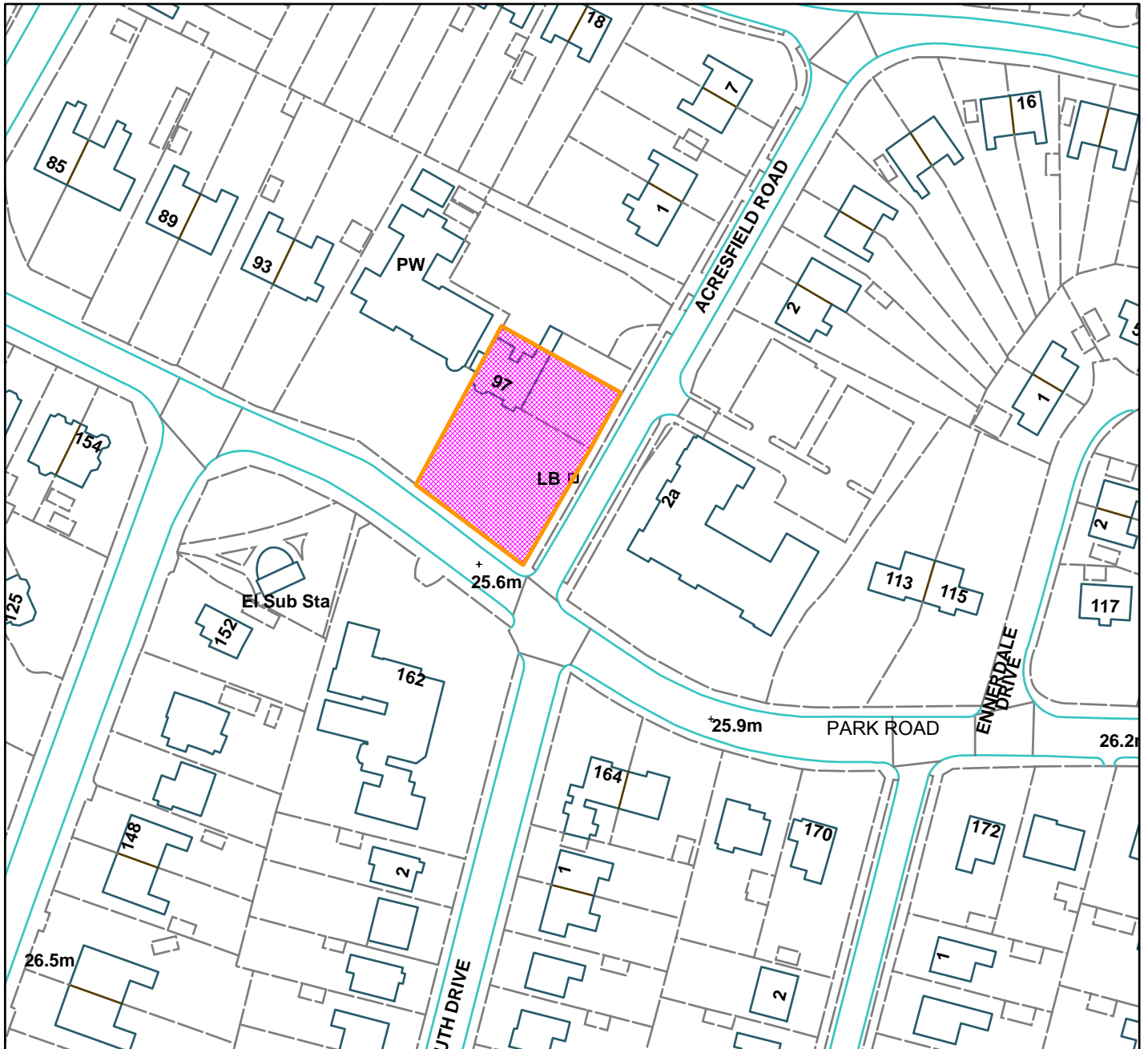
1. Bats

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Holy Cross Church, Park Road, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)



**WARD:** Gorse Hill

**85022/OUT/15**

**DEPARTURE: No**

**Outline planning application for the erection of 2no. part two, part three storey apartment buildings (maximum height of 9.5m), comprising a total of 14no. apartments, together with associated car parking, bin storage and infrastructure (consent sought for access, layout and scale with all other matters reserved).**

Land to the North of Station Road, Stretford

**APPLICANT:** Urban Surveying Limited

**AGENT:** De Pol Associates Ltd

**RECOMMENDATION: REFUSE**

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## **SITE**

The application relates to a narrow and elongated area of land to the north of Station Road in Stretford, which comprises of mature trees and scrubland. Directly to the north of the site is the Manchester-Liverpool railway line, which is raised above the ground level of Station Road and accessed from a footbridge over the Bridgewater Canal to the east of the application site. Beyond the railway line is an industrial unit. The surrounding area is predominantly residential with the side gables of the end terraced dwellings on Derwent Road, Bowness Street and Kendal Road abutting Station Road. These terraces are traditional two storey dwellings. The site measures 0.17ha and does not include the steep embankment abutting the railway.

Station Road leads to Marland Way, which is a modern housing development adjacent to the Bridgewater Canal known as Stretford Marina. Properties within this estate are three storey townhouses and apartments.

## **PROPOSAL**

Outline planning permission is sought for the erection of 2no. part two, part three storey apartment buildings, comprising of a total of 14no. apartments (3 x 1bed, 11 x 2bed), together with associated car parking, bin and cycle storage. Consent is sought for access, layout and scale.

The proposed buildings would have a maximum height of 9.386m to the ridge and 6.1m to the main eaves. Block 1 would have a maximum length of 28.8m and measure 7.9m deep. Block 2 would measure 19.25m in length and 7.7m deep.

The gross internal floor space of the proposed development would be 724 m<sup>2</sup>.

## **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**

L1 – Land for New Homes  
L2 - Meeting Housing Market Needs  
L4 – Sustainable Transport and Accessibility  
L7 – Design  
L8 – Planning Obligations  
R2 – Natural Environment

### **PROPOSALS MAP NOTATION**

Wildlife Corridor

### **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

ENV10 – Wildlife Corridors

### **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**

78229/O/2012 - Outline application for erection of 3no. three storey buildings comprising 18 no. two bedroom apartments with associated car parking and landscaping. Details of layout, scale and access submitted for approval with all other matters reserved – Refused 21.02.2013.

H/30941 - Erection of 31 garage units with associated landscaping - Approved with conditions 27.03.1990.

### **APPLICANT'S SUBMISSION**

The applicant has submitted a Design and Access Statement, a Planning Statement, a Noise and Vibration Assessment and an Ecology Assessment. The information provided within these statements is discussed where relevant within this report.

### **CONSULTATIONS**

**LHA** – No objections. The cycle store for Block 1 is still come way away from the block, though given its brick constriction, it should be secure. Access to all the off street parking areas should be 4.5m wide to enable vehicles to enter and exit simultaneously. The two areas to the west appear to be narrower than this, though there is scope to widen the accesses. They will need to consider how the spaces will be managed on match days given the proximity to the football stadium.

**Drainage** – No objections, recommend a condition relating to compliance with the Strategic Flood Risk Assessment.

**Pollution & Licensing** – No objections, contaminated land condition requested and condition requiring the implementation of details within the submitted Noise and Vibration Assessment also recommended.

**Greater Manchester Ecology Unit** – No objections, advise that no vegetation clearance should take place during the optimum period for bird nesting.

**Greater Manchester Police Design for Security** – Object to the application as there is insufficient evidence to suggest that the development has been designed with security in mind. It is expected that a Crime Impact Assessment would be submitted for a development like this, which has not been. Lack of reference to boundary treatments; no detail has been submitted regarding appropriate boundary treatments help to create differentiation between public and private space. Concern regarding car and cycle parking. The location of the cycle and bin store interferes with sight lines in the case of the Block 2, whilst Block 1 the cycle parking is too detached from the apartment building. Natural surveillance is less probable at night when residents are inclined to draw their curtains; a time offenders often to prefer to operate. They appreciate the suggestion that the bin and cycle stores would be secure but in the absence of firm details, they remain cautious and note their isolated location. If residents are not confident in the security of such stores, they will not be used.

**Network Rail** – Provide a number of comments including: -

- Remind of the potential for any noise / vibration impacts caused by the proximity between the proposed development and the existing railway.

- The current level of railway usage may be subject to change at any time without prior notification including increase frequency of trains, night time train running and heavy freight trains.
- Network rail can also often carry out works at night which can be noisy and cause vibration.
- The proposal should not prevent Network Rail from their statutory undertaking.
- They request the developer submits a risk assessment and method statement to Network Rail Asset Protection.
- The developer must provide at their own expense a suitable trespass proof steel palisade fence at least 1.8m high adjacent to the Network Rail boundary, which they request is conditioned in the planning consent.
- The siting of an acoustic fence could be of concern if not appropriately designed and sited.
- Fencing height over 1.8m has the potential to topple over and fall towards the railway.

**United Utilities** – No objection, conditions relating to surface water / drainage requested. Separate metered supply to each unit will be required at the applicant's expense.

## **REPRESENTATIONS**

Prior to the submission of amended plans 17 letters of objection have been received from neighbouring residents on Bowness Street, Kendal Road, Derwent Road and Marland Way. A petition letter signed by 21 residents of these neighbouring roads has also been received. The objections raised are: -

- There will be increased traffic accompanied by parking problems and pose a danger to children playing in the area. The area is already full of traffic with Bowness and Kendal Road having cars parked on both sides of the road.
- Seems to be little space for car parking and bin storage.
- Loss of privacy with the flats overlooking them.
- Loss of light and breeze from height of the buildings.
- Loss of view of the railway.
- The space provides a welcome patch of green that will be lost. Most neighbouring houses do not have gardens or trees so it is an important space softening the appearance of the area.
- There are plans to improve the Gorse Hill area, which this is against, including more tree and vegetation planting.
- The land has become a hive of activity for wildlife.
- The green space's significance as a potential defence against flooding should be assessed.
- Development is out of character and scale with existing mostly two storey housing. The development would be overbearing and an eyesore, 'hemming-in' residents.
- There is unfinished and unoccupied development on Marland Way, which would suggest there is no demand for more housing in this area.

- The residents would have noise and vibrations from frequent trains.
- Amenities in the area are stretched; local primary schools do not have enough places.
- Already have problems with fly-tipping, parking and young people congregating in the alleys and this will make it worse.
- It will back on to the train line and industrial area, which will allow burglars and vandals to access the new builds, which in turn will have a knock on affect for the existing housing.
- The area would be better suited for community activity.
- The application has not addressed the five reasons for refusal on the last application.

Prior to the submission of amended plans a letter of objection has also been received from Councillor Cordingley, who raises the following concerns: -

- The land is currently a band of scrub that is an important piece of greenery for the community. The terraced houses bordering this space tend not to have gardens and this small piece of green is vital amenity.
- In recent months Community Volunteers from 'Love Gorse Hill' and the Stretford Wombles take part in litter picks of this area and the future looks really positive for this land.
- The site is part of a wildlife corridor, particularly for birds.
- The development is inappropriate, will dominate the street scene as it will be much taller than the houses. It will take away natural light from the street.
- Station Road is a vital cycle route through to Gorse Hill, recognised in Trafford's cycle strategy, the development will have a detrimental effect on this cycleway as access to the footpath will be compromised.
- The new homes will be too close to the railway.

Following the submission of amended plans a further 5 letters of objection have been received from neighbouring residents on Bowness Street, Kendal Road and Derwent Road, which raise the same concerns as detailed above, whilst also commenting: -

- The overall visual effect is cheap and uninspired.
- The new façade is more in keeping with the Stretford Marina development.
- The existing area has a traditional feel, which will be greatly compromised by the development.
- There are plenty of derelict shops on Moss Road which could be renovated into affordable housing.

A letter has also been received from Councillor Cordingley in regards to the amended plans which notes that the new designs are attractive, though his view that this small piece of green-space is a wildlife corridor and should not be development still remains.

## **OBSERVATIONS**

1. A meeting was held with the applicant in July 2015 to discuss concerns about the proposal. An extension of time to determine the application was agreed with the

applicant to allow them to reconsider the scheme. Amendments were received in August and October 2015, however these are relatively minor in regards to the scale, massing and layout of the proposal and are therefore considered to not address all of the issues raised.

## **PRINCIPLE OF PROPOSAL**

2. 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.
3. The application proposes the creation of fourteen residential apartments for the open market, with associated car parking, on greenfield land. Policy L1.7 of the Trafford Core Strategy states that an indicative 80% target of new housing provision is to use brownfield land and buildings. It states that to achieve this, the Council will release previously developed land and sustainable urban area greenfield land, with first priority given to land within the Regional Centre and Inner Areas. The applicant has submitted a supporting statement detailing that the proposal is compliant with Policy L1 as it is within the inner area and so is within the area to be considered as a first priority for greenfield release.
4. The application site is allocated as a Wildlife Corridor within the Proposals Map and therefore the proposal would result in the loss of part of the wildlife corridor. The applicant has submitted a Habitat Survey and Ecological Impact Assessment, in accordance with Policy R2 of the Core Strategy. The submitted information identifies the site to be of low ecological value and that any effects on the wildlife corridor could be mitigated through the creation of high quality landscaping adjacent to the boundary of the development with the remaining area of wildlife corridor. It is therefore considered that the loss of part of the wildlife corridor is acceptable in principle, subject to the implementation of enhanced landscaping adjacent to the northern boundary.
5. Concerns raised by neighbouring residents and Councillor Cordingley in regards to the loss of open space are noted. However, the application site is not designated as an area of protected open space with the Proposals Map and therefore the principle of development within the site is considered acceptable. It

is noted that an area of open space would be retained to the east of the site, which could be enhanced with further tree and shrub planting.

6. The proposed scheme is located within a moderate market location and would therefore be expected to contribute 1.4 affordable dwellings (10% of the overall development quantum) to contribute towards the need for affordable housing need in the Stretford area. The applicant has submitted a development appraisal which concludes that no affordable housing can be provided. This is considered further below.
7. The principle of residential development on the site is therefore considered acceptable in accordance with the NPPF and the Trafford Core Strategy (Policy L2) and there is no land use policy objection to the proposal.

## LAYOUT, SCALE AND STREET SCENE

8. The NPPF attaches “*great importance to the design of the built environment*” and indicates that, “*good design is a key aspect of sustainable development.*” 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.*” Core Strategy policy L7 reiterates these policy guidelines and states that high quality design is, “*a key element in making places better and delivering environmentally sustainable developments.*” The policy provides policy guidance in respect of design quality, functionality, amenity, security and accessibility.
9. The proposed development takes the form of two main buildings, one comprising of eight apartments (Block 1) and the other comprising of six apartments (Block 2). Smaller single storey buildings are also proposed to provide bin and cycle storage. The proposal is outline and consent is sought for access, layout and scale. Although indicative elevations have been submitted, the detailed design of the scheme is a reserved matter.
10. The main apartment blocks would be part three storey, part two storey in height and have a maximum ridge height of 9.386m. The buildings would sit approximately 1.23m higher than the neighbouring two storey terraced properties situated on Derwent Road, Bowness Street and Kendal Road. A minimum distance of 12m would lie between the proposed apartment buildings and neighbouring properties. Block 1 would be situated at the head of Bowness Street and therefore views of the development, within the context of surrounding properties would be clearly visible from many vistas. It is considered that the proposed buildings, by reason of their height and layout would appear unduly prominent and visually intrusive within the existing street scene and would therefore have a detrimental impact on the visual appearance and character of the street scene and the surrounding area and would fail to take the opportunities available for improving the character and quality of the area.

11. The application site is a linear piece of land with a maximum depth of approximately 13m. The proposed two apartment blocks would be situated 33m apart. Across this distance two refuse bin stores, a cycle store and 8 car parking spaces would be provided. To the west of Block 1 an area of hard-standing 34m in length would also be created to accommodate a further 13 car parking spaces and second small cycle store. A distance of 0.5m increasing to 1.5m would lie to the front of the proposed apartment blocks and the boundary of the site with the public footway. Very little soft landscaping relief would be provided to the front and sides of the apartment buildings and within the car parking areas, which in turn would also fail to adequately define public and private spaces. There would also be no scope to adequately screen the parking areas with landscaping along the Station Road boundary. There would also be very limited opportunities for additional landscaping to the rear northern boundary of the site, which is needed to help mitigate the loss of part of the wildlife corridor. It is therefore considered that the proposed layout would result in large areas of hard-standing and built form and a cramped form of development that would result in an unsympathetic addition to the existing street scene and have an adverse impact on the character of the surrounding area.
12. Whilst consent is not sought for design, the elevational drawings submitted for illustrative purposes, alongside the submitted floor plans, suggest that due to the proposed location of Block 1, to prevent overlooking and an undue loss of privacy to the property and rear garden of No.2 Bowness Street, the two storey element of this block, which measures 9.2m in length would have to fully comprise of obscure glazed windows. The applicant also proposed a further design solution of triangular bay windows to also overcome overlooking of neighbouring properties, though it is viewed that such a feature may not provide attractive front elevations. It is considered that such a high level of obscure glazing and cramped triangular bay windows on the front elevation of Block 1 would not be in keeping with the existing street scene or the character of the surrounding area and further indicates that the site is too small to accommodate a development of this scale in this location and as such the proposal would result in a cramped form of development.

## **RESIDENTIAL AMENITY**

13. Directly to the north of the site is the Manchester-Liverpool railway line, which is raised above the ground level of Station Road. As such the applicant has submitted a Noise and Vibration Assessment. The Council's Pollution and Licensing Team have confirmed that the submitted evidence is considered acceptable and that external noise break-in can be controlled to a satisfactory level subject to the implementation of a noise control scheme. It is therefore considered that the proximity of the proposed development to the adjacent railway line is acceptable and would not result in an undue level of noise and disturbance to future occupants of the proposed apartments.



14. The application seeks consent for layout. The proposal would result in a brick built bin store with an eaves height of 2.2m and a ridge height of 3.7m being located 1m away from a ground floor bed room window on the east elevation of Block 1, which would block all views of this habitable room window. Two car parking spaces are also proposed to be situated 0.4m away from the only clear glazed lounge window of the same ground floor apartment. It is considered that this would provide a poor level of amenity for the occupants of this apartment by reason of poor outlook and the potential for noise, odour and disturbance.
15. The application also proposes the creation of an area of open space, approximately 444m<sup>2</sup> in size to the east of the site that could be used by the residents. The Council's guidelines for new residential development advises that 18m<sup>2</sup> of adequately screened communal area per apartment is acceptable, which would equate to 252m<sup>2</sup> for the proposed apartments. It is therefore considered that an acceptable level of amenity space would be provided for future residents of the proposed development.
16. In terms of the amenity of adjacent occupants, Council guidelines for new residential development require 10.5m to be retained between habitable room windows and the private gardens of neighbouring properties, a distance increased by 3m per additional storey above first floor and in this case 13.5m. The applicant has submitted a cross section which shows that the main ridge of the proposed apartment blocks would be situated 1.23m higher than the neighbouring terraced properties. A minimum distance of 12m would lie between the two storey section of Block 1 and the side elevation of No.2 Bowness Street. A minimum distance of 12.5m would lie between the three storey section of Block 1 and the side elevation of No.1 Bowness Street. Although these distances are less than the 13.5m recommended within the Council's guidelines, these distances would be across a vehicular highway and the windows on the front elevation of the two storey section part of Block 1 and some of the windows within the three storey section also are proposed to be obscure glazed. It is also noted that there are no principal habitable room windows on the side of No.'s 1 and 2 Bowness Street. A minimum distance of 22m would lie between Block 2 and the side elevation of No.6 Kendal Road. There are no windows on the side elevation of No.6. It is therefore considered that the proposal would not result in an undue loss of privacy to the neighbouring residents.
17. The proposed site coverage and lack of potential landscaping to provide screening would result in a general loss of green space which would have an adverse impact on living conditions of residents already living in a very built up area. As such, it is considered that the proposal is contrary to Policies L1 and L7 of the Core Strategy, Planning Guidelines: New Residential Development and the NPPF.

## **HIGHWAYS AND PARKING**

18. The Council's car parking standards require a total of 25 car parking spaces to be provided to serve the proposed development. The application proposes the provision of 21 car parking spaces, equating to 1.5 spaces per apartment, which is a shortfall of only 3 spaces. Concerns raised by neighbouring residents regarding parking pressures for on-street car parking within the surrounding area are noted. However, the LHA have confirmed that in this location they consider that the proposed car parking provision is acceptable. It is noted that the site is close to Trafford Park train station which provides services between Manchester and Warrington as well as Davyhulme Road and the A56 which are served well by frequent bus services. The application also includes the provision of two cycle stores which would accommodate a total of 15 bicycles. It is therefore considered that a shortfall of 3 car parking spaces would not be a justified reason for refusal in this instance.
19. The LHA have noted that the proposed parking layout is quite tight, though consider that it is useable. It is noted that the vehicle access/egresses to the site are just short of the 4.5m width required to allow for simultaneous access and egress, though it is considered that this can be addressed and will be reported further in the additional information report.

## **CRIME AND SECURITY**

20. A Crime Impact Statement has not been submitted with the application and the Greater Manchester Police Design for Security team have raised an objection to the application, advising that they consider that there is insufficient evidence to suggest that the proposed development has been designed with security in mind. Concerns raised by the Police in regards to a lack of natural surveillance have been partly addressed through the inclusion of windows on east and west gable elevations of the apartment blocks, however the Police have advised that they do not consider that this is sufficient for this development to address the security of the car and cycle parking. The Police further advise that what natural surveillance is provided would also be reduced at night when residents are inclined to draw their curtains, which is the time when offenders often prefer to operate.
21. It is also noted that the location of the proposed cycle and bin stores between the two blocks interfere with many sight lines from the north-east elevation of Block 1 and the south-western elevation of Block 2. The LHA and Greater Manchester Police Design for Security have both raised concerns regarding the location and remoteness of the proposed cycle stores, particularly the smaller store located to the west of the site. If residents are not confident in the security of such stores, particularly the cycle stores, they are less likely to be used.

22. The applicant has also provided only limited information regarding the boundary treatment. The Police have advised that the demarcation of a development by a hierarchy of appropriate boundary treatments helps to create a differentiation between public and private space and that the inclusion of appropriate boundaries usually leads to better maintenance and helps to create a sense of ownership for occupiers of the properties as well as restricting unauthorised access into secluded and more private areas within a development. It is recognised that this application is seeking outline consent with landscaping a reserved matter and that full details of boundary treatment can be dealt with by condition, however the application is seeking consent for layout and boundary treatment is important in providing a secure development and it is considered that the applicant has failed to demonstrate that the proposed development would provide an acceptable level of security for the residents of the proposed development.

## **ECOLOGY AND TREES**

23. The application is well wooded with mature volunteer or self-seeded trees, predominantly Sycamore and Goat Willow. There is also a shrub layer of Bramble throughout the site. None of the trees within the site are protected by a Tree Preservation Order.

24. The proposed development would result in the loss of some existing mature trees within the site and the clearance of an area of vegetation and scrubland. The Greater Manchester Ecology Unit (GMEU) has raised no objections to the application on nature conservation grounds. GMEU also advised that should the development be granted planning permission that no vegetation clearance should take place between March to July inclusively (which is the optimum period for bird nesting), in accordance with the terms of the Wildlife and Countryside Act 1981, where it is an offence to harm nesting birds, their eggs and young.

25. It is recognised that although totally unmanaged, the existing trees collectively contribute to the local landscape and do have some amenity value. As already discussed, it is considered that due to the narrow width of the site and the proposed scale and layout of the development, very little mitigating planting could be provided within the site following the loss of the existing trees and shrubs.

## **DEVELOPER CONTRIBUTIONS**

26. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'cold zone' for residential development, consequently 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).

27. However developments that provide affordable housing can apply for relief from paying CIL on those affordable units. Subject to the relevant criteria being met,

relief from paying CIL can be granted and there the CIL payments will be reduced according.

28. The Revised Trafford Supplementary Planning Document 1 (SPD1) – Planning Obligations requires the provision of 1.4 affordable units, which could either be provided on site or through a financial contribution secured through a S106 Legal Agreement. The applicants state that the affordable housing contribution would render the proposed development unviable and have submitted a viability assessment. The viability assessment is currently being considered by the Council and a further update regarding this will be provided within the Additional Information Report.

**RECOMMENDATION: REFUSE**

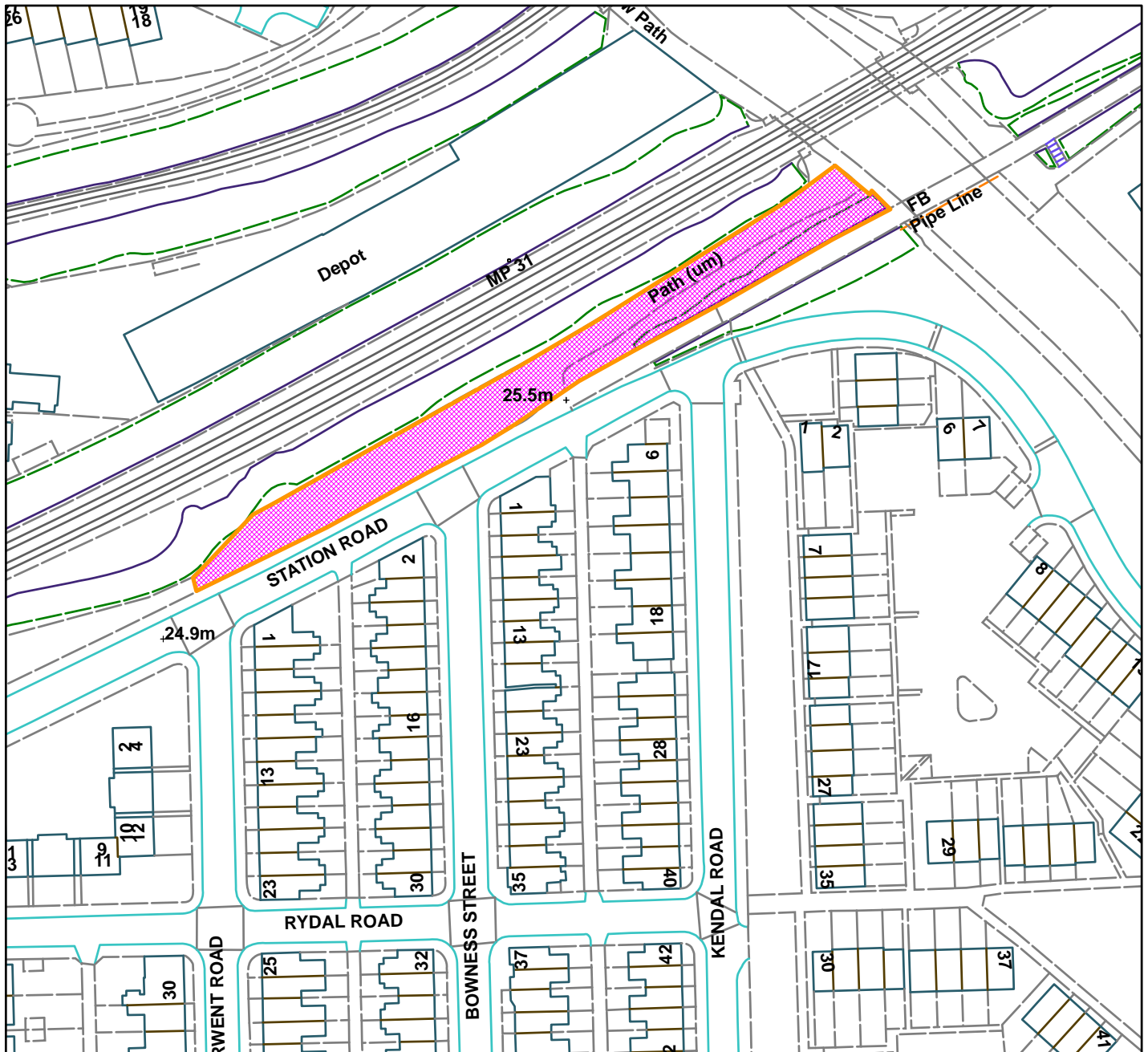
1. The proposal, by reason of its scale, height, massing and layout, including its close proximity to the footway, high levels of obscure glazing to the front elevation and areas of hard-standing and lack of opportunity for landscaping, would result in a cramped, visually harmful and over dominant form of development that would be out of character with the surrounding area and would fail to enhance the character and appearance of the area and the street scene and result in a poor level of amenity for future occupants. As such, the proposal would be contrary to Policies L1 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.
2. The applicant has failed to demonstrate that the site layout and perimeter design would adequately address crime, disorder and community safety issues (including providing adequate natural surveillance) to the detriment of the safety of future occupants and existing adjoining occupants. The proposal is contrary to Policies L4 and L7 of the Trafford Core Strategy, the Council's adopted Planning Guidelines: New Residential Development and the National Planning Policy Framework.

VW

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Land to the North of Station Road, Stretford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Hale Central

**85302/FUL/15**

**DEPARTURE: No**

**Increase to existing external 'beer garden' area to include provision of artificial grass and stone paving, erection of parasol with LED lighting and heating under canopy and associated works thereto.**

King George, Moss Lane, Hale, WA15 8BA

**APPLICANT:** J W Lees (Brewers) Ltd

**AGENT:** Mr Lodge

**RECOMMENDATION: GRANT**

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## **SITE**

The application site relates to the King George public house located on the east side of Moss Lane at the junction with Orchard Drive. The site is located adjacent to residential properties beyond the east, south and west sides of the site with allotments and a garage and car sales business located to the north/north-east side of the site.

The site has a vehicular access from Moss Lane with parking provision located mainly to the north side of the site with a number of parking spaces located adjacent to the Moss Lane boundary, in total there are 29 parking spaces and 4 accessible parking spaces on site.

The site has an external covered smoking shelter at the front of the premises located close to the southern boundary with Orchard Drive; an external dining/drinking area with approximately 21 'picnic style' tables is located along the boundary with Orchard Drive up to the Moss lane boundary.

## **PROPOSAL**

This application proposes an extension to the external beer garden area which would result in the loss of 2 parking spaces and one accessible parking space to the front of the premises. The new beer garden area would have 15 high level tables each seating four people; a new parasol measuring approximately 4m in height with an opening span of approximately 4m x 4m would be located centrally within the beer garden area; the parasol would have a cream covered canvas fabric and would have LED lighting and heating beneath.

It is also proposed to lay artificial turf to the new extended beer garden area; this would cover an area of approximately 8.5m 12.5m. These works are part of a programme of refurbishment works being undertaken at other Lees Brewers owned pubs

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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

### **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**

H/70528 – Erection of detached canopy structure to cover outside seating area; alterations to car-park layout; alterations to front boundary and vehicular entrances; provision of soft landscaping and erection of acoustic fence – Approved 16/4/2009

H/55122 – Erection of a free standing beacon feature – Approved 18/02/2003

H/55121 – Extensions and alterations to public house including new gate posts with railings sat on existing wall, erection of a ‘cold room’ and installation of patio doors to side elevation – Refused 20/03/2003.

## **CONSULTATIONS**

**Local Highway Authority (LHA)** - The LHA would not object to this application provided a minimum number of 26 general car parking spaces and 3 disabled spaces are provided and the proposed cycle parking relocated within the site.

**Pollution Housing & Licensing (Noise)** – No objections, subject to the following conditions being attached to any grant of planning permission:-

- The beer garden should not be used beyond 9pm on any day.
- There shall be no external speakers or amplified sound in the beer garden/external areas of the public house.

**Greater Manchester Police (Design for Security)** – No objections to the proposals – it is recommended that consideration be given to conditions restricting the hours of amplified music/television use and controlling the hours of use to reduce the potential impact of noise/disturbance for local residents. If the opening hours of the public house were to extend in the future we would not support use of the beer garden past the current opening hours.

## **REPRESENTATIONS**

**Neighbours:-** Eight letters of objection have been received citing the following areas of concern:-

- There is an existing problem with noise outside the public house, the smoking shelter has TV's and music speakers, the proposed heated parasol cover will increase the problem as will the extended area.
- Noise from patrons can be heard at midnight, doors left open exacerbate this.
- Previous smoking shelter had a condition on for an acoustic fence along Orchard Drive, could this be required as part of this application extending down to Moss Lane, television should be conditioned to be turned down.
- Debris from the pub is often left outside the grounds of the pub and within it.
- The use of a heating system under the canopy could be a fire risk.
- The use of artificial grass as compared with natural grass does not have the same natural appearance.
- Existing lighting from the public house is often bright and disturbs sleep.
- Parking on site can be a problem especially when Altrincham play at home and people park along Moss Lane (restricting public buses trying to pass), loss of parking on the site will exacerbate this.
- No reason to justify increase in beer garden.



- The majority of those using the pub are not locals and have no commitment to residents well being.
- Since the current landlord took over in July 2014 the noise from the pub has increased.

## **OBSERVATIONS**

### IMPACT ON RESIDENTIAL AMENITY

1. The proposed extended area of the beer garden would occupy an area immediately to the front of the premises up to the boundary with Moss Lane. As stated this would result in the loss of three car-parking spaces and a tarmaced turning area for cars accessing these parking spaces.
2. Following the approval of the 'smoking shelter' structure in 2009 (Ref: H/705280), it would appear that the existing area used as a beer garden area which extends along the Orchard Drive side of the site down to Moss Lane began to be used for that purpose; despite being indicated on the approved plans as an area which was an unlicensed landscaped garden. During the planning officer's visit to site approximately 21 'picnic style' tables were counted within this beer garden area none of which were permanently affixed to the ground. As part of that previous approval an acoustic fence was approved to extend part way along the Orchard Drive boundary and to then return within the site, the fence has only been erected along the Orchard Drive boundary.
3. Based on the planning history of the site it would appear that the use of the external area is not restricted by any hours of use condition. Under the provisions of the existing licence, the sale of alcohol for consumption on and off the premises restricted to Monday – Wednesday 1000hrs – 2400hrs, Thursday – Saturday 1000hrs – 0100hrs and Sunday 1100hrs – 2400hrs. This also applies to the existing canopy covered area.
4. During the site visit by the planning officer it was also observed that two flat screen TVs are attached to the external wall of the pub and covered by the smoking shelter canopy, a music speaker was also observed. It is evident from the neighbours representations that noise from the external TVs and the speakers has been an issue, which has been exacerbated by the unlimited use of external areas in the evening.
5. The provision of a beer garden facility is a common feature of public houses and a popular facility particularly during the summer months. The proposal under consideration would result in an intensification of this existing facility. Nevertheless, it is considered that the use of the proposed beer garden could be supported subject to a number of restrictive conditions to mitigate against any potential disamenity to nearby residents.

6. Following discussions with the Pollution and Licensing team it is considered appropriate to restrict the use of the beer garden so it can't be used after 2100hrs on any day. This condition can be worded to ensure that smokers can still use the dedicated smoking shelter after 2100hrs but that no food or drink should be taken outside the premises after that time. It is also considered that it would be appropriate to prevent amplified music/televisions and the like, this would still allow TVs to be used but with no sound.
7. Restricting the number of people using an external drinking/dining area would be difficult to monitor and enforce. The proposal suggests 15 new tables to be located within the new beer garden area, combined with the existing external tables (approximately 21) this would result in approximately 36 external tables. Each table can accommodate approximately four people so upwards of 144 people could be seated outside at any one time. Whilst full capacity at this level is unlikely to be a regular occurrence, it is considered appropriate to limit the number of external tables in the beer garden area at any one time to 21, whilst this would not control the number of people standing in this area it does give some level of control over numbers using the area. Together with the restriction on times of use, it is considered that this would be sufficient to ensure no undue harm to residents' amenities.

## IMPACT ON STREETSCENE

8. The physical works to enlarge the external dining area involve the laying of artificial turf around the seating and parasol. This type of surface is more durable than natural grass. The Moss Lane boundary includes a low level wall approximately 0.5m high with some low level soft landscaping within the application site side of the boundary, these combined screen the ground finish within the site, therefore the new artificial turf will not be fully visible when viewed passing along Moss Lane. It is appropriate, therefore, to include a landscaping condition to ensure that landscaping is retained along the front behind the existing wall.
9. The new parasol and external furniture (timber stools and tables) are features commonly associated with external dining areas and would not be inappropriate in this location. The suggested condition to limit the number of external tables with regards residential amenity reasons would also reduce excessive clutter of tables within the site; currently the external 'picnic style' tables are scattered across the beer garden area in no specific order, reducing the total number of tables will ensure an appropriate amount of external furniture is located within the beer garden area which is a highly visible part of the application site.

## PARKING

10. The application as submitted suggested that there would be an overall reduction of two spaces, following the planning officers visit to site it was apparent that the

existing layout plan did not reflect the parking provision on site. Following the submission of revised plans the plans have been amended to reflect the existing layout on site (29 car parking spaces and 4 accessible parking spaces); the proposal now includes 26 car parking spaces and 3 accessible spaces including cycle parking provision for 5 cycles. This level of parking provision is supported by the LHA.

## DEVELOPER CONTRIBUTIONS

11. No planning obligations are required as a result of this proposal.

## CONCLUSION

12. The proposed extended beer garden area is considered to be an appropriate proposal subject to a number of conditions as indicated within this report, to ensure that sufficient controls are in place to prevent any adverse impact on residential amenity occurring. The works are also considered appropriate with regards the streetscene.

## **RECOMMENDATION: GRANT subject to the following conditions:-**

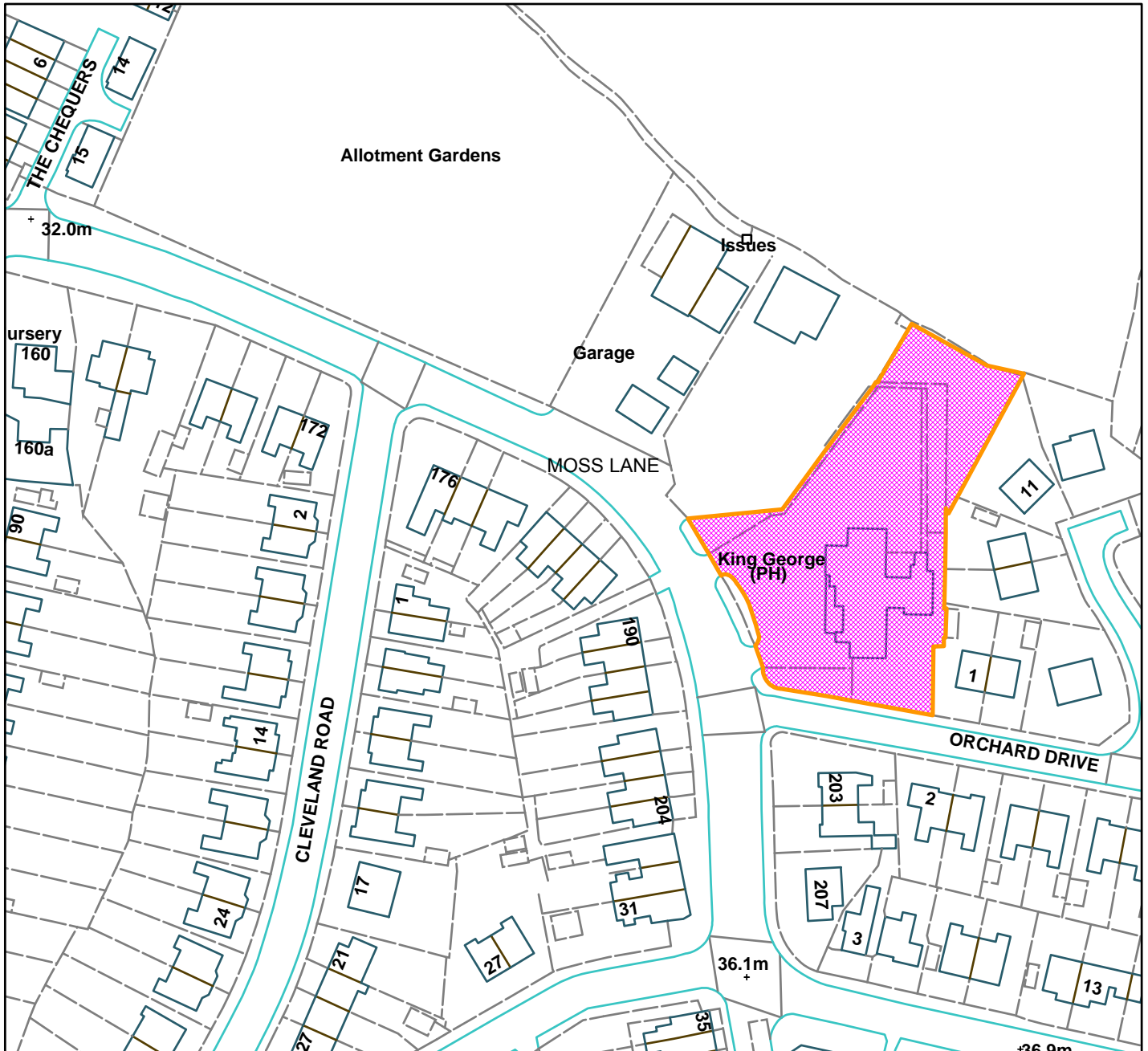
1. Standard
2. Approved Plans
3. Landscaping
4. There shall be no use of the beer garden before 1100 hours or after 2100hrs Monday to Sunday (existing smoking shelter only can be used outside these hours for its required purpose and no food or drink shall be taken into the smoking shelter area before 1100 or after 2100 hours on any day)
5. No amplified music/television noise permitted to any external part of the site
6. Notwithstanding the details on the approved plans, prior to the development hereby approved commencing on site, a plan detailing a total of 21 external tables and associated seating within the beer garden area shall be submitted to and approved in writing by the Local Planning. Development shall be carried out in accordance with the approved details and thereafter retained.

CM

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King George, Moss Lane, Hale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Clifford

**85822/FUL/15**

**DEPARTURE:** No

**Erection of 11 storey building of 86 apartments and 10 storey building of 78 apartments with ground floor link, provision of car parking, access from Hulme Hall Road, new landscaping and refurbishment of footpath alongside Manchester Ship Canal/River Irwell.**

Development Site, Pomona Strand, Old Trafford

**APPLICANT:** Rowlinson and Peel Holdings Limited

**AGENT:** Nicol Thomas

**RECOMMENDATION: GRANT**

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## **SITE**

Pomona Island is located in the north eastern corner of Trafford, south west of the city centre and on land between the River Irwell/ Manchester Ship Canal to the north west side and the Metrolink and railway viaducts to the south east side. The Bridgewater Canal also extends alongside the south east side of the site.

The application site is situated at the north eastern end of Pomona Island, between the River Irwell/Manchester Ship Canal on one side and the Metrolink and railway viaducts on the other side. The site extends to approximately 1.12 hectares, inclusive of 0.77 ha of land on Pomona Island and a further 0.35 ha underneath the Metrolink and railway viaducts which are within the administrative area of Manchester City Council. The site is vacant and comprises predominantly vegetation (grassland with scattered shrub) and includes an access road extending from Pomona Strand to the south west up to the viaduct, an un-made footpath extending from this road up to Woden Street footbridge and a paved footpath alongside the river. The site is generally level although the land adjacent to the Irwell is lower and there is a steep bank at the north eastern end up to the viaduct and Woden Street footbridge. Access is gained via Pomona Strand to the south which is a private road extending from Trafford Road to the south west (currently closed to vehicles part way into the Pomona site) and there is pedestrian access both from this road and from the end of Hulme Hall Road. Cornbrook Road also extends into the Pomona site although a gate currently prevents access.

The site was formerly part of Pomona Docks, a set of five docks on the Manchester Ship Canal. Three of the former docks have since been infilled, one has been partly infilled and one remains (Dock 3). This application relates to land at the north eastern tip of the former docks. Historic maps confirm there were formerly buildings on the application site adjacent to the Ship Canal and also a railway line extending into the site from the docks. All of these former buildings and structures have since been cleared

from the site. Prior to construction of the docks Pomona was the site of the Pomona Gardens and Pomona Palace, located south west of the application site. The gardens were closed in the 1880's as a result of the land being acquired for the extension of the docks.

The surrounding area is mixed in terms of land use, although includes predominantly residential properties in the form of apartments. To the east and north east there is a relatively recent development of 5 apartment buildings of between 9 and 15 storeys (St George's Island). On the opposite side of the river there is a 5-6 storey block of apartments (Steele House). To the south east on the opposite side of the Bridgewater Canal and the viaducts, Mere House is an 8 storey apartment building part of a large complex on Ellesmere Street. To the south west on the opposite side of the Bridgewater Canal there is an operating scrap yard business. Cornbrook Metrolink station lies to the south west of the site and is accessed via Cornbrook Road.

Land to the south west on Pomona Island is vacant and predominantly comprises vegetation (grassland and shrub) with some areas of hard standing including Pomona Strand extending through the site. Planning permission was granted in 2007 for 5 apartment blocks (varying from 8 to 16 storeys) providing 546 apartments on land south west of the application site and this permission remains extant. Further south west there is an office building and car park.

## **PROPOSAL**

Permission is sought for the erection of an 11 storey building of 86 apartments and a 10 storey building of 78 apartments with ground floor link, provision of car parking (105 spaces) with access from Hulme Hall Road, new landscaping and refurbishment of the footpath alongside the Manchester Ship Canal/River Irwell.

The development is proposed to provide 80 x 1-bed apartments, 63 x 2-bed apartments and 21 x 3-bed apartments. The apartments would be available for rent as part of a Private Rental Scheme. The development includes a single storey link between the apartments and which would include an entrance lobby with reception and concierge service and a gymnasium, cycle store and plant room. Cycle storage would also be provided on the ground floor of block B and bin stores provided on the ground floor of both apartment buildings.

The proposed buildings would be positioned adjacent to the River Irwell and orientated facing the river, set back between 9.5m and 19m and extending for a width of 62.8m alongside the river. Areas of amenity space/landscaping are proposed to the north side of the building and a smaller area on the south west side. Materials of construction are proposed as cast concrete façades of brick and sandstone effect panels and powder coated grey aluminium window frames.

Approximately two-thirds of the proposed car parking (71 spaces) would be beneath the arches of the Metrolink and railway line viaducts and within the administrative area of

Manchester City Council. The remainder of the car parking is proposed adjacent to the viaduct between the proposed buildings and viaduct (28 spaces) and also in front of the entrance to the buildings (6 spaces). An application has been submitted to Manchester City Council for the proposed car parking beneath the arches. The access to the car park would be via Hulme Hall Road and through one of the arches in the viaduct (towards the Bridgewater Canal end). 120 cycle spaces are proposed; 60 spaces within the buildings and 60 spaces within the car park under the arches.

Amended plans and further information has been submitted in response to concerns raised over the quality of the design and materials originally proposed. The original submission proposed cast concrete facades in Portland and sandstone with sections of blue cladding and balconies. The apartments remain of concrete panel construction with the finish amended to brick slips and sandstone. The amended and additional plans also confirm window reveals and add panels below some of the windows and vertical posts to link the balconies. An amended landscaping scheme has also been submitted in response to concerns raised over the originally submitted proposals which in summary include details for tree planting, native hedge planting, other native planting and meadow/wildflower grassland within the site. The extent of the site has also been increased since the original submission, with the land adjacent to the river which is at a lower level than the main area of the site now forming part of the site.

The total floorspace of the proposed development would be approximately 10,907 m<sup>2</sup>.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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**

SL1 – Pomona Island  
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  
R1 – Historic Environment  
R2 – Natural Environment  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

### Relevant Place Objectives:

OTO8 - To maximise the potential of the Pomona Island to create sustainable development within the Regional Centre  
OTO13 - To maximise access to the River Irwell/Irwell River Park  
OTO16 - To reduce current deficiencies and issues of poor quality in open space provision and outdoor sports facilities  
OTO21 - To maximise opportunities for improving pedestrian and cycling facilities along the Bridgewater Canal

## **PROPOSALS MAP NOTATION**

Strategic Development Site  
Large Sites Released for Housing Development  
Priority Regeneration Area  
Mixed Use Development  
Wildlife Corridor (River Irwell and Bridgewater Canal)  
Protected Linear Open Land (small part of site adjacent to Bridgewater Canal)

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

TP2 – Pomona Strategic Development Area  
E13 – Strategic Development Sites  
H3 - Large Sites Released for Housing Development (HOU5 Land at Pomona)  
H10 - Priority Regeneration Area: Old Trafford  
ENV10 – Wildlife Corridors  
OSR6 - Protected Linear Open Land

## **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

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



## **OTHER RELEVANT DOCUMENTS**

Pomona Island Masterplan (2008)  
Cornbrook Hub Regeneration Framework (2014)  
Planning Guidance Irwell City Park (2008)

Note: The Pomona Island Masterplan was prepared on behalf of Peel Holdings and submitted as a requirement of a previous planning permission for apartments on Pomona Island (ref. H/58948). The Masterplan was not subject to public consultation and pre-dates adoption of the Core Strategy and the specific requirements of Policy SL1, therefore carries only limited weight in determination of this application.

## **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**

Applications affecting the application site:

**H41606** – Engineering works to prepare the site for future development comprising piled wall enclosing dock, extension of Cornbrook culvert, demolition of existing and construction of new Canal Bridge at Cornbrook Road, removal of concrete bases, construction of new road, provision of services and reclamation works.  
Approved 23/02/96

Land at the southern end of Pomona Island, south west of the application site:

**H/58948** - Erection of residential development comprising 5 blocks (varying from 8 to 16 storeys height) to provide 546 apartments with ancillary car parking, landscaping and amenity areas. Approved 04/05/07. This permission has technically been implemented (through the construction of a drainage channel), although the building of the apartment blocks has not yet commenced. This technical implementation means that the planning permission now exists in perpetuity.

Other applications on Pomona Island, south west of the application site:

**H/61188** - Change of use from ground floor B1 office use to D1 medical consultancy use (B1 office use remaining on other floors). 10 year lifespan sought. Approved 18/02/05

**H42269** - Building and engineering works associated with the alignment of Throstles Nest Lane bridge over the Manchester Ship Canal, with the diversion of the cycle and footways and the surface level car park for Adamson House to enable the construction of the Metrolink Tramway and the provision of a station stop. Approved 16/05/96

**H39494** – Change of use of dock to a marina and the erection of a building for boat sale and repairs. Approved 15/09/94

**H36228** - Demolition of buildings and erection of nine buildings to comprise themed attractions, restaurants, bars, two nightclubs, souvenir shops, a five storey 200 bedroom hotel, a 5,000 seat arena, administrative and customer reception buildings, a monorail, a rocket ship attraction, provision of ancillary car parking and landscaped areas and means of access from Throstle Nest Lane and Cornbrook Road. Approved 10/12/92

**H18094** - Erection of single storey extension to form office. Approved 08/06/83

**H18009** - Demolition of existing storage shed and erection of extension to factory for storage purposes. Approved 17/05/83

**H11456** - Use of land as a lorry trailer park including surfacing with tarmac, erection of a 6' 0" chain link fence and portakabin site office. Approved 10/03/80

**H02886** - Retain existing use as plant hire depot and use of vacant land as plant storage compound surrounded by an 8 foot security fence. Approved 12/02/76

**H02486** - Company name sign painted on roof, and letters on side wall. Refused 26/11/75

**H02268** - Proposed alterations and new offices. Approved 11/08/75

### **APPLICANT'S SUBMISSION**

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

- Design and Access Statement
- Heritage and Archaeological Statement
- Transport Assessment and Framework Travel Plan
- Ecological Assessment
- Flood Risk Assessment
- Phase I Geo-Environmental Site Assessment
- Crime Impact Statement
- Public Open Space Assessment
- Environmental Noise Survey and Assessment
- Environmental Noise Assessment
- Refuse Strategy Statement
- Air Quality Assessment
- Health Impact Assessment
- Inspection and Assessment in Relation to Bats
- Archaeological Desk-Based Assessment Report

The key points of the submitted reports are summarised as follows: -

- The development promotes urban development and regeneration which will improve the well-being of the community. In line with the Pomona Masterplan and surrounding framework the scheme starts off the regeneration of the area with future links and access to Pomona Island.
- The scheme promotes communities which are inclusive, healthy and crime free. The scheme provides family and single person housing within a secure setting.
- The development enhances the landscape and character of the area. The site has been laid out to provide the start of a dense housing provision as laid out in the Masterplan. It is intended that this will continue into the site and develop over the next few years, incorporating open space and green corridors.
- The development is sustainable and promotes green travel. The Travel Plan and Masterplan confirm that the site has good links to public transport. This will be further enhanced by other pedestrian, cycle and car sharing initiatives as the development progresses.
- The development provides a good mix of accommodation, including both family and single person accommodation.
- The architects have been working on the scheme for a number of years and the scheme has changed and evolved a number of times. Previous schemes explored the possibility of incorporating a more significant waterfront elevation, blocks at an angle to the waterfront, and a stepped approach, all of which were discounted for various reasons.

Layout, design and materials justification: -

- The layout and design of the site has been influenced by the natural features of the site and site constraints, both above and below the surface.
- The development follows the simple established lines of the predominant waterfront and allows views of this from every apartment. The position of the two blocks has been designed to present an attractive frontage to the Manchester Ship Canal, offering views to either end of the waterways and to minimise the impact of the railway element for acoustic and privacy reasons. The proposals tie in with the adjacent St George's Wharf development and also the indicative Pomona Island Masterplan produced by Peel Holdings.
- The majority of the car parking is hidden below the railway arches, which were previously overgrown with weeds or filled with rubble from fly tipping. Underground parking was considered, however the site investigation has revealed that the rock level is very shallow preventing excavation. Basement parking was also ruled out due to ground levels and the possibility of flooding.
- It is intended to link Phase 1 and Phase 5 (the previously approved scheme on Pomona) with a linear park and amenity spaces at various points along the Manchester Ship Canal and Bridgewater Canal.
- The amount of open space and amenity space has been maximised by hiding a large proportion of parking under the railway arches.
- Modern methods of construction are proposed to provide an efficient and cost effective build. This will ideally reduce build times and disturbance to residents and commuters.

- Concrete gives the building inherent fire protection and structural mass. The off-site method of concrete construction has been successfully used at nearby landmark properties including Malmaison, Liverpool (World Heritage Site) and Motel One, Manchester. Concrete panels can be cast with colour to resemble sandstone, or have bricks applied to resemble traditional or new brick walls. The design incorporates brickwork to the corner feature tower and sandstone coloured panels above three storeys.
- Tall buildings within the vicinity are varied and do not follow any particular style. The nearest tall buildings are the adjacent Dandara buildings which are up to 15 storeys tall, 4 and 5 storeys taller than the proposal.
- Images of local residential buildings are provided and a number of features highlighted, including use of red brick and contrast brick element as common in Manchester; use of balconies and corner elements common; and tall buildings with main façade to the waterfront.

## **CONSULTATIONS**

**LHA** – No objections. Comment that the trip generation forecast within the Transport Assessment is considered a reasonable assessment of the likely vehicle trips to and from the proposed development and the road network in the immediate vicinity of the site will satisfactorily accommodate volume of additional traffic. The provision of 105 car parking spaces is less than that required by the maximum standards, but given the accessibility of the site and the mix of the apartments which includes 80 no. 1 bedroom apartments the proposed parking provision of 105 spaces will be acceptable to the LHA. It would be preferable if the applicant provided more cycle parking, although the current provision is acceptable to the LHA (these comments reflect 60 cycle spaces as originally indicated, however the number of spaces has since been confirmed as 120). Access for servicing and by emergency vehicles is adequate, as is circulation within the car park.

**Pollution and Licensing (Contaminated Land)** – The site is situated on brownfield land and a condition is recommended requiring a contaminated land Phase I report to assess the actual/potential contamination risks at the site. Should the report recommend that further investigations are required, an investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination. Should the Phase II investigations indicate that remediation is necessary, a detailed remediation scheme must be prepared and submitted for approval.

**Pollution and Licensing (Nuisance)** – In relation to road and rail/tram noise note the report confirms that substantial mitigation (acoustic glazing) is required to ensure that acceptable internal noise levels can be achieved. The developer should submit a glazing scheme to show compliance with the report's mitigation recommendations for approval. In addition, a ventilation scheme to ensure adequate ventilation can be provided without opening any windows.

In relation to the scrap yard note this operation includes machinery moving scrap behind a large stack of crushed vehicles along the yard boundary that acts as a partial sound barrier. Comments are needed on what additional impact there would be if this stacked material was removed and whether upper floors having a clearer line of sight into the yard would be more exposed to noise.

With regards external lighting, light intrusion into windows data is required.

The above issues are still being considered by the applicant and an update will be included in the Additional Information Report.

It is recommended that a condition be attached requesting submission of a Dust Management Plan for approval prior to the commencement of works.

**Lead Local Flood Authority** – 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. 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.

**Environment Agency** – No objection in principle to the proposed development, subject to the following conditions: -

- Remediation strategy to deal with the risks associated with contamination of the site to be submitted and approved. The strategy to include a site investigation scheme, options appraisal and full details of the remediation measures and verification plan.
- Verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation to be submitted and approved. The report to include results of sampling and monitoring.
- No infiltration of surface water drainage into contaminated ground is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
- Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Further comments are summarised in the Observations section of this report.

**United Utilities** – No objection subject to the following condition: -

- This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the nearby

watercourse as stated on the planning application to meet the requirements of the NPPF (PPS1 (22) and PPS25 (F8)) and part H3 of the Building Regulations.

In accordance with the NPPF and Building Regulations, the site should be drained on a separate system with foul draining to the public sewer and surface water draining in the most sustainable way. The developer should consider the drainage options in the following order of priority: a) an adequate soak away or some other adequate infiltration system; or, where that is not reasonably practicable b) a watercourse; or where that is not reasonably practicable c) a sewer.

**Greater Manchester Ecology Unit** – No objection on ecological grounds. Comments are incorporated within the ecology and landscaping sections of the report below. The Ecology Unit confirm the Ecological Assessment submitted in support of the application has been undertaken by suitably qualified consultants but is rather limited in scope.

With regards to the ecological value of the site, they comment that the site is not designated for its nature conservation value and is not adjacent to statutorily designated sites. The site is an area of undeveloped greenspace supporting unimproved but rather species-poor grassland and ruderal vegetation. Scrub growth has been controlled through cutting but scrub is still evident. Further comments on the ecological value of the site are incorporated in the Observations section of the report.

The potential of the site to support significant populations of any specially protected species is generally low, although bats forage along the adjacent River and the Canal and will likely use the site itself for occasional feeding. The results of the bat survey reports submitted for the arches, that they are unlikely to support roosting bats, are accepted.

If approval is granted for the development they recommend the following conditions: –

- Detailed Landscape Plan to be submitted for approval which should properly reflect the context of the site, acknowledge the wildlife corridor and reference the wider landscape plans for the Pomona site. To include soft landscape details.
- Efforts will need to be made to eradicate Japanese knotweed and Giant Hogweed recorded on or close to the application site.
- No vegetation clearance should be undertaken during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.

**Greater Manchester Archaeological Advisory Service** – Advised that the Heritage and Archaeological Statement originally submitted did not address the requirements of the NPPF and was not sufficient. The Centre for Applied Archaeology, University of Salford has since been commissioned to do the assessment and this is summarised in the Observations section of this report. Any further comments from GMAAS will be included in the Additional Information Report.

**Greater Manchester Police (Design for Security)** – No comments received at time of preparing this report. The application does however, include a Crime Impact Statement prepared by GMP and this is summarised in the Observations section of this report.

**Transport for Greater Manchester** – Given the proximity of the site to bus stops on Chester Road and Cornbrook Metrolink stop, future residents will have some access to a choice of travel mode which should help to reduce the amount of car travel otherwise generated by this development. There are also nearby services, amenities and employment opportunities available which will make walking and cycling genuine alternatives to travelling by car or public transport. TfGM would support the use of this site for high density residential development as this will help to maximise the use of a site which has the potential to be very accessibility by sustainable modes.

They raise no objections subject to the following conditions: -

- Noise assessment, including ambient and expected noise levels, to be undertaken and a scheme of mitigation to be submitted and approved.
- Construction Management Plan to be submitted and approved with detailed method statements as to construction, details as to the design and position of any proposed cranes to be used on the site, a detailed programme of the works and all necessary risk assessments.

TfGM also advise that a pedestrian footbridge over the Bridgewater Canal in this location would improve links between the site and Cornbrook Metrolink stop. They originally recommended that the applicant should make a contribution towards a footbridge, although they have since withdrawn this recommendation. Further comments are summarised in the Observations section of this report.

**Network Rail** – Comments made to ensure that works do not impact upon the safety, performance, integrity or operation of the railway and its infrastructure.

**Greater Manchester Fire and Rescue Authority** – The proposal should meet the requirements for Fire Service access. The applicant has been advised of these requirements.

**Waste Management** – Comments summarised in the Observations section of this report. The issues raised can be dealt with by condition.

**Manchester Ship Canal Company** - No comments received

**Manchester City Council** – No comments received

**Salford City Council** – No comments received

**Director of Public Health** – No comments received

**Head of Education** – No comments received

**Sustainability and Greenspaces** – No comments received

**Housing Strategy** - No comments received

## **REPRESENTATIONS**

**Neighbours** – 102 letters of objection and 2 letters with comments received to the originally submitted proposals and 19 further letters of objection received in response to being re-consulted on the amended plans. Comments summarised as follows. In addition, an online petition has been created which has 1,598 supporters (as at the time of preparing this report), although this has not actually been submitted to the Council.

### Design

- The design quality of the proposed buildings is poor. Other comments refer to the buildings as bland generic design/not distinctive, unimaginative, mediocre, low cost materials, ugly, dated, lacking ambition and that they replicate other bland apartment schemes. The buildings will weather and age badly. The proposals are inadequate in terms of Core Strategy aspirations for high quality development. Such a prime location and unique site should demand an inspiring development.
- The development is unsympathetic to the surroundings and incompatible with existing buildings which are of higher quality. The scheme fails to make reference to the surrounding context including the arc of the railway bridges. Surrounding buildings are generally brick and the proposed white buildings are not in keeping.
- Scale and height of the development are excessive for the site. Monolithic barrier at narrow entrance to the area.
- The design does not acknowledge the site's significance and does not take into account the heritage of the site or the natural environment.
- Over ground car parking limits the amount of green space and landscaping. Underground parking would benefit visually and allow for greater open space. St George's Island has successfully provided underground parking.
- Insufficient open space provided and proposals lack detail. The open space would predominantly be private resident's space and not accessible to the public. Proposal doesn't comply with open space requirement in the draft Land Allocations Plan.
- Landscape and public realm proposals are poor quality and inadequate and would not improve biodiversity and visual amenity in the area.
- Spoiling of natural or existing contours.
- A better balance of building and green space and nature is needed. At least some of the wildlife that has flourished should continue.
- The waterfront is not utilised and its potential is not realised. Negative impact on the Ship Canal for recreation and as an important landmark.
- The scheme will set a low standard for future development.
- The poor 3D visuals submitted suggest a low quality development.
- Lack of detail on proposed materials.
- Inadequate separation between the apartments and loss of privacy.



- Bottleneck of crime and antisocial behaviour as routes for traffic are not good enough and there are limited ways in and out.
- The buildings and landscaping should raise the profile of the area and attract more investment. The buildings won't do this and will lower the appeal of the area.
- The appearance will contrast with the regeneration plans for Cornbrook.
- Floor plans suggest the dwellings fall short of proposed national space standard.
- The development is contrary to Policies SL1, L7 and R1 of the Core Strategy.
- The amendments to the design are minor and do not address the concerns.

#### Loss of open space

- The site should be preserved as open/green space and valued as an asset for the community.
- Pomona is used by many residents and visitors for recreation, including dog walking, cycling, jogging and bird watching.
- Manchester is lacking in parks and green spaces. More green space in the city would make it a better place to live. Pomona is easily accessible for residents of Trafford, Manchester and Salford.
- Concern over the impact on plans for a new neighbourhood park.
- The development threatens a public right of way.
- Cycle routes and terrain will be lost.
- A higher development could allow more green space to be retained.

#### Impact on ecology and wildlife

- Loss of vital green space, trees, plants and flowers and habitat for a variety of birds and insects including butterflies. The site is of ecological importance. There are 33 types of rare flora / biologically important species including the bee orchid which is listed as rare in Greater Manchester.
- Grasslands of high ecological value will be damaged. The site is habitat in the category "Grasslands of high ecological value on areas of previously developed land" within the Greater Manchester Biodiversity Action Plan and included as a priority habitat for conservation.
- A report setting out a case for Site of Biological Importance status recommends Pomona Docks should be considered for selection as an SBI Grade B. A list of flora identifying over 150 species of flora on Pomona 33 of which are species on the SBI Flora List, Pomona Bird List and butterfly records document have been submitted, detailing species and numbers recorded on Pomona.
- Loss of habitat for migrating birds and nesting sites. The diversity of birds on Pomona is unique and includes rare birds. Birds, their eggs and habitat are protected by European legislation. Particular concern over impact on Sand Martin colony.
- Question if the ecological survey is adequate and whether a full biodiversity survey has been carried out.
- Specific surveys for Kingfisher and Little Ringed Plover should be carried out.

- Such a large green space and wildlife habitat close to the city centre is rare and should be retained for the benefit of all.
- Peel Holdings caused destruction to habitats and biodiversity on the site in 2014.
- The development is contrary to Policy R2 of the Core Strategy.

#### Heritage and Archaeology

- The site has an important historical legacy but the assessment does not mention the former Pomona Palace and pleasure gardens. The development is contrary to Policy R1 of the Core Strategy.
- No archaeological assessment or heritage assessment carried out by the applicant to assess the potential impact.

#### Traffic and parking

- More apartments will increase traffic and congestion.
- Hulme Hall Road is not suitable for increased traffic. Queues form at present at peak times due to the St George's Island development and Ellesmere Street is also frequently backed up.
- Parking for existing residents will become more difficult on local roads. There are existing problems in the St George's area due to inadequate parking provided in new developments.
- There are already two access roads that could be used and would not cause disruption to the area. The existing A56 - Cornbrook Road junction that serves Pomona Island would be a more suitable access and this is required for the potential further developments on Pomona.
- A pedestrian and cycle link under underneath the arches towards Hulme Hall Road and the Bridgewater Canal towpath should be encouraged.
- Failure to meet access and on-site turning standards.
- Given the high quality transport links, consideration should be given to car free development and encourage a community dedicated to not using cars.

#### Strategic issues

- Pomona needs a strategy and overall plan rather than piecemeal development. An outline application should be submitted followed by detailed applications for portions of the site.
- Insufficient detail as to how the development fits within a considered masterplan.
- The Pomona Masterplan is out of date and wasn't subject to public consultation.
- Three separate masterplans for the area is confusing and does not bode well for a strategic development of the area (Pomona, Ordsall and Cornbrook).
- The development doesn't comply with Policy SL1. Insufficient detail provided on the future phases that will deliver the commercial, amenity and landscape and employment requirements of SL1. Density of development and amount of open space don't comply with Policy SL1.
- Contrary to Trafford Core Strategy "by 2020 the Manchester City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener city region where the prosperity secured is

enjoyed by the many and not the few". The development will be on private land and private residential build.

- Employment and commercial opportunities are not addressed. The proposal will lead to only minimal employment benefits.
- Core Strategy Policy SL1 and Objective OTO8 seek to maximise the potential of Pomona Island to create sustainable development. This development will fail to do this and has much greater potential.
- Applicant's planning argument is based on the Draft Land Allocations Plan and not adopted policy in the Core Strategy.
- Development should be delayed to allow for research into better proposals while Devolution Manchester is being discussed. There is no rush to develop Pomona.
- Pomona allows Trafford, Salford and Castlefield to retain their identities.
- More variation in housing stock should be provided rather than more apartments.
- No affordable housing provided, which is desperately needed.
- Existing long term empty properties should be developed first.
- Poor quality housing will not solve the housing crisis and no-one will want to live in these flats after a few years.
- There are more suitable sites elsewhere which would have minimal effect on existing residents and wildlife e.g. closer to Pomona tram stop or largely disused industrial estate on the Salford side.

#### Impact on residential amenity

- Loss of existing views and imposing from neighbouring properties.
- Loss of privacy/overlooking of living areas in Steele House and Mere House.
- Loss of natural light to Steele House.
- Additional traffic will harm the quiet residential character of the area and damage property values.
- Noise nuisance and dust/dirt during construction.

#### Flooding and drainage

- Risk of flooding or creation of flood risk.
- Unacceptable amount of surface car parking.
- Public sewers could be inadequate.

#### Contamination

- Threat to the health of occupants through contamination from previous uses.

#### Other suggestions for the site

- More should be made of the potential for nature and public use rather than private apartments.
- The site should be developed as a park, nature reserve, community orchard, botanical gardens or community gardens. A park could link the city centre to the Quays and football ground.
- Other successful cities have more parks and gardens than Manchester and this is an opportunity to provide a new park for the city.

- Facilities for walking, cycling, running, etc. should be provided.
- Leisure / recreational use could promote better health.
- An Eden Project for the North could be built which interacts with nature, relates to the former botanical gardens on the site which will attract tourists.
- A landmark public use building could be built such as art gallery, theatre/concert venue/opera house/dance theatre, amusement park, aquatic centre or zoo.
- Imaginative green public spaces and a creative mix of leisure, commercial, live-work and residential spaces.
- Potential for outdoor music events, sporting events, family events, school trips, markets, food festivals, cafes, shops, etc. for the benefit of residents and which will bring tourists to the area.
- Sustainable eco-tourism with leisure cruises and eco lodges.
- Greater potential for waterside activities.
- Potential for outdoor music events, sporting events, family events, school trips, markets, food festivals, cafes, shops, etc. for the benefit of residents and which will bring tourists to the area.
- Parts of the site should be left in a wild state to demonstrate how derelict industrial areas can regenerate to become of great benefit to wildlife.
- Pomona is a once-in-a-lifetime opportunity and something unique should be built.

#### Lack of consultation

- No public consultation has been undertaken despite attempts by concerned parties to contact and have dialogue with Peel Holdings.
- This site is a Greater Manchester issue, not just a Trafford issue. There should be wider public consultation on how to develop the area, involving residents and workers of Trafford, Salford and Manchester.
- Insufficient time provided to comment on the application.

#### Positive comments

- Support new development in and around the city centre especially apartments as more people living in the city centre will regenerate it further and lead to benefits across Greater Manchester.
- No objection in principle / pleased to see the area developed but concerns over the design.

**Manchester Friends of the Earth** – The scheme is contrary to the Council's own policies and will have a wide range of detrimental impacts on green space, biodiversity, climate change mitigation, air quality and the environment within Trafford.

- The development will result in the loss of green space and impact on biodiversity, contrary to Policy S05, Greenspace Strategy and obligations under the Natural Environment and Rural Communities Act. The desk research does not make reference to the case for SBI status report submitted to GMEU in 2014. The report identifies two Schedule 1 bird species recorded on Pomona (Little ringed plover and Kingfisher); 10 UK Biodiversity Action Plan bird species recorded on Pomona (Skylark, Lapwing, Dunnock, Song Thrush, Bullfinch, Herring Gull,

House Sparrow, Starling, Linnet and Curlew) and 33 species of flora defined as SBI species have been recorded on Pomona.

- Flood risk / climate change adaptation - The site is a poor choice with regards to flood risk and the need to fully take into account climate change adaptation. The site is within an area subject to risk of flooding and a risk that is likely to increase. The Sustainability Assessment for Pomona identified that the proposed development would have negative impacts on climate change, air quality and the environment and the Core Strategy states that Pomona is not a preferred location for residential development. The application is contrary to DPD 1 and the Local Plan.
- They question whether the application would meet the requirements outlined in the Trafford Core Strategy. Whilst some of the requirements of Policy SL1 are described in the application, they urge the planning committee to assess whether the development meets all of the requirements.

**Councillor Cordingley** – Objects to the application as the design lacks the visual quality appropriate to the first phase of this strategic location. The quality of the design has almost universally been viewed negatively in the press and on social media. Communities are recognising that the quality of building design is an essential element of the planning function and this does not meet the quality standard that Trafford should require of this strategically important development.

**Councillor Taylor** – Objects to the development primarily on architectural grounds. The proposed development is of poor quality and is unimaginative and ugly. This area has significant historical, cultural and ecological significance. The need for housing and development is needed and supported however this is another nondescript, monotonous pair of apartment blocks which does not appear to acknowledge the unique heritage or properties of this site. There is poverty of ambition and vision here – Trafford and Pomona needs better than this. With an investor the size of Peel behind it, Trafford Council and the residents of Trafford have the right to demand better.

**Councillor Acton** – Objects to the application and comments as follows: -

- I support dwellings on this site, however the planning application for this first phase of development does not, in my view, fulfil the requirement for a sustainable acceptable development.
- While I totally understand the need for affordable housing in this area, I do not understand the disregard within this proposed development for the need for sustainable, green and high quality development.
- This does not have to be the case, there is a real opportunity to ensure this planning application is developed in a way that is sustainable, green and high quality. This is something that is seen elsewhere across some other areas of Trafford, Manchester and Salford, and this kind of development is a reality in many City areas across the Country and beyond.
- In any large development that will drastically alter the use, habitat or set up of land, we should be making sure that it has :-
  - Design to encourage and support biodiversity and nature.

- Development should be energy efficient.
- Development which ensures adequate open space provision.
- Design of the high rise flats should be tastefully developed, green in nature, environmentally friendly, and ensures open space for residents to enjoy, and at the same time protects, wherever possible, the wildlife that exists in this location.
- The design needs to ensure there is sufficient infrastructure within the site to meet the requirements of the people who will eventually reside on this site.
- There is a real danger that we end up with piece-meal developments on this site which will not be sustainable, that destroys existing habitat, and doesn't meet the needs of future residents. I therefore ask the planning committee to support the points I have raised.

**Councillor Baugh** - Supports the above comments made by Councillor Acton.

**Councillors Western and Hynes** – We are absolutely supportive of the need to develop this site for housing. It is a key site in the borough and one that has the capacity for a significant number of dwellings. Our concerns surround the detail of the current proposal, in terms of the sustainability, attractiveness and quality of the development. This site borders both Manchester and Salford and as such the visual impact of any development is critical. It should also be recognised that the site is an area of considerable ecological interest and therefore the need for environmentally friendly development should not be ignored. In any large development that will drastically alter the use, habitat or set up of land, we should be making sure that the following key elements are at the centre of any proposal:

- Design to encourage and support biodiversity and nature.
- Development should be energy efficient.
- Development which ensures adequate open space provision.
- Design of the high rise flats should be tastefully developed, green in nature, environmentally friendly, and ensures open space for residents to enjoy, and at the same time protects, wherever possible, the wildlife that exists in this location.
- The design needs to ensure there is sufficient infrastructure within the site to meet the requirements of the people who will eventually reside on this site.

We would contend that the existing proposal does not satisfy the above criteria. In particular we would submit that the developers could – very easily – have taken the opportunity to offer a more attractive set of plans and a vision for a development we could truly be proud of. As things stand, it is our contention that the development would have a detrimental impact on visual amenity within the area and it is our strong view therefore that the current proposals should be rejected in the hope that the applicant reconsiders the current design and architectural appearance of the development and returns with a more satisfactory set of proposals in the future.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. Pomona Island is a substantial area of previously developed land which has been vacant for over 20 years following its remediation. It is one of the largest vacant sites in the Regional Centre and has been identified as a significant opportunity for development. The area was first established as a redevelopment site at the time of the Trafford Park Development Corporation and was identified as such in the Trafford Unitary Development Plan. Its potential for redevelopment is continued in the adopted Trafford Core Strategy where it is designated a Strategic Location. Although the nature and mix of the proposed development has evolved over time, the principle of redevelopment has been established for some time on this brownfield site.

### Strategic Location

2. Pomona Island is identified in the Trafford Core Strategy under Policy SL1 as a Strategic Location and on Proposals Map in the Adopted Unitary Development Plan as a Strategic Development Site. Policy SL1 states that a new mixed-use commercial and residential district will be created to complement the offers of the city centre and Salford Quays / Mediacity:uk. It will be a new destination for business, residential and leisure combining significant commercial and recreational development for people living in the Location and for communities in the city centre and Old Trafford.

At SL1.2 the Policy states the Council considers that this Location can deliver:

- 10 Ha of employment activity;
- 800 residential units;
- New commercial leisure facilities, including an hotel;
- Small scale ancillary retail and bar/restaurant uses;
- Appropriate new community facilities to support those people using the development;
- A substantial new area of open space for informal recreation; and,
- New and improved pedestrian links.

The Reasoned Justification of the Policy further states Pomona is at Trafford's northern gateway, the redevelopment of this significant area of long-term vacant brown-field land for high quality mixed-use development offering scope for large-scale development including tall buildings, represents a major opportunity to assist with the regeneration of this part of the Regional Centre. It will increase public safety by introducing new levels of activity in the area and providing extensive opportunities for natural surveillance of paths and open space areas.

3. The Policy at SL1.5 sets out a number of specific requirements that will be required for development to be acceptable on Pomona Island. These are as follows and are addressed through subsequent sections of this report.
- A Flood Risk Assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and that it will where possible reduce flood risk overall;
  - An assessment of potential contamination must be carried out prior to development and any necessary remediation carried out in accordance with an agreed schedule;
  - The provision of suitable pedestrian and cycle links to and from the existing Metrolink stations at Cornbrook and Pomona, to key bus routes and to the wider Irwell River Park area;
  - The provision of a new informal recreation facility, centred around the canal basin;
  - Improvements to local highway network and public transport infrastructure;
  - A contribution towards the provision of a new 1-form primary school by 2021 to serve the new residential community in this and the surrounding area (including SL2 Trafford Wharfside and SL3 LCCC Quarter);
  - The provision of ancillary community facilities;
  - A contribution towards the provision of additional utility capacity, including the reinforcement of the local waste water treatment works;
  - Protect, preserve and enhance the grade II Brindley's Weir and its setting; and
  - An assessment of biodiversity must be carried out prior to development and appropriate sites for nature conservation must be provided to compensate for any loss.

Each of these requirements is considered in this report.

At SL1.6 the Policy states residential development in this Location will be largely apartments, appropriate to its Regional Centre Location. However, a proportion of the residential development should be suitable for families, either in terms of size or type, having regard to Policy L2.

In terms of phasing, the Policy refers to 350 residential units between 2011/12 – 2015/16 and 450 units between 2016/17 – 2020/21. To date planning permission has been granted for 546 apartments on Pomona Island and this permission remains extant.

#### Draft Land Allocations Plan

4. Subsequent to the adoption of the Core Strategy and further work in relation to flood risk issues, the first draft Land Allocations' Plan (LAP) considers that the site could accommodate some 1,100 residential units in addition to the other uses. The proposed increase from 800 to 1,100 units on Pomona Island, as explained in the justification to draft LAP Policy HO1, 'reflects the aspirations of the land owner and its location within the Regional Centre'. It is important to



recognise however, that the LAP is at a very early stage in its preparation and has been put on hold, pending the production of the Greater Manchester Strategic Framework, therefore the draft LAP has limited material weight in the determination of this application. It is considered that the numbers involved in the current proposal are reasonable in consideration of the broad policy context. This scheme represents only a proportion of the overall development and it will therefore be important to consider how the delivery of these units will relate to the overall site's development.

### Greenfield /Brownfield Land

5. NPPF states that planning should “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.*” Core Strategy Strategic Objective SO7 seeks to secure sustainable development through promoting the reuse of resources. The NPPF (Annex 2) defines previously developed land as, “*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes ...land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.*”
6. It is clear that as part of the former Pomona Docks, the site has previously been developed. Historic mapping confirms there were previously buildings and an access railway on parts of the site and there would have been hard standings associated with the former use. Furthermore the Core Strategy (adopted 2012) refers to Pomona Island as a significant area of long-term vacant *brownfield* land. Whilst there are no buildings or structures on the land (notwithstanding the viaducts which form part of the site), having regard to the above it is considered the site constitutes previously developed land. Notwithstanding the assessment of ‘previously-developed’ or ‘greenfield’, the designation as a Strategic Location for residential, employment and commercial development in the Core Strategy carries significant weight as adopted policy in a recently approved development plan.

### Proposed Residential Use

7. Policy L2 of the Core Strategy 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 be 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

8. 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. NPPF paragraph 47 identifies a clear policy objective to, "*boost significantly the supply of housing*". In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. Policy SL1.2 indicates that the Pomona Island Location can deliver 800 residential units, which will be phased across the plan period. Policy SL1.7 refers to 350 residential units between 2011/12 – 2015/16 and 450 units between 2016/17 – 2020/21. To date planning permission has been granted for 546 apartments on Pomona Island and this permission remains extant.
9. The Council have indicated that it does not, at present, have a five year supply of immediately available housing land, although this site is identified within Trafford's SHLAA (Strategic Housing Land Availability Assessment). The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of "*boost(ing) significantly the supply of housing.*" Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.
10. Core Strategy policy L2.6 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council's Housing Strategy and Housing Market Assessment. Although the site sits within the Regional Centre, Policy SL1 of the Trafford Core Strategy states that a residential development in this Location will largely consist of apartments, however a proportion of the residential development should be suitable for families.
11. The proposed development includes a mix of 80 x 1-bed apartments, 63 x 2-bed apartments and 21 x 3-bed apartments. It is considered that the mix of apartment sizes is appropriate given its Regional Centre location. The Trafford Core Strategy also recognises the appropriateness of apartment style development in the Regional Centre.
12. The proposed apartments have been designed for the private rental sector. It is considered that the provision of privately rented apartments on the site is acceptable. It is noted that the government supports a bigger and better private rented sector which is seen as a flexible form of tenure that meets a wide range of housing needs, contributes to greater labour market mobility, and is

increasingly the tenure of choice for young people. It is also noted that the Council cannot currently demonstrate a five year supply of land for new housing, as required by the NPPF, therefore the delivery of 164 dwellings would help to address this shortfall.

13. 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 the affordable housing target applied under normal market conditions is 5%. The supporting text of Policy L2 recognises that under ‘poor’ market conditions a 5% contribution could inhibit development and therefore applications for development in such locations will not trigger a requirement to make a contribution to affordable housing. The Council has recently published its Housing and Market Conditions Report (August 2015) which indicates that the housing market within Trafford currently operates under ‘poor’ market conditions, therefore in accordance with the above policy and guidance contained within Supplementary Planning Document 1 (Planning Obligations), there is no requirement for this scheme to provide affordable housing.
14. The adjoining land to the south west of the site and beyond is currently vacant and likely to form future phases of development as envisaged by Policy SL1. As detailed in the Trafford Core Strategy, part of the overall Pomona Island site benefits from an extant planning permission for 546 units in the form of 5 blocks varying from 8 to 16 storeys. Residential development of the application site of the height and density proposed would not affect the potential for the remainder of Pomona Island to be developed in accordance with Policy SL1 and in these terms the development is considered in accordance with the policy.

#### Loss of Existing Open Space

15. Concerns have been raised by objectors that the proposed development would result in the loss of an existing area of open space, which is widely used for walking, cycling, bird-watching and other forms of recreation; and which would have a detrimental impact on the site’s flora and fauna. It is noted that the site is predominantly covered by vegetation and is currently accessed by the general public. Notwithstanding these concerns, the fact that the application site forms part of a designated Strategic Location, identified within an up-to-date Development Plan which has gone through a statutory adoption process; its allocation for such uses carries significant weight in the determination of this application and as such overrides any case to resist residential development on this site (provided that the form of development complies with the wider requirements of SL1 and other relevant policies). The site is not designated as Protected Open Space on the UDP Proposals Map and the site is not designated for its ecological importance, for example as a Site of Special Scientific Interest (SSSI) or Site of Biological Importance (SBI). The ecological impacts of the development are considered in further detail within subsequent sections of this

report.

## IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

16. 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.
17. Policy SL1 states the design of development proposals in this Location should reflect its Regional Centre status, with a high density, high-rise built form (SL1.4). It goes on to state that residential development in this Location will be largely apartments, appropriate to its Regional Centre Location. The Reasoned Justification to the Policy states that: - *“In view of the Location’s important position in relation to the Regional Centre, it will be important to secure high quality urban design to ensure an appropriate mix of land uses and inter-relationship of buildings/open spaces, because the appearance of this site once developed will have a significant bearing on the overall regeneration of the Priority Regeneration Area and the wider Regional Centre”.*

### Siting and Layout

18. The proposed apartments are positioned parallel to the River Irwell/Manchester Ship Canal, extending for a total width of 62.8m alongside the river and for a maximum depth of 29.5m into the site. The two apartment blocks have an identical footprint of 18.9m x 29.5m with a single storey link between. This retains an area of open space to the north east side of the site and a smaller area on the south west side of the buildings. The existing footpath along the River Irwell side of the site would be improved and extended as part of the scheme to provide a route along the full length of the site for both pedestrians and cyclists.
19. The buildings would be set back between 9.5m and 19m from the edge of the river. This siting relative to the river is considered acceptable and reflects the siting of other buildings in the vicinity relative to the River Irwell and Bridgewater Canal. Other buildings which front the River Irwell in the vicinity of the site include Steele House opposite the site which is set back between approximately 7m and 9m and industrial buildings on that side of the river are set back approximately 4m. The nearest part of the apartments at The Mill further north on

the opposite side of the river is set back approximately 8m. Buildings in the vicinity that front the Bridgewater Canal include Mere House and Excelsior Works which extend up to the edge of the Bridgewater Canal. The five apartments at St George's Island are also positioned close to the canal; the nearest block to the site is set back between 3.5m and 5m from the canal and the other buildings are positioned at an angle relative to the canal and in close proximity. The approved development on Pomona Island to the south west of the site comprises five buildings in a radial form projecting over the towpath and cantilevering out above the Ship Canal.

## Scale and Height

20. The development takes the form of two high-rise apartment buildings, one of 10 storeys (31.5m - 34m high) and one of 11 storeys (34.5m - 37m high) and linked at ground floor level. This would be consistent with the type of development envisaged by SL1 in providing a high density, high-rise built form. The surrounding area is characterised predominantly by apartments (both new-build and converted buildings) some of which are a similar height to the application scheme: these include 5 apartment buildings at St George's Island to the east and north east of the site that are between 9 and 15 storeys (9 storey closest to the site). Steele House on the opposite side of the river is a wide 5-6 storey building and The Mill also on the opposite side of the river further north is an 11 storey building. On the other side of the Bridgewater Canal to the south east of the site, Mere House is an 8 storey apartment building and Excelsior Works adjacent to Mere House is a 3 and 5 storey former industrial building. In this varied context, dominated by apartments a number of which are high-rise, it is considered that the scale, height and overall proportions of the buildings are appropriate for the site. Views of the proposed buildings from the footpath through the site and from the towpath on the opposite side of the Irwell looking north east would predominantly be seen in the context of the tall buildings at St George's Island and beyond. The development would impact on the existing open aspect over the site currently available from Woden Street footbridge and from the towpath on the opposite side of the Irwell, however this would be the case with any high-rise development at this end of Pomona Island and the apartments will ultimately be seen in the context of future phases of development, which will include high-rise buildings as envisaged by Policy SL1.

## Design and Materials

21. In terms of design and materials, the buildings are contemporary in appearance and incorporate elevations constructed in cast concrete panels of red brick (brick slips) and sandstone coloured panels, with some small sections of grey brick and grey panels between some of the windows. The fenestration comprises vertically aligned windows of full height glazing in aluminium powder coated frames and balconies on three of the elevations of each building. The roofs would be flat roofs with single ply grey covering and block A includes solar panels on the roof.

The proposed single storey link section comprises predominantly glazed elevations with some brickwork at plinth level and render to the elevations and a green roof. The ground floor of the apartments and link section include windows and would present an active frontage to the Irwell and to the areas of open space either side of the buildings.

22. The proposed buildings are a relatively simple design with limited architectural detailing and of concrete panel construction. Given the requirement of Policy SL1 (and L7) for high quality design and having regard to the objections received, the applicant has amended the plans and provided further information in support of the proposal, including amended elevations, updated images of the scheme and further information and detail regarding the proposed materials and finishes. Examples of where this form of construction has been used elsewhere have also been referred to in support of the proposal. The submission states that the proposed method of construction will provide an efficient and cost effective build as well gives the building inherent fire protection and structural mass. It states concrete panels can be cast with colour to resemble sandstone, or have bricks applied to resemble traditional or new brick walls. The applicant has advised that this off-site method of concrete construction has been successfully used at the Malmaison hotel, Liverpool waterfront (World Heritage Site), the Premier Inn on Dale Street, Manchester city centre and Motel One hotel on London Road, Manchester city centre.
23. The use of brick slips on the elevations would reference brick buildings and the viaducts in the vicinity of the site, albeit in a different form of construction, and would improve the 'flat' appearance of the elevations as originally submitted. The brickwork elements are proposed to the south west corner of each block and have a sloping roof over, providing a feature tower relative to the rest of the building. Windows would be recessed and reveal 65mm to 70mm which is more than standard and will give some depth to the facades and the brickwork would project in the region of 100mm which will also give depth and shadow relief. The use of brick slips, the variation in colour and texture and the recessed windows assist in breaking up the massing of the building and would give the elevations more detail than originally proposed. The fenestration, in terms of the positioning and size of windows and the inclusion of balconies as part of the design is considered to reflect with the fenestration pattern found in other high-rise buildings in the locality. The examples referred to by the applicant give some assurances over the quality of the proposed materials and finish.
24. The proposed design provides for a degree of articulation which visually breaks up the scale and massing of the buildings. The scale, height and proportions of the proposed development would be appropriate in its context and have an acceptable impact on the character of the area, having regard to there being a number of other tall buildings in the vicinity of the site with differing designs and external finishes. The proposal is considered to be in accordance with Core Strategy Policies SL1, L2 and L7 and the NPPF in making best use of an

opportunity to improve the character and quality of the area, add to the overall quality of the area and respond to local character and reflect the identity of local surroundings and materials. A condition requiring submission and approval of samples of materials is recommended should planning permission be granted.

### Landscaping, Open Space and Other External Works

25. The proposed layout includes areas of open space and soft landscaping on the north east side of the buildings and a smaller area of open space to the south west side of the buildings. These areas would be for use by occupiers of the development only. The scheme also includes the strip of land alongside the river (at a lower level than the main area of the site), which is to be retained and enhanced as amenity space. This land would not be fenced off and the public would be able to gain access, although no specific pedestrian route into this area is proposed. The development would also include other incidental areas of open space and landscaping between the apartments. The existing footpath alongside the River/Ship Canal is to be refurbished, comprising a new sandstone colour tarmac ramp to connect the path up to the Woden Street footbridge, existing lamp standards and railings along the path will be made good and 2no. additional lighting columns will be installed. These elements of the scheme comply with Policy SL1 in providing improved pedestrian links and contribute towards the realisation of the Irwell City Park initiative as set out in the Irwell City Park Planning Guidance.
26. The applicant has revised the proposed landscape scheme following the receipt of officer comments regarding the ecological potential of the site and to ensure this would be appropriate to the location and contribute positively to the development. The scheme now includes the strip of land alongside the river which is to be retained and enhanced with existing vegetation and trees retained and new tree and native structure planting proposed. The proposed landscaping includes 62 no. trees throughout the site, mixed hedgerows, native structure planting and ornamental shrubs. All the proposed trees would be supplied as Advanced Nursery Stock which would have some immediate impact at planting time and be less prone to vandalism. The landscaping scheme has been assessed by the Council's Tree Officer and is considered a good quality scheme and appropriate for the site in terms of numbers, species and layout. The improved pedestrian and cycle links are welcomed to meet the aspirations of Policy R3 of the Core Strategy on Green Infrastructure. In the event of being approved a condition would be necessary requiring full details of landscaping to be submitted and approved to ensure that this is provided, in a suitable timescale and maintained thereafter to contribute to a good quality development.
27. 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. SPD1: Planning Obligations states large residential developments of approximately 100 units will need to provide new open space as part of the site design. Based on the standards in SPD1 this would require a total of 3,510 sq. m of open space with a Local Area for Play for children's play that would have a 100 sq. m activity zone set within a 400 sq. m buffer zone to include Informal recreation, landscaping, fencing, seating, and may include a low key games area for toddlers. The proposals provide for approximately 8,227 sq. m of open space, although of this only approximately 1,564 sq. m would be suitable for informal recreation and play with the remainder being meadow/wildflower grassland or areas of tree planting and other landscaping. Residents would have access to all these areas. This provision is less than the above standard, however it is relevant to take into account in this case that public open space will be provided within walking distance of the site as part of the wider development of Pomona Island (see paragraphs 32, 33 and 36 below). The on-site open space would provide amenity space for the future occupants and although deficient in area terms, this is considered acceptable given it would be supplemented by a large area of open space for informal recreation as part of a subsequent phase of development on Pomona Island.

28. The visual impact of the proposed car parking is considered acceptable in the context of this being a Strategic Location in a built-up area and that a significant proportion of the parking is proposed under the arches utilising vacant land (not existing greenspace). The remainder of the parking is limited to an area adjacent to the viaducts which in the context of the site area is relatively small and which includes tree planting and small pockets of landscaping.
29. The proposed boundary treatments include a mixed hedgerow to be planted between the buildings and the footpath on the Irwell side of the site and along the south west boundary. These would give a 'soft' edge to the development site and alongside the footpath whilst also ensuring acceptable levels of privacy and security to the future occupants and is considered acceptable subject to a detailed specification to ensure the height and species is appropriate. This can form part of a landscaping condition.
30. The scheme includes external lighting within the car park under the arches and 10no. street light columns within the external car park areas and 2no. columns adjacent to the footpath in the north east corner of the site.

## IMPACT ON HERITAGE ASSETS

31. The Manchester Ship Canal, Bridgewater Canal and to a lesser extent the adjacent Victorian viaducts are important historic landmarks and are considered non-designated heritage assets having regard to the NPPF. The NPPF advises that 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 (paragraph 135). Whilst high rise and high density development would significantly alter the setting of these heritage assets, the heritage assets themselves are retained and would continue to function as they do currently. Views of the Irwell/Ship Canal, Bridgewater Canal and viaducts would be obscured from the footpath alongside the river and from the towpaths on the opposite side of the river/Ship Canal and on the Bridgewater Canal given the proximity of the buildings to these features and their height, however this would be the case with any form of high rise development on Pomona Island. It is considered the relationship of the proposed buildings to these surroundings is acceptable and the significance as heritage assets would not be compromised. Policy SL1 also specifically requires development to protect, preserve and enhance the grade II listed Brindley's Weir and its setting. The application site is some distance from the Weir and the proposed development would not affect the Weir or its setting.

## PUBLIC OPEN SPACE

32. Policy SL1 of the Core Strategy states the Pomona Island Location can deliver a substantial new area of open space for informal recreation. At SL1.5 it states that in order for development to be acceptable the provision of a new informal recreation facility, centred around the canal basin will be required. The Reasoned Justification explains that opportunities exist for the creation of multi-functional green infrastructure enhancing the whole image of the area. The informal recreation facility will provide valuable amenity space for the new community; will help to reduce deficiencies and inequalities in open space provision in Old Trafford; and will enhance the ecological value of the wildlife corridor along the Manchester Ship Canal and Bridgewater Canal.
33. The Draft Land Allocations Plan further states in Policy POM1 that approximately 2.5 Hectares of new open space / green infrastructure will be provided, of which approximately 2 Hectares will be delivered as a new Neighbourhood Park. The Neighbourhood Park should be located in the centre of the Pomona Island Strategic Location immediately adjacent to the Ship Canal and should incorporate formal and informal recreation/green space. A 'green corridor' will be delivered east-west through the length of the site, incorporating existing and creating new areas of open space. The justification to this policy refers to the Neighbourhood Park as being designed to "*relate well to the open canal dock and lock-link and include provision for a potential water taxi station, as appropriate. It will incorporate formal elements including an equipped play area, sports facilities, planted gardens and allotments as well as provision for informal recreation and relaxation including areas of open green space*".
34. The scheme as submitted does not provide the public open space, nor detail how it would be provided. Given the size of the application site relative to the Pomona

Island Strategic Location as a whole and its location at the north eastern tip of Pomona Island, it is not expected that this open space should be provided entirely on this part of Pomona; as stated above the open space is most likely to be located centrally within the Pomona Island Location in order to maximise its accessibility and benefit to developments in the Location. Nevertheless it is considered necessary that the open space requirement on Pomona Island is taken into consideration in this application to ensure it is provided in future, being a key element for the successful development of the wider site and which residents of this scheme would utilise.

35. The applicant has stated the following in respect of the open space requirement: *“In the absence of any advanced designs for the development of the whole of Pomona Island, the final eventual number and mix of residential units has yet to be determined. As a result, it is not appropriate to be specific as to the amount and type of open space to be provided on the site. Peel has however, adopted the following principles for Public Open Space and Private Amenity areas at Pomona Island:*

*Public Open Space principles*

- *The creation of a new Linear Park - Waterfront boulevard, running the full length of Pomona Island, adjacent to the Manchester ship canal – providing a new leisure and communication boulevard from Hulme Hall Road, Manchester to Pomona Strand on the fringe of Salford Quays*
- *The new Linear Park will offer both residents and visitors, “well-being” and “leisure activities” for cyclists, pedestrians, joggers and walkers, within an exhilarating waterfront setting.*
- *The Linear Park / Waterfront Boulevard will include high quality public realm, new seating and outdoor gym zones at key points along its walkway, allowing people to meet, socialise and exercise*
- *The Waterfront Boulevard will include two Promenade gardens on the headland of the former docks*
- *The Waterfront Boulevard / Linear Park will benefit from sweeping views across the Manchester Ship canal: promoting the inspiring Media City skyline and the prominence of flagship buildings in Manchester City centre*
- *The Linear Park will benefit from high quality lighting along the Waterfront Boulevard, promoting the use of the park for walkers, joggers and the general public in the early mornings and evenings*
- *The Linear Park will also be complemented by designated open space areas adjacent to the Bridgewater canal*
- *The quality standards of the new Linear park will be maintained directly by Peel, delivering the same high standards as the adjacent Media City destination*

*The principles of the Linear Park / Waterfront Boulevard will be developed and matured as future residential development opportunities are considered and brought forward at Pomona Island. All new residential development projects at Pomona Island, will make their own contribution to both public and private*

*amenity space requirements, complemented by supporting the new Linear Park running adjacent to the Manchester Ship Canal.*

*Private amenity space principles*

- *Pomona Island will also benefit from appropriate levels of high quality private amenity spaces between new residential blocks, for new residents to enjoy. All new residential developments at Pomona Island will include high quality private amenity space and contribute to the new Linear Park / Waterfront Boulevard proposals*

36. The above, whilst welcomed, is not considered sufficient to address the open space requirement set out in Policy SL1 for the Strategic Location. Whilst it would provide some opportunities for recreation (for walkers, joggers and cyclists to use the route, seating and outdoor gym zones) this would be limited given its width and would not be a 'substantial new area of open space for informal recreation' as required by Policy SL1. Following discussions with the applicant and landowner in relation to this issue, the landowner has since agreed to enter into a legal agreement undertaking to submit either an outline planning application or a masterplan for the future phases of the Pomona Island Strategic Location prior to submitting further planning applications for any individual phase and which will provide an up-to-date framework for the development of the Strategic Location including details for the provision of open space within the site in accordance with Policy SL1 (including identifying land where it will be provided). At the time of preparing this report work on this agreement is progressing and once completed it will give assurance that the open space and other requirements of Policy SL1 will be provided in the future as part of the strategic development of the area. This outline permission or masterplan would then be a relevant consideration for future applications on the site.

### Children's Play Space

37. There is no provision for children's play space within the scheme which for a development of this size would normally be required under the SPD. It is acknowledged however, that rather than each phase of Pomona provide its own play facilities it would be more appropriate for a play area to be provided as a future phase of Pomona when the quantum of development reaches the requirement for a Neighbourhood Equipped Area for Play (1,062 residents). This play area would be best placed within the open space / neighbourhood park that would serve the whole Pomona development, as required by Policy SL1 (and Policy POM1 of the Land Allocations Plan in the event this has been adopted at that time), therefore it is considered appropriate that the play area normally required for a development of this size is provided as part of a later phase of Pomona rather than as part of this development. The outline application or masterplan referred to above will ensure this will be provided on Pomona Island and provide residents of the proposed scheme with access to a play area.

## Outdoor Sports Provision

38. The SPD also sets out a requirement for outdoor sports for developments over 300 units. Although this development does not trigger this threshold, outdoor sports provision will be needed for the whole of the Pomona development in line with Core Strategy Policy R5 and the emerging Draft Land Allocations Plan POM1. The SPD states that if a potentially large development site has been divided into smaller applications then it is appropriate to consider planning obligations as part of the wider development. In this case it is considered outdoor sports provision will need to be addressed in future phases of development when the quantum of development exceeds 300 and this individual development would not generate a requirement. It would be appropriate to count the numbers for this development in the calculation of the requirement of 1ha per 1000 population for the next phase as with children's play. The emerging Playing Pitch Strategy as a source for determining appropriate the specific needs for future phases would also be a relevant consideration.

## IMPACT ON ECOLOGY

39. Since the closure of the docks and clearance of the buildings, the site has remained vacant and vegetation has been allowed to establish on the site. It is understood that trees and vegetation has been cleared / cut-back previously and since re-established on the site. Policy SL1 of the Core Strategy states in order for development in this Location to be acceptable an assessment of biodiversity must be carried out prior to development and appropriate sites for nature conservation must be provided to compensate for any loss. Policy R2 further states that to ensure the protection and enhancement of the natural environment of the Borough, developers will be required to demonstrate through a supporting statement how their proposal will: protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban and countryside assets having regard not only to its immediate location but its surroundings; and protect the natural environment throughout the construction process. Of particular relevance to this location Policy R2.3 identifies the Borough's assets as including designated Wildlife Corridors and watercourses (both the River Irwell and Bridgewater Canal are designated as Wildlife Corridors).
40. The application includes an Ecological Assessment which follows an Extended Phase 1 Habitat Survey carried out in June 2015. The Assessment concludes the ecological features present within the site '*will not prevent development of the site for commercial use*', although a number of potential ecological constraints require further consideration to ensure that development does not result in either an offence being committed in respect of protected species or a net loss of biodiversity interest. A number of measures to protect, maintain and enhance ecological features within the site are recommended to comply with legislation and policy.

- The Assessment states it is not anticipated there will be any direct impact on any designated site for wildlife, however standard pollution prevention measures should be put in place to ensure no degradation of the adjacent watercourse. Site drainage should also be designed to prevent runoff from entering these watercourses.
- In relation to habitats the Assessment recommends consideration should be given to retaining as much of the trees and scrub along the Manchester Ship Canal (River Irwell) as possible. It also recommends that wherever possible, trees and scrub should be planted along the edge of the adjacent watercourse to increase their functionality as corridors across this area for a range of wildlife including bats.
- With regards to birds it recommends that all vegetation clearance should be undertaken outside of the bird nesting season (March to August inclusive), otherwise further survey work will be required. Consideration should be given to providing artificial sand martin nest sites along the banks of the Manchester Ship Canal to enhance the suitability of the site for this species and increase the biodiversity value of the site.
- Other opportunities for biodiversity enhancement are identified in the report, including the provision of bat and bird boxes within the site, areas of tree and shrub planting to incorporate a mix of native species of local provenance, grassland habitat can be enhanced by inclusion of wildflower meadow buffers and wildflower bulb plantings and the use of native or wildlife friendly species to enhance the biodiversity of the site.

The Ecology Unit has confirmed that this assessment has been undertaken by suitably qualified consultants although is limited in scope.

41. The application site is not designated for its nature conservation value and is not adjacent to statutorily designated sites, for example as a Site of Special Scientific Interest (SSSI) or Site of Biological Importance (SBI). The Ecology Unit advise that the site is an area of undeveloped greenspace supporting unimproved but rather species-poor grassland and ruderal vegetation. Scrub growth has been controlled through cutting but scrub is still evident. The potential of the site to support significant populations of any specially protected species is generally low, although bats forage along the adjacent River and the Canal and will likely use the site itself for occasional feeding and may roost in the railway arches.
42. The overall ecological value of the site lies in its location, context and recent land-use; the site is adjacent to the River Irwell, a main River and valuable wildlife corridor into and through the City. The Bridgewater Canal to the south of the site forms part of the wider ecological corridor. The site has remained undeveloped for some years and now comprises an area of rare semi-natural greenspace very close to the City centre. The Ecological Assessment acknowledges the context of the site, referring to the [landscape] connectivity as 'limited'. But the Irwell, via the Manchester Ship Canal, connects Manchester to the Mersey Estuary and northwards to the Pennine uplands. The Bridgewater

Canal connects Manchester to Runcorn and Leigh. Further, the current application is an integral part of the much wider 'Pomona Island' area, a fact not discussed in the Ecology Assessment. The River is used as an important 'flyway' for birds, including Kingfishers, Gulls, Lapwing, Peregrine and Ringed Plover.

43. The Council has also received a significant number of representations which refer to flora and fauna present on the site. This includes a report setting out a case for SBI status, lists of flora and birds recorded on Pomona Island and butterfly records. The report for Site of Biological Importance status was carried out in 2011 and concludes that Pomona Docks should be considered for selection as a SBI Grade B (of District Importance) based on the following evidence: Large Ur 1 Urban Habitat close to city centre; Fascinating social and industrial history; Brownfield site with potential for invertebrate populations; Proximity to city centre could be valuable attribute to "value for learning" and "value for the appreciation of nature"; High biodiversity levels; 83 bird species; 2 Schedule 1 bird species; 10 UKBAP bird species; Significant population of colonial nesting Sand Martins (over 50 pairs); Part of an important site network for breeding and migrating wading birds; and 33 SBI flora species including Yellow wort and 3 species of Orchids.
  
44. Having regard to the above, it is acknowledged the site does retain some ecological interest in its flora and fauna and the development would result in a degree of harm / loss given the current (undeveloped) status of the land. The site however, is not designated for its nature conservation value, for example as a Site of Special Scientific Interest (SSSI) or Site of Biological Importance (SBI) and it is considered there aren't individual species or collective value that would sustain an objection to the scheme because of harm to ecological interests. The bird interest associated with the Pomona site as a whole is acknowledged, however it is understood there is limited bird interest associated with the part of the site affected by this specific application. The protection of nesting birds on the site could be dealt with by imposing a Condition on any permission limiting site clearance works to a period outside of the optimum period for bird nesting (March to July inclusive). The scheme would provide greenspace and landscaping which will go some way towards compensating for the loss of open greenspace, including meadow / wildflower grassland, 62no. trees, native hedges and other native planting and the lower land adjacent to the river retained and enhanced as a semi-natural green space. The invasive plant species Japanese knotweed and Giant Hogweed would be removed from the site and some enhancement for roosting bats and nesting birds could be delivered with the provision of bird and bat boxes within the site. The Ecology Unit consider that the revised landscaping plans give some reassurances that the wildlife corridor function of the Ship Canal is capable of being retained in part, if not enhanced. They advise that, as 'stand-alone' plans they are reasonable, although the scheme does not reference the wider development site and they regard this as a possible missed opportunity for a 'holistic' approach to be taken to greenspace on the Pomona site as a whole; for example it would be better for all the planned developments to contribute to

the creation of a larger, un-fragmented area of greenspace than have 'piecemeal', potentially fragmented and small areas of greenspace. They have confirmed however, that the above comments would not sustain an objection to the scheme on purely ecological grounds. Conditions relating to the following are recommended in the event of permission being granted: submission of a detailed landscape plan to properly reflect the context of the site and acknowledge the wildlife corridor; efforts to be made to eradicate Japanese knotweed and Giant Hogweed from the site; and no vegetation clearance to be undertaken during the optimum period for bird nesting.

45. The report setting out the case for SBI status submitted with the representations was considered by the Ecology Unit at that time (2011) and the species records collected as part of the project was assessed against the criteria used to select Sites of Biological Importance. It was considered that the Pomona site, even when taken as a whole, did not meet the standards necessary to be selected as an SBI. It is also relevant to note this planning application relates only to the land at the north eastern tip of Pomona, therefore the findings of the SBI report which relate to the whole Pomona site do not all necessarily apply to this specific part of the site.

#### Bats

46. A Bat Survey has been submitted to assess the potential of the railway arches to support bats. This concludes that the immediate and extending habitat offers a level of value in relation to foraging/commuting potential for bats. However, roost opportunities are absent within each arch and to all external elevations, it is therefore considered that the proposed works will have no impact upon this group of species in terms of roosting, and that dusk/dawn surveys will not be recommended. As potential for foraging/commuting bats has been identified, and the site to some extent is unaffected by artificial lighting, any future development should ensure that light spillage does not occur unnecessarily on areas which have been described as being of value to foraging bats. If inappropriate and ill designed lighting is implemented then there is likely to be an adverse impact upon bats. The Ecology Unit accept the results of the bat survey reports, that no bats were recorded as roosting and the arches were assessed as having only limited potential to support bats.

#### ACCESS AND CAR PARKING

47. The presumption in favour of sustainable development, which is identified by the National Planning Policy Framework (NPPF), means that it is necessary to consider whether the proposed development represents a sustainable form of development. It is considered that the site is within a highly sustainable and accessible location given its proximity to the city centre and public transport infrastructure. The site is within walking distance of Cornbrook Metrolink stop (approx. 700-800 metres) and bus stops on Chester Road (approx. 400 metres),

providing access to a choice of travel mode. There are also nearby services, amenities and employment opportunities available which will make walking and cycling genuine alternatives to travelling by car or public transport.

### Vehicular Access

48. Vehicular access to the development is proposed via Hulme Hall Road which connects to Chester Road (A56) and currently terminates at the railway viaduct. Access into the site would be formed through one of the arches in the viaduct (towards the Bridgewater Canal end) and this would serve areas of car parking under the arches of both viaducts and within the site adjacent to the viaduct.

### Traffic Generation

49. The application includes a Transport Assessment which considers the transport and highways implications of the proposed development. In terms of traffic generation a trip generation forecast has been undertaken using the industry standard TRICS software package and this is summarised in the Transport Assessment. This identifies 29 vehicle departures and 9 arrivals during the weekday morning peak period 0800 to 0900 with 12 departures and 23 arrivals during the weekday evening peak period 1700 to 1800. It states at any single junction or link it is forecast there will be a maximum of an additional 38 trips during the peak period, which equates to an additional trip around every 2 minutes on the local network. Daily trip rates are forecast as 162 departures and 152 arrivals. The Assessment concludes that the impact of the proposals on the local road network will not be material and there are no off site highway works required. The LHA has reviewed the Assessment and confirm this to be a reasonable assessment of the likely vehicle trips to and from the proposed development. They confirm that the road network will satisfactorily accommodate this volume of additional traffic and this small volume increase will not impact significantly on the wider road network. Access for servicing and by emergency vehicles is considered adequate by the LHA.

### Car Parking

50. Approximately two-thirds of the car parking (71 spaces) is proposed underneath the viaducts with access to the spaces along between the two viaducts. The remainder of the car parking is proposed adjacent to the viaduct between the buildings and viaduct (28 spaces) and in front of the entrance to the buildings (6 spaces). An application has been submitted to Manchester City Council for the proposed car parking beneath the arches as this land lies within Manchester's administrative boundary. This application has not yet been determined.
51. The Council's parking standards as set out in the Core Strategy require 1 space for 1 bedroom dwellings and 2 spaces for 2 to 3 bedroom dwellings in this location (Area B standard), which results in a maximum requirement for 248



spaces. If the site was considered Area type A given its proximity to the city centre and the good access to public transport, the between 166 and 206 spaces would be required. The applicant has used Greater Manchester's parking standards rather than Trafford's parking standards to assess the proposed parking; given that a significant proportion of the parking is within Manchester City Council's administrative area it is considered relevant to also have regard to these standards in addition to the Trafford standard. These recommend an average of 1.5 car parking spaces per dwelling, which would equate to 246 spaces as acknowledged in the Transport Assessment.

52. The proposed development would provide 105 car parking spaces which is somewhat less than that required by the maximum standards, however given the accessibility of the site and the mix of the apartments which includes 80 no. 1 bedroom apartments, the proposed parking provision of 105 spaces is considered acceptable by the LHA and they do not object to the application. Circulation within the car park is also considered adequate by the LHA.
53. Although the proposed level of car parking would fall below the Council's standard, it is acknowledged the site is within a highly sustainable location as discussed above. Future residents will therefore have some access to a choice of travel mode which should help to reduce the amount of car travel otherwise generated by this development. TfGM confirm this site has the potential to be very accessible by sustainable modes. A Framework Travel Plan has also been submitted with the application setting out measures to reduce car use and encourage other travel choices. In addition to good transport links it is also recognised that there are nearby services, amenities and employment opportunities available within the Regional Centre which will make walking and cycling genuine alternatives to travelling by car or public transport. It is also relevant to take into account that the Council's standards are maximum standards and schemes in sustainable locations with availability of and opportunities for public transport can be relaxed in such locations.
54. The car parking beneath the arches is currently subject of a planning application to Manchester City Council which has yet to be determined. In the event of that application being approved the 105 parking spaces can be provided, however in the event of being refused this would significantly reduce the amount of car parking that could be provided and which is unlikely to be an acceptable level of parking for the scheme. It is therefore recommended that any permission is subject to a condition requiring that the proposed car parking beneath the viaducts is capable of being provided prior to commencement of development i.e. for these car parking spaces to have secured planning permission to ensure it can be provided as part of the development. It is understood the application to Manchester City Council for the car parking beneath the arches will be considered on 12th November and in the event that application is determined before this application is considered, the decision will be reported to the meeting.

## Cycle and Motorcycle Parking

55. The Council's standards require 1 cycle space per dwelling where communal cycle parking is proposed which would result in a requirement for 164 cycle spaces. GM standards require 1 secure cycle space per 5 dwellings. The LHA has advised that in practice something in between these figures is considered acceptable to cater for the likely use. The application states 60 cycle spaces would be provided within the site and the LHA has considered the application on this basis, although the agent has since confirmed that 120 spaces would be provided with 60 spaces within the buildings and 60 spaces within the car park. The LHA has advised it would be preferable if the applicant provided more cycle parking (than 60 spaces) and therefore 120 spaces is considered acceptable, also having regard to the above standards. The agent has since confirmed that at least 120 spaces would be provided; 60 spaces within the buildings (at ground floor within block B and adjacent to the main entrance and 60 spaces provided within the car park. The agent has advised the exact number of spaces would depend upon the system used. 20 motorcycle parking spaces are proposed within the car park which is considered sufficient to cater for the development.

## Pedestrian and Cycle Links

56. Policy SL1 (at SL1.5) states that in order for development at Pomona Island to be acceptable, the following will be required: -
- The provision of suitable pedestrian and cycle links to and from the existing Metrolink stations at Cornbrook and Pomona, to key bus routes and to the wider Irwell River Park area will be required.
  - Improvements to local highway network and public transport infrastructure.
57. The scheme includes an upgrade and extension of the existing footpath alongside the River Irwell/Manchester Ship Canal for the full length of the application site. This will be designed to accommodate both pedestrians and cycles. The footpath/cycle path would be extended to link the site to the area adjacent to Woden Street footbridge, providing access to and from the site from the footbridge and Hulme Hall Road. To the south western end of the site the retained and enhanced footpath would link to the remainder of Pomona Island and therefore to subsequent phases of development, the proposed open space and ultimately to destinations beyond Pomona Island. These improved pedestrian and cycle links are welcomed to meet requirements of SL1 and also the wider aims of Policy R3 of the Core Strategy on Green Infrastructure.
58. With regards to pedestrian and cycle links to and from the existing Metrolink stations at Cornbrook and Pomona, the proposed layout design appears to ignore the potential pedestrian desire line between the development and Cornbrook Metrolink stop across the Bridgewater Canal. TfGM has advised that a pedestrian footbridge over the Bridgewater Canal in this location adjacent to the Metrolink viaduct could significantly reduce the walking distance between the

development and Cornbrook Metrolink stop to only approximately 300 metres, making the site more accessible and the walking route to Cornbrook more attractive and appealing. This would be supported by SL1 above. TfGM recommend that the applicant be asked to contribute towards the future provision of a footbridge across the Bridgewater Canal in this general location, suitable for use by pedestrians accessing Cornbrook Metrolink stop. Further improving the existing pedestrian and cycling environment in the vicinity of the site would also help to encourage the use of sustainable travel modes to access the site.

59. In response the applicant has explained that future phases of residential development on Pomona Island will enable a pedestrian and cycle route (as well as a vehicular route) to be established along the north side of the Bridgewater canal to connect with the existing canal crossing at Pomona Strand which would then provide access to Cornbrook Metrolink stop and Cornbrook Road. Prior to these future phases of the development coming forward, the existing walking route, which is approximately 700m – 800m would be used. TfGM consider the condition and distance of this walking route would not be an acceptable permanent solution, however future phased development would result in a walking route from the development to Cornbrook Metrolink stop of approximately 500m. This would not be unreasonable although it will be longer than the direct route (with a footbridge across the canal) advocated by TfGM (approximately 300m). Whilst a footbridge would make for a better development, TfGM accept it would be difficult to justify the cost of a new footbridge for the sake of reducing the walking route (for this development) by approximately 200m, if a safe and convenient walking/cycling route can be created to the north of the Bridgewater canal. TfGM has since withdrawn the recommendation that the applicant makes a contribution to the provision of a footbridge across the canal, on the understanding that an acceptable alternative can and is provided as part of the larger development of Pomona Island. Peel have given assurances that, should the bridge at Pomona Strand be inadequate to cater for vehicles, pedestrians and cyclists to all use as a shared crossing, the necessary improvements will be provided to create a suitable pedestrian and cycle crossing facility.

## IMPACT ON RESIDENTIAL AMENITY

60. Policy L7 requires 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 others, 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 Guidelines for new residential development don't include specific distance guidelines for tall buildings other than stating that for development of four or more storeys the figures as for three storey buildings apply. These are where there would be major facing windows, three storey dwellings (houses or flats) should retain a minimum

distance of 24m across public highways and 30m across private gardens. Distances to rear garden boundaries from main windows should be at least 13.5m for flats with 3 or more storeys.

#### Impact on Nearby Residential Properties

61. To the east of the site on the other side of the Metrolink and railway viaducts are apartments at St George's Island. The nearest block is No. 5 Kelso Place which is a 9 storey building approximately 80m from the proposed apartments with windows and balconies on the south west elevation that afford views towards the site. No. 4 is a 10 storey building approximately 120m from the development also with windows and balconies that afford views towards the site. Both these blocks are separated from the application site by the Metrolink and railway viaducts. It is considered this siting and the distances retained between buildings would not harm the amenity enjoyed by occupiers of apartments at St George's Island in terms of being either overbearing or resulting in any loss of privacy.
62. On the opposite side of the river and facing the site, Steele House is a 5-6 storey block of apartments. A distance of 55m at the closest point would be retained between the buildings. The development would be directly opposite some of the apartments at Steele House and prominent in view, however it is considered the distance would be sufficient to ensure the apartments would not be unduly overbearing from facing windows and balconies nor result in a loss of privacy. The separation distance significantly exceeds the above guidelines (by more than 30m). As the site is to the south and south east of Steele House there would be potential for overshadowing given the height of the buildings, however given the separation distance it is considered that this would not be to an extent that would be detrimental to amenity. It is also acknowledged this is a densely built up location where there are similar or lower separation distances between apartments compared to the proposal.
63. In relation to Mere House to the south east of the site, the proposed apartments would be approximately 67m from this building, separated by the Metrolink and railway viaducts and positioned to the north west rather than directly opposite. At this distance and its siting relative to Mere House it is considered the apartments would not be overbearing nor result in loss of privacy.

#### Amenity for Future Occupiers of the Development

64. The site is in close proximity to a number of existing uses with potential to create noise, vibration and other forms of disturbance, including the tram and railway lines on the viaduct on the east and south east side of the site and the scrap yard (Bennett Bros.) to the south west on the opposite side of the Bridgewater Canal. The apartments include windows (no balconies) to habitable rooms within the elevations facing the Metrolink and railway lines and scrap yard. The applicant has submitted two Environmental Noise Assessments to determine the impact of

noise on the development, including rail and tram noise and noise from the scrap yard.

65. With regard to potential noise from the adjacent Metrolink and railway lines the Environmental Noise Assessment confirms that substantial mitigation (acoustic glazing) is required to ensure that acceptable internal noise levels can be achieved. Pollution and Licensing advise that the developer should submit a glazing scheme to show compliance with the report's mitigation recommendations for approval and a ventilation scheme to ensure adequate ventilation can be provided without opening any windows. Ventilators must not reduce the performance of the sound insulation scheme. TfGM has also advised that any acoustic protection measures deemed to be required following construction of the apartments is subject to a condition requiring a noise assessment to be undertaken, including ambient and expected noise levels, and scheme of mitigation to be submitted.
66. With regards to the scrap yard to the south west of the site, which is some 43 metres from the nearest apartments, the Noise Assessment concludes the rating level of the scrap yard above the background level indicates significant adverse impact. Pollution and Licensing has advised that on site activities include machinery moving scrap behind a large stack of crushed vehicles along the yard boundary that acted as a partial sound barrier. Further information has been requested in relation to what additional impact there would be if this stacked material was removed and whether upper floors having a clearer line of sight into the yard would be more exposed to noise. There is also no mention of when the residual and background levels were measured nor any mitigation scheme specific to scrap yard noise. The assessment should also consider how this mitigation can integrate with that proposed to deal with road and rail/tram noise.
67. In response to the above the applicant has referred to the fact that the scrap yard site is earmarked for redevelopment as part of the regeneration of the Cornbrook area in the near future, however at the present time the removal of the scrap yard from the site cannot be assumed. The applicant has also advised the following in response to the above: -
  - Until the process of moving the scrapyards is completed the Council can consider the operations as they would do a use such as Construction where noise is intermittent and in effect 'interim'.
  - All the 164 apartments have MVHR (mechanical ventilation) which means windows do not have to be opened for ventilation purposes and reducing the impact of any external noise.
  - Apartments close to the scrapyards will be fitted with acoustic glazing to improve insulating performance.
  - Blocks will be provided as a single Market Rent Portfolio and will be managed by a Building Manager that will manage expectations of residents regarding the scrapyards operational times but also explain the benefits of the MVHR system to ensure impact is managed.

At the time of preparing this report this issue was still being discussed with the Council's Pollution and Licensing Section and an acceptable noise mitigation scheme has not been agreed. An update will be included in the Additional Information Report.

68. Both proposed apartment buildings include windows and balconies in the elevations facing each other at a distance of 25m. The above guidelines require a separation distance of at least 24m across public highways and 30m across private gardens neither of which is directly relevant to this situation, however it is considered that 25m would be sufficient in these circumstances and that future occupiers would have an acceptable standard of privacy.
69. Amenity space for the future occupiers is proposed predominantly to the north east side of the buildings and smaller areas to the south west side and north west side of the buildings. The Council's guidelines for new residential development indicate 18 sq. m of adequately screened communal area per flat is generally sufficient for functional requirements (which would result in a requirement for 2,952 sq. m). On site amenity space provision is discussed above (paragraph 27) and whilst the scheme would not provide this level of private space for each apartment, it would provide shared amenity space of approximately 8,227 sq. m in total, of which approximately 1,564 sq. m could be used for informal recreation and play. This would provide amenity space for future occupants and although deficient in area terms, it is considered appropriate to take into account that the policy for Pomona Island requires a large area of open space for informal recreation which, when provided, will be accessible to residents. This will be required as part of a subsequent phase of development on Pomona Island and which will be detailed in the outline application or masterplan summarised at paragraph 36 above. All of the apartments apart from those on the ground floor also have external balconies that would provide a small area of outdoor amenity space.

## ARCHAEOLOGY

70. The potential archaeological interest of the site was initially assessed in the Heritage and Archaeological Statement submitted with the application, however this did not provide a sufficiently detailed assessment and was not considered 'an appropriate desk-based assessment' as required by the NPPF. An Archaeological Desk-Based Assessment Report has since been submitted for consideration as part of the application. This identifies the Bridgewater Canal as a historic asset of national significance and the railway viaducts as being regionally significant. The site also contains known and potential remains dating from the 19<sup>th</sup> century relating to the functioning of the Manchester Ship Canal which could be considered of high local significance. All other known remains can be considered to be of local significance. The report identifies the following

impacts on the sites of potential archaeological and historical interest identified in the study area: -

- Neutral or slight impact on sites 1 (Hulme Hall Lane/Road), 3 (Structures), 4 (Rectangular Building), 7 (Manchester Ship Canal) and 9 (Woden's Footbridge),
- Moderate/slight impact on sites 8 (Manchester Ship Canal Access Railway), 10 (Rectangular Building 'Cement Store') and 11 (Rectangular Building), and
- Moderate impact on sites 2 (Bridgewater Canal and Canal Arm), 5 (Manchester South Junction and Altrincham Railway Viaduct) and 6 (Cheshire Lines Railway Viaduct).

The report states the development would involve the loss and disturbance of a large proportion of the below-ground archaeological remains identified within the report. Where appropriate because of their significance, mitigation will need to be undertaken through an archaeological record (NPPF, paragraph 141). The report states this will need to be addressed by the GMAAS in their recommendations to the LPA. To date this has not been received and any further comments will be included in the Additional Information Report.

## FLOOD RISK AND DRAINAGE

71. The site is within Flood Zone 2 and adjacent to both the Manchester Ship Canal/River Irwell and the Bridgewater Canal. The site is also located within a Critical Drainage Area. Policy SL1 of the Core Strategy states that in order for development in this Location to be acceptable a Flood Risk Assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and that it will where possible reduce flood risk overall (SL1.5). Policy SL1 also states that uses identified in national guidance as being more vulnerable to flooding such as residential must be located outside Flood Zone 3. (SL1.7). A Flood Risk Assessment is submitted with the application
72. It is noted that the Sequential Testing of the Strategic Locations, which was undertaken in accordance with national guidance in March 2010, did not identify Pomona Island as a preferred location for residential development. It concluded however, that a significant number of Strategic Locations and other development areas had to be identified wholly or partly within Flood Zones 2 and 3 that would better enable the Council to deliver its overall spatial strategy objectives. Since the Core Strategy was adopted part of the Environment Agency's Flood Risk Map has been revised. This has resulted in a number of areas adjacent to the Manchester Ship Canal, including most of Pomona, now being identified as being within Flood Zone 2 rather than Flood Zone 3. In view of the above there is no need to apply a sequential test to this development as would normally be required, since the designation of Pomona Island as a Strategic Location in the Trafford Core Strategy was subject to a sequential test as part of the plan adoption process. Paragraph 33 of the Flood Risk and Coastal Change Planning

Practice Guidance is clear that developments already allocated and sequentially tested as part of the local plan process are deemed to have satisfied the sequential test.

73. The Environment Agency has raised no objection in principle to the development and advise planning permission could be granted subject to conditions requiring a remediation strategy to deal with the risks associated with contamination of the site; a verification report demonstrating completion of works set out in the remediation strategy; no infiltration of surface water drainage into contaminated ground other than with the express written consent of the LPA; and piling or other foundation designs using penetrative methods not permitted other than with the express written consent of the LPA. Details of these conditions are outlined at the end of the report at Conditions 16 to 19. They comment the site has been subject to historical industrial land uses which may have led to elevated concentration of contamination in the ground which may pose an unacceptable risk to controlled waters.
74. The LLFA advise 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. A condition is recommended in the event of permission being granted requiring full details of the proposals to meet the requirements of the Guidance and implementation prior to the development being brought into use.
75. United Utilities has no objection subject to a condition requiring that the site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the nearby watercourse as stated on the planning application to meet the requirements of the NPPF, PPS25 and Building Regulations. United Utilities also recommend a surface water drainage scheme is dealt with in the following order of priority: a) an adequate soak away or some other adequate infiltration system or, where that is not reasonably practicable b) a watercourse, or where that is not reasonably practicable c) a sewer.
76. Policy SL1 of the Core Strategy states that in order for development in this Location to be acceptable a contribution towards the provision of additional utility capacity, including the reinforcement of the local waste water treatment works will be required. The above comments from United Utilities and the Environment Agency do not specifically refer to a requirement to reinforce the local waste water treatment works and given that the proposed development is the first phase (notwithstanding that there is an extant permission for 546 apartments) and a relatively small proportion of the overall quantum of development envisaged for Pomona Island, this is not considered necessary at the present time. Future phases on Pomona Island may need to contribute towards additional



utility capacity as the cumulative impact of development increases pressure on the local waste water treatment works.

## CONTAMINATED LAND

77. The application site and surrounding area have a history of industrial use and therefore the land may be contaminated. Policy SL1.5 of the Core Strategy states that in order for development in this Location to be acceptable an assessment of potential contamination must be carried out prior to development and any necessary remediation carried out in accordance with an agreed schedule. The application includes a Phase I Geo-Environmental Site Assessment that concludes building foundations and relict infrastructure may remain in-situ beneath the site and no significant areas of potential environmental concern were noted at the site. It states the proposed buildings and associated hard standing cover would remove any potential exposure pathway and risk to human health. It recommends that in areas of landscaping, a cover system may be required. The Council's Pollution and Licensing Section recommend a condition requiring a contaminated land Phase 1 report to assess the actual/potential contamination risks at the site. Should the report recommend that further investigations are required, an investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination. Should the Phase II investigations indicate that remediation is necessary, a detailed remediation scheme must be prepared and submitted for approval.

## AIR QUALITY

78. An Air Quality Assessment has been submitted to assess the impact of the construction phase on local air quality, to establish the suitability of the site for residential development and to quantify any increase in impact on existing receptors adjacent to the site. The report concludes that no exceedances of National Air Quality Objectives will arise as a result of the development and any change in pollutant levels (specifically nitrogen dioxide from road traffic) will not be significant. The report highlights the potential for short term construction impacts (dust and particles <10 microns) and recommends the development of a Dust Management Plan (DMP) and other measures detailed in s.6.1 of the report. It is recommended that a condition be attached requesting submission of the DMP for approval prior to the commencement of works.

## CRIME AND SECURITY ISSUES

79. 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 that the development is supported subject to providing further information regarding perimeter and car park security and the treatment of the public realm. The main issues to be addressed are as follows:

addressing the quality of the public realm and approaches to the site; ensuring that the car and cycle parking is secure and safe for residents to use and that the shutter/gates to the car parking operate swiftly and maintain a secure boundary; developing an access management plan detailing how access into the development will be controlled for residents, visitors and drivers; and inclusion of a secure boundary to the amenity area of the site. GMP recommends any permission includes a condition requiring the development to achieve Secured by Design accreditation and, given the layout of the scheme, it is considered that the proposed scheme will be capable of achieving this standard. The above issues are of a nature that can be satisfactorily addressed by a condition requiring submission and approval of further information. Details of this condition are outlined at the end of the report.

## REFUSE ARRANGEMENTS

80. The development incorporates bin stores within each block on the ground floor and a Refuse Strategy is submitted with the application. The Waste Management Section has advised that the site has limited area for suitable waste storage arrangements so that it would be necessary to have a reduced number of containers on site but increase the number of collections made to possibly cater for two emptying's of general waste on a weekly basis. The applicant has advised it is intended there will be a twice weekly collection of waste from the two refuse areas. This will be monitored by the management company and managed accordingly. Waste Management have subsequently advised the storage arrangements along an elongated building restrict easy movement of containers as they will be impeded by the centrally stored containers. Additionally the service door must be sufficiently wide to allow ease of passage of the euro containers for emptying and return. They have since confirmed there should be sufficient storage for the bins so it is primarily the design of the store, service door width, etc. which could be dealt with by condition.

## DEVELOPER CONTRIBUTIONS

### Specific Green Infrastructure

81. 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 sets out a requirement for 1 tree per apartment or the provision of alternative Green Infrastructure treatments in lieu of, or in combination with, tree provision such as native species hedge, green roof, green wall, etc. To comply with this requirement the development would need to provide 164 trees and/or the provision of Green Infrastructure treatment. Due to the desirability of retaining the areas of open space as informal open space i.e. to retain an 'open' character with potential for recreational use, it is considered inappropriate to require this amount of tree planting on site and a smaller amount of tree planting would be appropriate. The SPD states the provision of alternative

Green Infrastructure treatments could be provided in lieu of, or in combination with, tree provision.

82. The submitted landscaping scheme indicates 62 no. trees and therefore given the shortfall in tree planting compared to the above standard, the scheme would be expected to provide alternative Green Infrastructure. In this case there is scope for native species hedges, green roof/green walls and/or additional biodiversity or landscaping elements to a SUDS scheme. The scheme includes a native species hedge alongside the footpath on the north western side of the site and on the south western boundary and a green roof is proposed to the link section between the apartments – these features are considered appropriate to the site and acceptable in lieu of providing 164 trees on the site, having regard to nature of the site and the development. In order to ensure the proposed tree planting and Green Infrastructure treatments are provided on site and that the specific details of the green roof and tree and hedge planting are suitable and of sufficient quality, a condition would need to be attached to any permission.

#### Education

83. Policy SL1 of the Core Strategy states that in order for development in this Location to be acceptable a contribution will be required towards the provision of a new 1-form primary school by 2021 to serve the new residential community in this and the surrounding area (including SL2 Trafford Wharfside and SL3 LCCC Quarter). Since the adoption of the Core Strategy, the Council has identified the requirement for a school to serve Pomona Island on the CIL Regulation 123 List and this is the mechanism by which a school in this location could be provided in the future. Where infrastructure is included in the CIL Regulation 123 List there is no requirement for a financial contribution from individual development proposals to contribute towards this infrastructure.

#### Ancillary Community Facilities

84. Policy SL1 of the Core Strategy states that in order for development in this Location to be acceptable the provision of ancillary community facilities will be required (SL1.5). This would include the provision of health facilities. The application includes a Health Impact Assessment which identifies existing healthcare provision in accessible proximity to the site including medical practices (doctor's surgeries), dental practices, opticians and pharmacies. It states that a qualitative assessment of the surgeries indicates a general capacity to absorb the increase in population and there is good existing availability of dentist surgeries, opticians and pharmacies in accessible range of the site. The report also refers to health benefits with the inclusion of an on-site gym and being in a sustainable location which benefits from good pedestrian and cycle links. The Assessment concludes the proposed development would not significantly impact upon the provision of existing health services within the local area or result in under-provision of services for the existing and proposed population.

Future phases on Pomona Island may need to contribute towards additional facilities given that the cumulative impact of development will increase pressure on existing facilities.

## CIL

85. 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).

### **RECOMMENDATION: GRANT subject to the following conditions:**

1. Standard 3 year time limit
2. List of approved plans
3. Samples of all external materials to be submitted and approved
4. Landscaping scheme to be submitted and approved, including full details of hard landscaping materials; proposed tree, hedge and shrub with planting plans, written specifications, schedules and implementation timetables; Green Infrastructure treatments (green roof); and boundary treatments.
5. Landscape maintenance scheme
6. Prior to occupation of the apartments a scheme of appropriate measures for the management and future maintenance of the footpath along the River Irwell/Manchester Ship Canal shall be submitted and approved.
7. Provision of access and parking facilities condition
8. Retention of access and parking facilities condition
9. No development shall take place unless and until the proposed car parking under the viaducts, as shown on the approved drawings, has been secured with the grant of planning permission and consent from the landowner. The car parking shall be provided in accordance with the approved plans prior to the first occupation of the development and retained thereafter and the spaces to be provided prior to occupation and retained thereafter.
10. Full Travel Plan to be submitted and approved

11. Development in accordance with recommendations of the bat survey, including the advice regarding lighting to be installed.
12. No vegetation clearance required by the scheme should be undertaken during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.
13. Details of bird and bat boxes to be submitted and approved
14. A scheme of measures to eradicate the invasive plant species Japanese knotweed and Giant Hogweed from the application site shall be submitted and approved prior to commencement of development.
15. No development to commence until full details of proposals to meet the requirements of the SFRA Guidance have been submitted and approved.
16. Sustainable Urban Drainage / disposal at source solution to dealing with surface water run-off.
17. This site must be drained on a separate system, with only foul drainage connected into the foul sewer.
18. Investigation and risk assessment to investigate the nature and extent of any contamination on the site (Phase I report) and a remediation strategy, including a verification plan, to be submitted and approved.
19. Verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation to be submitted and approved.
20. No infiltration or surface water drainage into contaminated ground is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
21. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
22. Noise mitigation scheme to be submitted and approved, including glazing scheme to show compliance with the report's mitigation recommendations and a ventilation scheme to ensure adequate ventilation can be provided without opening any windows.

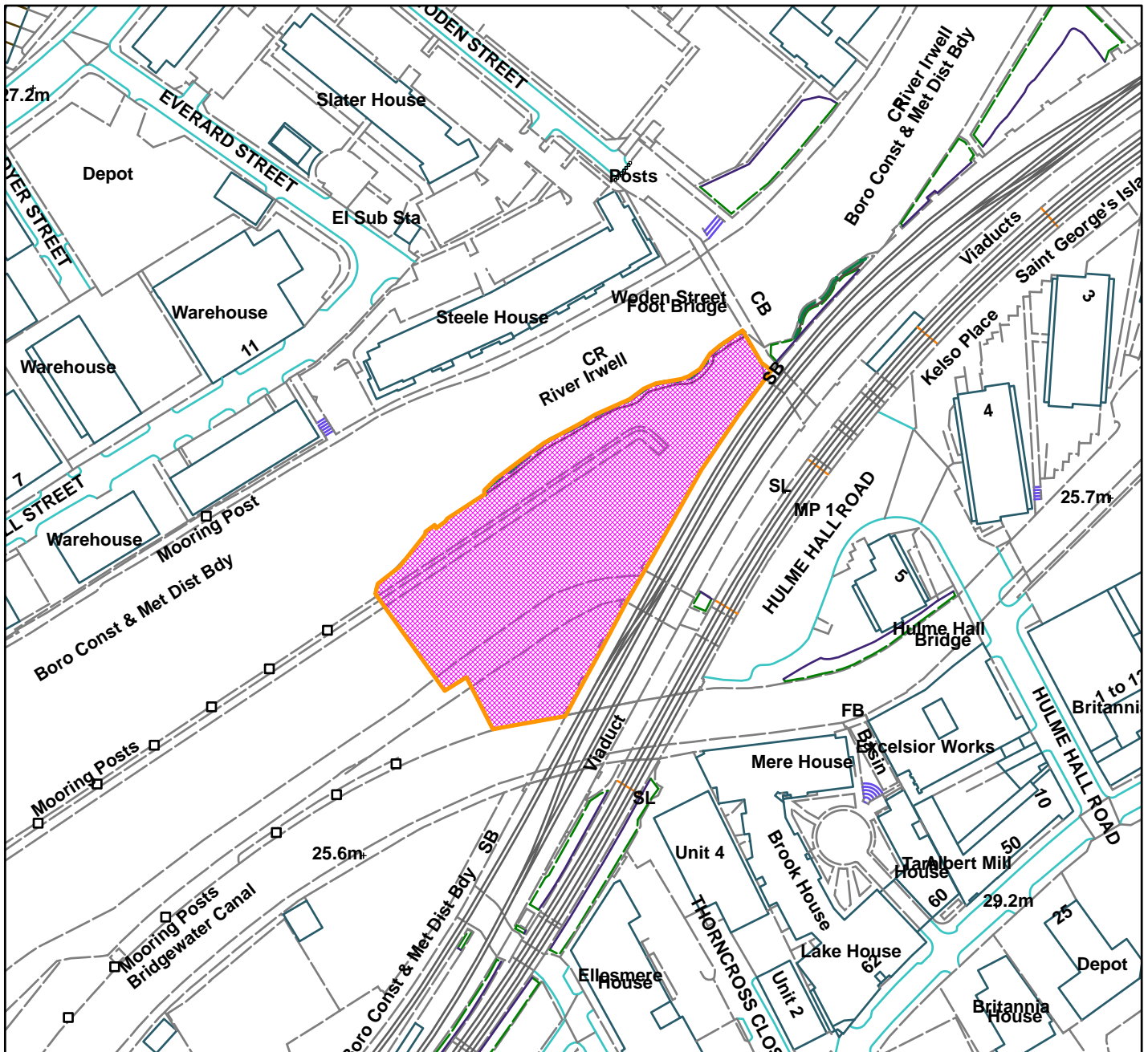
23. External lighting strategy to be submitted and approved, including details of lighting for the footpath, car park, open space and any proposals to light the external façade of the buildings.
24. Details of bin stores to be submitted and approved, including details of the design / internal layout, width of door and to include accommodation for separate recycling receptacles for paper, glass and cans in addition to other household waste.
25. Construction Method Statement to be submitted and approved and provide for parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities; and a scheme for recycling/disposing of waste resulting from demolition and construction works.
26. Dust Management Plan to be submitted and approved prior to commencement of development
27. Construction Management Plan with detailed method statements as to construction, details as to the design and position of any proposed cranes to be used on the site, a detailed programme of the works and all necessary risk assessments.
28. Full details for the secure cycle parking provision to be submitted and approved, including details of the location, type of stands, access arrangements, design and appearance of the external store and the spaces to be provided prior to occupation and retained thereafter.
29. Crime Impact Statement to be submitted and approved, incorporating further information on the following and the recommendations within the submitted Crime Impact Statement: addressing the quality of the public realm and approaches to the site; ensuring that the car and cycle parking is secure and safe for residents to use and that the shutter/gates to the car parking operate swiftly and maintain a secure boundary; developing an access management plan detailing how access into the development will be controlled for residents, visitors and drivers; and inclusion of a secure boundary to the amenity area of the site. The approved details to be provided and maintained thereafter.

RG

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Development Site, Pomona Strand, Old Trafford (site hatched on plan)



Scale: 1:2,000

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Bowdon

**85960/FUL/15**

**DEPARTURE: No**

**Erection of detached dwelling and formation of vehicular access to Groby Road.**

Land North West of the Junction of St Margarets Road and Groby Road, Altrincham

**APPLICANT:** JAM Properties Ltd

**AGENT:** Street Design Partnership

**RECOMMENDATION: REFUSE**

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**This application has been called in for consideration by the Planning Development Control Committee by Cllr Hyman who supports the application for the reasons set out in the representations section below.**

**SITE**

The application site is a prominent corner plot bounded by Groby Road and Saint Margaret's Road. It formed part of the gardens of Hill Carr, a substantial mid nineteenth century villa, located in a spacious setting and now subdivided into 8 flats. Hill Carr is identified in The Devisdale Conservation Area Appraisal Consultation Draft 2015 as a positive contributor to the Conservation Area with the following comments: "This building reflects a substantial number of other elements in the Conservation Area in age, style, materials and form. The building reflects the traditional functional character and former uses in the area. It illustrates the development of the settlement in which it stands. The architectural interest is of sufficient quality to distinguish it from other buildings of this period".

The historic curtilage of Hill Carr has been subdivided by a concrete post and timber panelled fence to form the application site. A gap has been retained to provide access from Hill Carr to the application site. No permission has been given for a change of use and it is considered that its permitted use therefore remains as a garden area of Hill Carr. This site is grassed with mature trees and shrubs, although at present it is somewhat unkempt.

**PROPOSAL**

Planning permission is sought for the erection of a 2 storey, (ground floor/lower ground floor) dwelling with four bedrooms. The main living accommodation would be at ground floor level with two additional bedrooms, cinema room and gym/plant room at lower ground floor level.



The dwelling would be of a contemporary flat roof design. It would be predominantly glazed with the flank and retaining walls of Cheshire Sandstone and would have a green roof with powder coated flashing and nosing.

The proposal also involves the removal of a 3.5m section of the boundary wall to Groby Road and the formation of a drive to the property. 1.5m high piers are proposed with 1.2m high timber gates. No further details of these have been provided. A curved driveway would be provided with parking area that could accommodate 2 cars and a turning head; the application form states that there would be provision for 4 car parking spaces.

The gross internal floor area of the proposed dwelling would be 463m<sup>2</sup>.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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  
L5 – Climate Change  
L7 – Design  
R1 – Historic Environment  
R2 – Natural Environment  
R3 – Green Infrastructure

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

ENV21 – Conservation Areas

## **PROPOSALS MAP NOTATION**

Devisdale Conservation Area

## **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS**

SPG: Planning Guidelines for The Downs, The Devisdale, Bowdon and Ashley Heath Conservation Areas, adopted June 1992

The Devisdale Conservation Area Appraisal Consultation Draft June 2015

Planning Guidelines - New Residential 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**

82686/FULL/2014 Erection of detached dwelling and formation of vehicular access to Groby Road. Refused 6/1/15.

79293/FULL/2012 Formation of access slope requiring removal of part of front wall and grading of land to form slope. Refused 3/12/12. Appeal dismissed 3/6/13

78503/FULL/2012 Formation of access slope requiring removal of part of front wall and grading of land to form slope. Refused 27/7/12. Appeal dismissed 3/6/13

H/65202 Creation of vehicular access onto Groby Road including demolition of part of existing boundary wall, provision of tarmac drive and erection of gateposts. Withdrawn 4/12/06

H/51228 Erection of one detached two storey dwelling. Refused 22/6/01

## **APPLICANT'S SUBMISSION**

Design and Access Statement

Heritage Statement and Impact Assessment

Supporting statement dated 4/8/15 makes the following points in support of the proposal:–

- Site entrance has been reduced in width, showing simple punched gated entrance flanked with natural stone pillars.

- Have “beefed up” the planting behind the stone wall.
- Provides opportunity to refurbish, clean and re-point the wall.
- Parking now at ground level reducing the amount of hardstanding and engineering necessary to get cars to the lower level enabled a run of substantial instant mature trees to be planted.
- The building has been reduced in footprint but sits no higher than the raised garden of Hill Carr.
- Continue to propose a green roof therefore no impact on the outlook from Hill Carr.
- No impact on the amenity of surrounding residents.

## **CONSULTATIONS**

**LHA-** The LHA notes that the applicant proposes 4 off-street car parking spaces and the ability for vehicles to turn within the site boundary. No visibility splay is provided at the entrance/egress which will limit the view of pedestrians on the footway. However, given the ability for vehicles to turn within the site and leave in a forward gear and the likely volume of pedestrians using the footway this is not anticipated to be an issue.

The LHA therefore has no objections to this application.

The proposals do include the creation of a new vehicular driveway, whilst there is no objection to this it is requested that the applicant’s attention is drawn to the need to gain further approval from Trafford Council’s Streetworks 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 ensure that adequate drainage facilities or permeable surfacing is used on the area of hardstanding to ensure that localised flooding does not result from these proposals.

**Drainage-** Considered to be a green field site and run off should be limited to green field run off rates.

**Pollution and Licensing –** The application is situated on brownfield land and conditions/reasons and notes should be attached should planning permission be granted. A contaminated land phase 1 report should be submitted and further investigations/remediation if required.

## **REPRESENTATIONS**

**Cllr Hyman -** supports the application on the following grounds:-

- The application does not interfere with the aspect of Hill Carr from the road with the grassed roof at the same level as the base of Hill Carr.
- An aerial view shows the proposed building is no closer to either Groby Road or St. Margaret’s Road than other existing buildings.

- The current unkempt land would be improved by the proposed planting and landscaping.
- The development is at the same road level as Groby Road and should not be viewed adversely as a subterranean development.

**Bowdon Conservation Group** – Object to the proposal on the following grounds:-

- Proposal is contrary to the NPPF, The Trafford Core Strategy and the Council's Planning Guidelines for The Downs, The Devisdale, Bowdon and Ashley Heath Conservation Areas. The Devisdale Conservation Area: Draft Conservation Area Appraisal – June 2015 is also a material consideration and the proposed use of the garden of Hillcarr for development purposes would be contrary to preserving and enhancing the special interest value of the Conservation Area and should be resisted.
- The applicant fails to demonstrate how the proposal satisfies the requirements of the Council's sequential approach to the release of Greenfield Land for housing development and is therefore contrary to the Core Strategy and also inappropriate development of residential gardens contrary to NPPF.
- The applicant has failed to engage with local residents or the Bowdon Conservation Group prior to the submission of the application.
- Impact on street tree and extent of excavation and retention of boundary trees on Groby Road is problematic as the area is reduced to no more than 3m wide and possibly less given the need to construct the proposed retaining wall. No tree report setting out why certain trees identified for removal.

**Neighbours** – Letters have been received from 4 different properties in Coppice Lodge and Hill Carr objecting to the application on the following grounds-

- Loss of light and privacy to apartments in Coppice Lodge.
- Beautiful nature of the land would be ruined.
- Enormity of excavations required and possible impact on stability of Hill Carr.
- Too much traffic already on St Margaret's Road. Cars parked on both sides of road, problems with deliveries. Problem with proposed entrance.
- Design does not meld with Hill Carr.
- What trees would be chosen as screening and would they be maintained?
- Green roof shown to be above height of boundary fence.
- Numerous previous applications on this site and dismissed at appeal. No significant change to the site or Bowdon Conservation area policies since then.
- There are restrictive covenants on the land regarding the need for the prior approval of the National Trust for erecting a building on the land. This may include alterations to the wall and the felling of trees.  
Copies of representations sent by one of the neighbours to previous applications were submitted but have not been summarised above.

## **OBSERVATIONS**

### **Principle of the Development**

1. There are two main issues to be addressed in respect of the principle of this development. Firstly whether the development of this garden land is in accordance with Policies in respect of new housing development and secondly whether the proposal preserves or enhances the Conservation Area and better reveals the significance of a designated heritage asset.
2. As part of this proposal is on garden land, which is classified as greenfield land both in the Core Strategy and NPPF, it will need to be considered in the light of Policies L1.7- L1.10 of the Trafford Core Strategy.
3. Specifically, Policy L1.7 sets an indicative target of 80% of new housing provision to be built on brownfield land. In order to achieve this, the Council will release previously developed land and sustainable urban area green-field land in the following order of priority:
  - Firstly land within the Regional Centre and Inner Areas;
  - Secondly, land that can be shown to contribute significantly to the achievement of the regeneration priorities set out in Policy L3 and/or strengthen and support Trafford's 4 town centres; and
  - Thirdly land that can be shown to be of benefit to the achievement of the wider plan objectives set out in Chapters 4 and 5 of the Core Strategy. (Strategic Objectives and Place Objectives).
4. The first priority cannot relate to this proposal because the site does not sit within either the Regional Centre or Inner Area. Therefore the application will need to be considered against the second and third points of Policy L1.7.
5. Taking into account the location of the development site, outside of the boundary of Altrincham Town Centre, it is considered that the development will not make a significant positive contribution towards strengthening and supporting Altrincham Town Centre. Therefore, it must be considered against the third point of Policy L1.7.
6. Given the current split between brownfield and greenfield land development (65%:35%), it is not considered that the applicant has provided sufficient evidence that the potential harm, to the Council's ability to meet its brownfield land target, is outweighed by the benefits of the scheme to the overall plan objectives.
7. Policy L1.10 states that "Where development proposals would involve the use of domestic gardens, due regard will need to be paid to local character, environment, amenity and conservation considerations." The site is within the

Devisdale Conservation Area and detailed information about the character of the area and conservation considerations is to be found in the Planning Guidelines for The Downs, The Devisdale, Bowdon and Ashley Heath Conservation Areas which are currently being updated with the draft Devisdale Conservation Area Appraisal. It is concluded that the proposed development is in conflict with Policy L1.10. This will be discussed further in the section below.

### Impact on Devisdale Conservation Area

8. Sub-area A of the Devisdale Conservation Area (within which the site lies) is characterised in the conservation area guidelines as having gently curving roads, low stone front boundary walls and a wealth of trees and other planting with substantial buildings behind. The overall impression is of a relaxed and affluent spaciousness, with landscaping dominant. To be acceptable, any development proposal must preserve or enhance the conservation area – the essential character is that arising from the areas pre-1914 development. The area has a high overall quality as regards layout, building design and landscaping. As the property is within The Devisdale Conservation Area the Council has a statutory duty to ensure development proposals preserve or enhance the character and appearance of the area.
9. The NPPF paragraph 132 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Paragraph 133 advises where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (such as a conservation area) this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Para 135 refers to the impact of a development on non-designated heritage assets. The NPPF at Para 137 states local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. Guidance within the NPPF also states that the Government attaches great importance to the design of the built environment and planning decisions should aim to ensure developments add to the overall quality of the area; respond to local character and reflect the identity of local surroundings; and

are visually attractive as a result of good architecture and appropriate landscaping.

10. Policy R1 of the Core Strategy states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness. It requires developers to demonstrate how the development will complement and enhance the existing features of historic significance; in particular in relation to Conservation Areas and other areas of identified historic features, and that the proposed development will not have any unacceptable impact. Within Conservation Areas the policy requires developers to demonstrate how the proposed development will preserve and enhance the Conservation Area, in the light of relevant Supplementary Planning Documents and Guidance notes.
11. The Guidelines for The Downs, The Devisdale, Bowdon and Ashley Heath Conservation Areas state that new buildings should normally reflect the low density character of the area, be two or three storeys high and take the form of a single compact building. The main requirements for new building design are that it should be of the highest standard in itself and that it should be compatible with the character and setting of the area. The guidelines also state it will almost always be necessary for external materials to harmonise with those on buildings nearby. Development should also maintain and enhance existing tree cover.
12. The Guidelines also state that in sizeable areas such as these there are bound to be variations in the quality of the individual developments. It is not sufficient to pick out the worst examples and base a proposal on them. In particular there are some modern developments that have not accorded with the special qualities of these areas. It is not the quality of these developments which is to be emulated.
13. The site falls within Character Zone A as defined in the Devisdale Conservation Area Appraisal Draft: June 2015. The appraisal advises that the area is characterised by the boundary treatment of the properties and the mature trees both on the roads and in the spacious gardens of the houses. Streets are lined with low garden walls of large stone blocks, with hedges of various species above and trees along the boundary. The pressure for the development of more residential accommodation can also be seen in the division of plots to allow for further new development, modern extensions and cul de sac developments. The subdivision of plots erodes the historic character of the area, which was traditionally one of large detached houses surrounded by substantial grounds.

#### New Access

14. With regards the new vehicular access, within Groby Road and Saint Margaret's Road and the wider Devisdale Conservation Area, the traditional arrangement of low stone wall with verdant planting above is an important aspect of the Conservation Area. This site is typical of the large plots described in Paragraph 4.8 of the Council's Supplementary Planning Guidance for The Downs, The

Devisdale, Bowdon and Ashley Heath Conservation Areas, with its dense informal mixture of trees and shrubs on the boundary. This is emphasized by the vegetation being on a raised area behind a sandstone wall.

15. The removal of a significant 3.5m section of the wall and the excavation of the raised bank would result in a significant gap in the wall and a large area of hardsurfacing behind to form the 5m wide drive and turning head. This would be out of keeping with such historic boundary treatment and views will be opened up into the site. Such incremental change is cumulatively very destructive of the character and appearance of the Devisdale Conservation Area. It would therefore be harmful to an identified heritage asset. The proposal does not show the provision of a visibility splay for road safety and should this be provided the opening would be likely to be increased in size. The demolition of the wall and raised bank has already been refused planning consent twice and dismissed on appeal. The proposal indicates that low timber gates would be provided however no detailed designs are provided. This could however be addressed by condition should the application be approved; it is however, recommended that planning permission be refused on the basis of these concerns.
16. As identified in the Conservation Area Guidelines an important characteristic of the area is the high proportion of soft landscaping. The guidelines (Paragraph 5.7) state that the Council will seek to maintain and enhance the tree cover in the conservation area and avoid opening up the frontages by accesses. The proposal would result in the formation of an additional access and would be contrary to the guidelines.

#### Landscaping

17. The loss of mature planting would be harmful to the green infrastructure of the area and would not enhance the landscape character. The applicant has failed to demonstrate how the proposal would protect and enhance the landscape character; biodiversity, geodiversity and conservation value of its natural urban asset in accordance with Policy R2 of the Trafford Core Strategy. The Council is concerned that the site has been left to deteriorate over a number of years but this should not be taken into account in any decision in accordance with Paragraph 130 of the NPPF.

#### Design

18. The application proposes an entire floor of living accommodation above ground level. The building would measure 37.5m at its widest point and would be 9m in depth. This development as viewed at ground level would in reality have the appearance of a contemporary designed bungalow. Advice contained with the Council's Supplementary Planning Guidance for *The Downs, The Devisdale, Bowdon, Ashley Heath* states that 'bungalows are not characteristic and will not be acceptable in most cases' (Para. 5.8). Notwithstanding this, the guidelines



also state that overall new building design within the Conservation Area should be of the highest standard in itself and that it should be compatible with the character and setting of the area and it is not sufficient to emulate poor examples. The guidelines identify the 'the important building styles in the area as those from before 1914 (generally Victorian) and it is in this context that the design of new development will be considered. In these older buildings a range of styles was used but, even given this variety as background, several modern buildings appear quite inappropriate' (para.5.8 d). Advice within the Councils SPG New Residential Development states that for development in established areas of older housing 'the Council is concerned to promote better design and, where appropriate, will encourage new residential developments that pay due regard to the character and architectural styles of the surrounding area'(Para. 2.9). It is therefore considered that this "bungalow" type development is not appropriate or acceptable in this location and would be contrary to the Planning Guidelines for the Conservation Area.

19. It is noted that planning permission was granted for a subterranean dwelling (H/71225) at Limehurst on St. Margaret's Road accessed by a stone folly. However a subsequent application (80758/FULL/2013) for a dwelling with a larger built form above ground was dismissed on appeal. Another planning application 76497/FULL/2011 at "Eversley" Dunham Road for a new dwelling was refused and dismissed on appeal. The Inspector stated that "The horizontal massing, individual roof design and choice of external materials would result in a building of radically different appearance to others in the Conservation Area and that local distinctiveness should be reinforced." Both of these related to prominent garden sites on large corner properties, both sites being within the Devisdale Conservation Area.
20. The footprint of the development, extent of hard surfacing and loss of soft landscaping and planting would have a detrimental impact on the setting of Hill Carr. The garden between Hill Carr and Groby Road contributes significantly towards its overall character and appearance. There is an historic relationship between the two sites and the elevation, position and orientation, result in this, historic property directly overlooking the site. It is noted that development has previously been allowed to the north of Hill Carr and this emphasises the importance of retaining all the remaining garden area, in order to retain the spacious character of the area.
21. Beyond the site boundaries the building would be at odds with the prevailing historic residential development and would neither preserve nor enhance the overall character and appearance of the conservation area. Advice within the NPPF states that when determining planning applications, local planning authorities should take account of *'the desirability of new development making a positive contribution to local character and distinctiveness'* (Para. 131). It is the view of the local authority that this proposal would not make a positive contribution to local character and distinctiveness. It would cause harm to the

conservation area and no public benefit has been demonstrated that would outweigh this harm.

### Residential Amenity

22. Although this proposed scheme involves development above ground level, as it is single storey the new dwelling would not result in any adverse impact with regards overlooking to the adjacent Hill Carr apartments. It is considered that the increased level of comings and goings resulting from the one additional dwelling proposed would not be unduly harmful to the amenities of existing residents on the site.
23. The proposed building would be 4m from the boundary with Coppice Lodge and at the closest point the buildings would be approximately 12.5m apart. There are a significant number of large windows in Coppice Lodge looking out over the application site. The applicant has indicated that the existing 1.8m high close boarded fence will remain along the boundary with The Coppice. A landscaping scheme would need to demonstrate how planting along the boundary would mitigate any privacy issues with Coppice Lodge without resulting in an undue loss of light to the apartments in Coppice Lodge. It is considered that any issues with regard to the level of amenities enjoyed by residents of Coppice Lodge could be dealt with by way of condition and a reason for refusal on these grounds is not recommended.

### Car parking

24. The applicants state that 4 car parking spaces would be provided; the layout indicates 2 independent spaces though there is space within the driveway and turning area for more to park. The standards set down in the Trafford Core Strategy would require 3 car parking spaces to be provided for a dwelling of this size in this location. This could be dealt with by condition however the parking, drive and turning area will create a high level of hard surfacing which will be detrimental to the character of the Conservation Area.

### Ecology/Bats

25. No survey in this respect has been submitted. A survey was not considered necessary. Bats are however a protected species and the normal legal requirements would need to be complied with.

### Trees

26. The application submission includes a tree survey plan and schedule. Although the property stands within a designated conservation area, none of the trees therein are protected by a tree preservation order. Although some trees may have been removed this does not form a part of this planning application.

## DEVELOPER CONTRIBUTIONS

27. This proposal is subject to the Community Infrastructure Levy (CIL) and is located in the hot zone for residential development, consequently private market houses will be liable to a CIL charge rate of £80 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).
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 would be attached in the event of planning permission being granted, to make specific reference to the need to provide at least three additional trees on site as part of the landscaping proposals. A fourth tree should be required to replace the beech tree already removed.

### **RECOMMENDATION: REFUSE for the following reasons:**

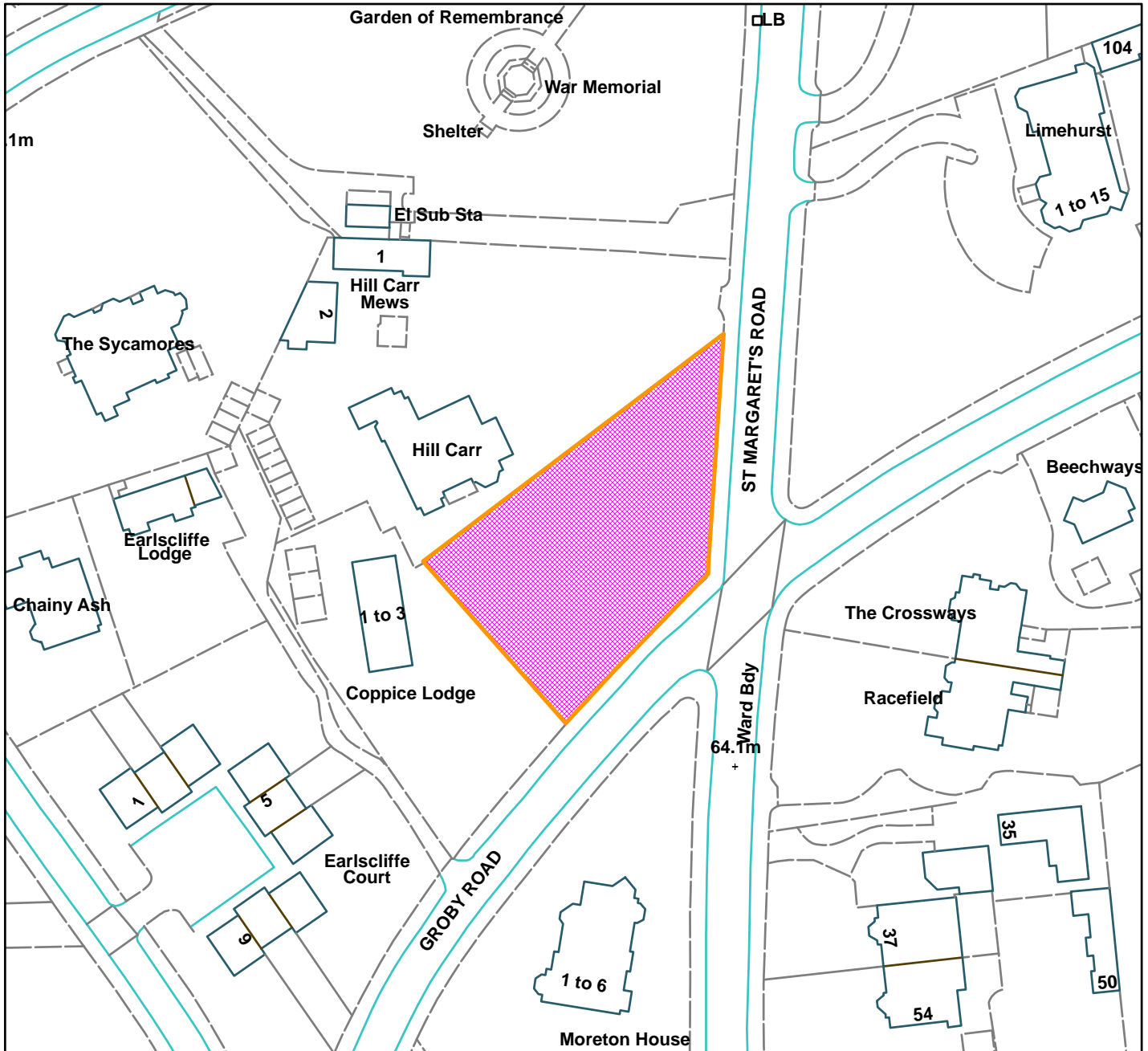
1. The proposed access, by reason of the loss of a section of wall, bank and soft landscaping, would be detrimental to the character and appearance of the Devisdale Conservation Area, and fail to better reveal the significance of the heritage asset. Furthermore the applicant has failed to demonstrate how the development will complement and enhance the existing features of historic significance including their wider setting and how the development will preserve or enhance the Conservation Area in the light of relevant Supplementary Planning Documents. As such, the proposal is contrary to Policies L7, R1, R2 and R3 of the Trafford Core Strategy and the Council's approved Planning Guidelines: 'The Downs, The Devisdale, Bowdon and Ashley Heath Conservation Areas, and to relevant national policies as set out in the National Planning Policy Framework.
2. The proposed dwelling by reason of its design and external appearance and the level of hardsurfacing proposed would form an incongruous and alien feature within the street scene and would fail to preserve or enhance the character or the appearance of the Devisdale Conservation Area. As such it is contrary to policies L1.10, L7 and R1 of the Trafford Core Strategy, Proposal ENV21, of the Revised Trafford Unitary Development Plan and the Council's approved Planning Guidelines 'New Residential Development' and Guidelines for the Devisdale Conservation Area and advice contained within the NPPF.
3. The applicant has failed to demonstrate how the development would satisfy the tests set out at L1.7-L1.9 of the Trafford Core Strategy in particular how the development of the land will not compromise the Council's achievement of its brownfield land target over the Plan period.

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CMR



Land NW of Junction of St Margarets Road/Groby Road, Altrincham (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Hale Barns

**85971/FUL/15**

**DEPARTURE: NO**

**Creation of 7 no. new car parking spaces, with dropped kerb and new boundary fencing to open space to flats**

1-14 Field Walk & Land between rear of 1-4 Field Walk & Playground Clarke Crescent, Hale

**APPLICANT:** Trafford Housing Trust

**AGENT:** BTP Architects

**RECOMMENDATION: GRANT**

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**SITE**

The application relates to a grassed area adjacent to Field Walk which is a development of 14 flats, sited within three rows of two storey blocks sited on the northern side of Clarke Crescent, Hale. Residential properties are sited to the southern boundary of the site. To the west of the site lies a children's playground and to the north and east of the site lies open land. Two landscaped quad areas are sited centrally within the residential blocks, with open private amenity spaces lying to the blocks east and west. Field Walk is owned and managed by Trafford Housing Trust.

**PROPOSAL**

Planning permission is sought for the erection of a 1.2 metre boundary fence and the creation of 7 off-road parking spaces. The car park would be finished in tarmac and would be accessed via a dropped kerb from Clarke Crescent. The boundary fence would comprise a high hooped steel design and would be erected to the eastern, southern and western boundaries of the residential units.

**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 1<sup>st</sup> 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 26<sup>th</sup> 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 – Transport and accessibility  
L7 – Design  
R2 – Natural Environment

## **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**

H06599 - Erection of 14 aged persons flats in 3 - 2 storey blocks. Application approved 19.01.1978

H05423 - Erection of aged persons flats in two blocks of four flats & one block of six flats (14 units). Application approved 28.07.1977

## **APPLICANT'S SUBMISSION**

The applicant has submitted relevant plans and drawings in support of the planning application

## **CONSULTATIONS**

**Local Highways Authority** - The LHA has no objections subject to the necessary highway approvals being sought for the implementation of the dropped kerb crossing.

## **REPRESENTATIONS**

15 objections were received as a consequence of the planning application publicity. The following issues have been raised: -

- Loss of children's play space and community facility
- Impact on child safety in relation to the car park being in close proximity to play area
- Impact on highway safety
- Loss of parking capacity on the highway
- Detrimental impact on the character of the area
- Visual impact of the car park and fencing
- Impact on trees
- Impact on wildlife

## **OBSERVATIONS**

1. The application site comprises 14 residential units and associated amenity space. It is understood that the site is used by the local community as a recreational space, however the site is owned in its entirety by Trafford Housing Trust, and it has no formal open space function. To the west of the application site, located approximately 8 metres from the edge of the proposed car park is a children's playground which will be unaffected by the proposed development.

## **VISUAL AMENITY**

2. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area
3. The main visual impacts of the proposal relate to the loss of the grassed area and its replacement with hardstanding and the erection of a fence.
4. The grassed area in question lies to the western side of the residential blocks, adjoining the children's playground to the western side of the site. The western-most section of this is to be replaced with Tarmacadam, allowing for the creation of 7no. car parking spaces, with a dropped kerb access erected to its southern side.
5. Although the proposal would result to a change to the physical appearance of the area, this would not be materially different when viewed from the wider street scene. As the car park would still allow for views over and given that no fencing or other physical enclosure would be added around the car-park, the element of space within the street-scene is considered to be retained. It should be further noted that a sizeable area of private amenity space would still be retained to the car-parks eastern side. It is therefore considered that the proposed area of hard

standing is appropriate in this setting, and would not appear as a prominent feature within the wider street scene.

6. The proposed boundary treatment would comprise metal railings at a height of 1.2m above ground level. The railings would be erected alongside the sites eastern and southern boundaries. To the west, the proposed railings would be erected centrally between the proposed car park area and the western most residential block. The proposed boundary treatment would define the extent of amenity space associated with the existing dwellings. The proposed railings would be set back from the highway and would incorporate three gates which will provide pedestrian access to and from the dwellings and the street.
7. It is considered that the proposed boundary treatment is appropriate to its context, as similar railings and other forms of fencing can be found erected along the front and side boundaries of other residential properties in the area. The proposed height and style of the railings would preserve the open aspect of the development and as such it is not considered that this would appear visibly obtrusive within the wider street scene. Given its form, scale and design the proposed railings are considered to enhance the wider appearance of the site and as such are considered to be acceptable.

## **RESIDENTIAL AMENITY**

8. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
9. The proposed development would reduce the amount of green space at the site. However, it is not considered that the loss of green space would adversely affect the level of amenity neighbouring residents currently enjoy. The occupants of the dwellings would continue to have access to an appropriately sized area of outdoor amenity space, which will be demarcated by the erection of the fence.
10. It is not considered that the introduction of the parking spaces would raise any issues with regard to loss of light and/or overbearing impact given the minimal works required to facilitate the introduction of the proposed parking areas and the fact that the relationship of the neighbouring properties to the proposed parking areas is not uncommon with comparable relationships being found on many housing estates across the Borough.
11. With regard to noise and disturbance associated with the proposed car park, it is noted that the development is small scale in nature and the number of vehicle movements associated with the creation of 7 parking spaces would be limited, with the predominant usage being from occupants of the neighbouring dwellings.



On this basis, it is not considered that the introduction of the proposed car parking will result in neighbouring residents being exposed to an unacceptable increase in the level of noise and disturbance that they are exposed to.

12. The proposal is therefore considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF as it would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy.

## **PARKING AND HIGHWAY SAFETY**

13. The car park will be provided to the west of the existing residential units. Located approximately 8 metres from the boundary of the proposed car park is a children's play area. The children's play area is located outside the site boundary and as such the proposed car park will not have an impact on the children's play area. The Local Highways Authority have raised no objections to the location of the proposed car park from a highway safety perspective.
14. The car park would create 7 off-road parking spaces for the residents of Field Walk, whom currently rely on a limited number of spaces which are sited along Clark Crescent, to the southern side of the site. It is considered that the creation of additional parking spaces for the residents of Field Walk will reduce the current pressures associated with residents parking on the public highway.
15. The car park will be accessed via a dropped curb off Clarke Crescent. The Local Highway Authority has assessed the proposed access arrangements and they have raised no objections in terms of highway safety and as such the proposed access arrangements are considered acceptable and as such the scheme is compliant with Core Strategy policy L4.
16. The Parking Standards and Design Supplementary Planning Document identifies a series of design, safety, layout and amenity principles which are relevant to the determination of this planning application. The Local Highway Authority has also assessed the proposed scheme against these principles and no objections have been raised. The proposed scheme therefore complies with Core Strategy policy L4.

## **TREES**

17. Policy R2 of the Trafford Core Strategy requires development to protect and enhance the landscape character of an area. It is noted that there are a number of trees on site. Although no trees will be removed as a consequence of the proposed development, a number of trees are located in close proximity to the proposed fence and more significantly the proposed car park. It is therefore considered that tree protection measures should be implemented during the

construction phase of development. A planning condition is recommended to secure appropriate tree protection measures.

## **CONCLUSIONS**

18. The proposed development would result in the loss of an area of privately owned amenity space. Notwithstanding this, residents of Field Walk would continue to have access to an appropriately sized area of outdoor amenity space, which will be demarcated by the erection of the proposed fence. The scheme will provide additional parking for residents of Field Walk which will help to ease parking pressures on the surrounding highway. The potential impacts of the scheme have been assessed and it is considered, subject to conditions that planning permission should be granted

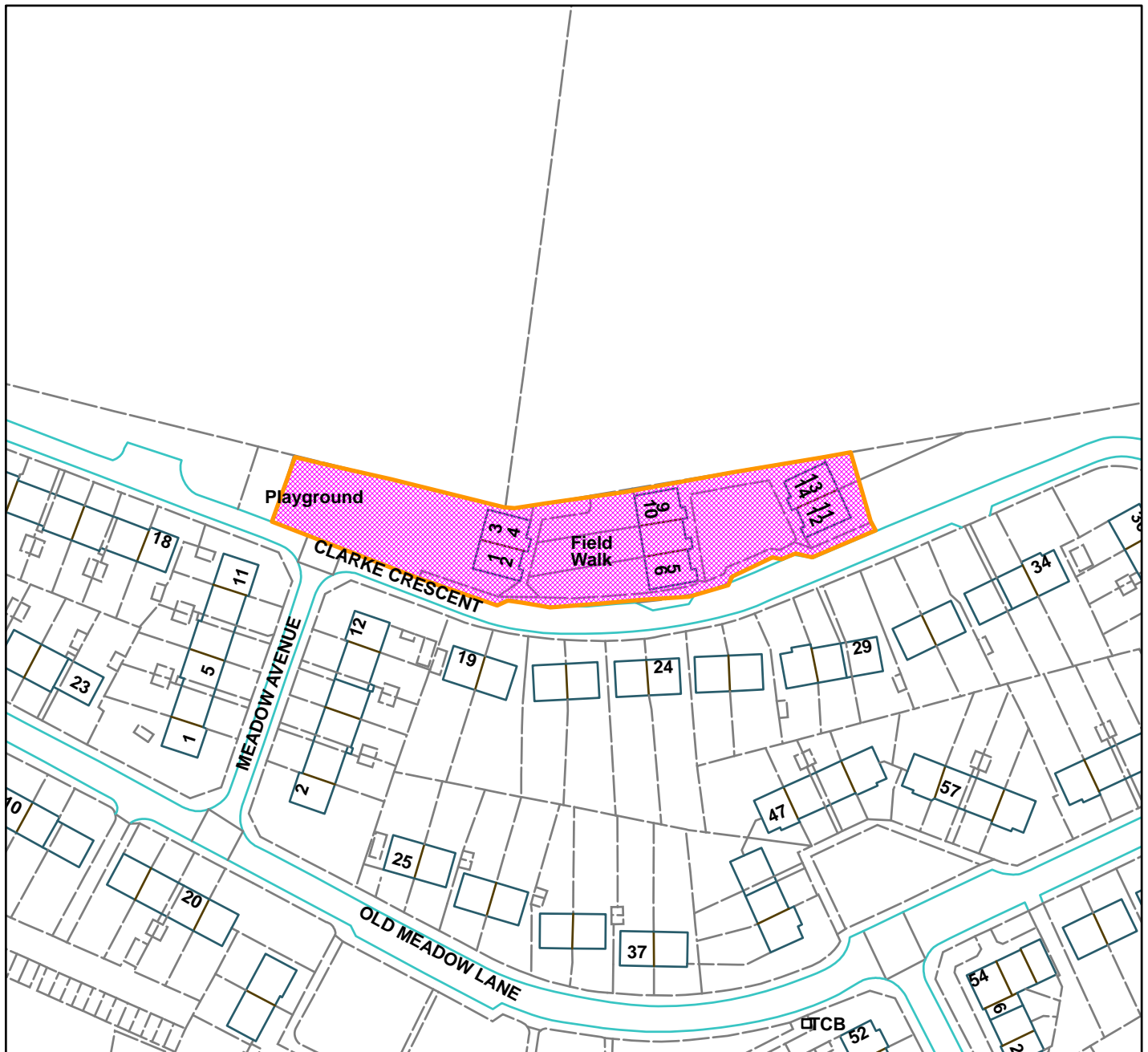
## **RECOMMENDATION: GRANT subject to the following conditions**

1. Standard
  2. Materials to match those detailed on submitted plans
  3. Details- compliance with plans
  4. Implementation of tree protection measures during the construction period.
  5. Drainage
- 

IG



1-14 Field Walk & Land between rear of 1-4 Field Walk & Playground Clarke Crescent, Hale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Longford

**86031/FUL/15**

**DEPARTURE: No**

**Erection of 4 no. two storey dwellings.**

43 - 49 Humphrey Road, Old Trafford, M16 9DD

**APPLICANT:** Arcon Housing Association Ltd

**AGENT:** Michael Stewart Architecture

**RECOMMENDATION: GRANT**

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**SITE**

This application relates to a 0.06 hectare plot of vacant land located in between 41 and 51 Humphrey Road in Old Trafford. The site, which has a mature sycamore tree adjacent to the rear boundary, is covered in grass.

The supporting information advises that the site was formerly occupied by 4 terraced properties; however these were demolished in 1991.

The application site is located within a predominantly residential area, being bounded to the north, east and west by terraced residential properties. Seymour Park occupies the land to the south, on the opposite side of Humphrey Road.

The application site is located within the Old Trafford Priority Regeneration Area (E10).

**PROPOSAL**

Planning permission is sought to re-develop the site via the erection of 4no. two storey dwellings, each with two bedrooms.

The proposed dwellings would span the width of the site, being built off the gable walls of the properties at 41 and 51 Humphrey Road.

The dwellings, which would measure 6.5m in height at the eaves and 9m in height at the ridge, with a pitched roof, would be set back 2.9m from the back of the footpath on Humphrey Road. The main front elevation of the proposed dwellings would run flush with the main front elevations of the adjacent properties at 41 and 51 Humphrey Road. The rear elevation of the dwellings would be set back 3.3m behind the rear wall of the outriggers at 41 and 51 Humphrey Road. The units would be set approximately 0.45m above street level of Humphrey Road being accessed via a series of steps.

Each of the dwellings would be provided with an area of useable amenity space in the form of a rear garden.

There would be no on-site parking provided for any of the dwellings, however future occupants would be able to utilise the on street parking available on Humphrey Road and the neighbouring residential streets.

The proposed dwellings will be affordable units, the tenure of which is yet to be determined.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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  
L3 – Regeneration and Reducing Inequalities  
L4 – Sustainable Transport and Accessibility  
L5 – Climate Change  
L7 – Design  
L8 – Planning obligations  
R2 – Natural Environment

### **PROPOSALS MAP NOTATION**

Priority Regeneration Area Old Trafford (E10)

### **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**

There is no relevant site history.

## **APPLICANT'S SUBMISSION**

The applicant's submission includes –

- Design and access statement
- Arboricultural Report
- CIL form
- Sustainability Strategy Report
- Flood Risk report
- Building for life assessment
- Phase 1 Desk Study and preliminary contaminated land risk assessment
- Ground investigation – geotechnical (February 2014 and May 2015)
- Gas Risk Assessment Report (May 2015)
- Geo assist technical statement

## **CONSULTATIONS**

**LHA** – Advise that according to the Council's maximum parking standards a two bedroom dwelling in this location should be provided with 2 parking spaces.

Note that the proposed dwellings would not be provided with any on street parking before confirming that they have no objections to the proposals given the availability of on street parking, the proximity of the site to good public transport links and given the nature of the adjoining properties all of which have no off street parking.

**Metrolink** – Advise that they have no comments to make on the application.

**Lead Local Flood Authority** – Advise that it will be necessary to constrain the peak discharge 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. State that 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 Local Planning Authority and none of the development shall be brought into use until such details as approved are implemented in full, with such works being retained and maintained thereafter.

Advise that the water tables around the Trafford Park area are rising and that this may be a reason why once dry cellars are now becoming damp / flooded before advising that they agree with the developers conclusions that the development should not impact on the groundwater regime and should not adversely impact on the current cellar situation - effectively the development is 'perched' over the site supported on deep piles.

**Pollution and Licensing (Contaminated land)** – Confirm that they have reviewed the environmental reports submitted in support of the application, advising that there are no contaminated land or ground gas concerns that would prevent the proposed development taking place. As such they advise that the precautionary approach of installing a gas resistant membrane (minimum 1200 gauge) and ventilated sub floor void is acceptable; there is no need to undertake any further gas monitoring in respect of the development. Advise that a condition should be attached to secure the installation of the membrane and ventilated sub floor void.

**GMEU** – Note that the development will require the felling of a mature sycamore tree within the grounds of the proposed site. Advise that no existing bat roosts are known to occur in either adjoining property, before stating that it is unlikely that the buildings or the tree support a roost. In the light of this they confirm that they have no objections to the proposal subject to the attachment of an informative to advise the developer on what action to take should bats be found during works.

## **REPRESENTATIONS**

19 letters of representation, from 18 different addresses, have been received in response to this application. The following issues have been raised -

- Subsidence has been a problem in the past due to the presence of an underground pond with the dwellings that previously occupied the site being demolished in 1991 as a result of the issue, with buttresses being built at 41 and 51 Humphrey Road to prevent these properties subsiding. At the time the properties that formerly occupied the site were demolished neighbouring residents were advised that there would be no development on the site. Neighbouring residents feel that if subsidence has been an issue in the past it will be an issue in the future as the underground pond remains. Neighbours consider that subsidence will be an issue not only for the proposed units but those adjacent, particularly if elements of the buttress walls are removed. As such neighbours are requesting assurances that the developer will monitor and remediate any damage that occurs as a result of the development
- The submitted ground contamination reports indicate that there are medium/high levels of contaminants at the site – residents are concerned about the risks are associated with any contaminants at the site, querying whether remediation work is necessary in order to protect them and future occupants of the site
- Until recently there have been 4 methane gas vents on the site – these were put in post demolition of the dwellings that occupied the site previously. These have

recently been removed and there are concerns that the removal of these vents and the subsequent re-development of the site will cause methane build up/seepage into neighbouring sites and properties, having the potential to become hazardous

- Following the demolition of the houses that previously stood on the site the cellars of the adjacent properties have suffered from water ingress. If the proposed dwellings will result in the cellar areas of the former properties being excavated neighbouring residents are questioning what impact this will have on their properties – if the pond is disturbed and structures built on the site the water will have to find another way to flow
- The proposals will provide two bedroomed properties, when families in the area actually need properties with three bedrooms or more – the provision of more two bedroomed houses will perpetuate a transient community who will be looking to move on to larger properties fairly quickly rather than strengthening the community. There is scope to provide larger properties at the site.
- The proposal will result in the loss of a large, mature tree – the removal of this tree will be detrimental to visual amenity and the wildlife which use the tree including squirrels and nesting birds
- The proposed dwellings do not respect the local content and/or the character of the established terraced row of housing, neither would they integrate into the street pattern – the scheme does not include bay windows and the front gate is not facing the main entrance as it is on the other properties on Humphrey Road and this disparity would have an adverse impact upon the street scene.
- The proposed dwellings would not have any on-site car parking and as such the proposal would exacerbate existing parking problems in the area, which have got increasingly worse over the past few years.
- The environmental report submitted has a totally incorrect date as the original houses were demolished under a CPO by Trafford Council due to subsidence in the early 1990s, not 1999 as stated in the report.

Kate Green MP contacted the Planning Department on behalf of Mr John Rainey of 41 Humphrey Road. A response was sent on the 14<sup>th</sup> August 2015 summarising the current position on the application and advising that a public meeting had been arranged to allow concerned residents to meet with the developers and planning staff.

A public meeting was held with concerned residents, the developer and their consultants and representatives from Trafford Council on the 25<sup>th</sup> August 2015.

This meeting answered many of the questions raised by neighbours however the residents have collectively raised the following matters/ asked the following questions further to the meeting: –



- Joining new properties to existing
  - i) Do 41 and 51 have to agree to the build joining their properties?
  - ii) If Trafford deem the properties are to be joined can 41 and 51 refuse to allow their roofs to be joined?
  - iii) If residents of 41 and 51 do not give permission to either adjoin or attach to their properties/roofs will new Plans be submitted?

- Insurance Advice
 

We have sought advice and contacted our Building Insurers for guidance about the potential building work at the side of our properties as the implications could be damage to our properties i.e. subsidence or cracks appearing in walls, damage to foundations during and after the build. What steps will Arcon or Trafford take to ensure the build does not have an adverse effect on the existing properties?

- Written Assurance from Trafford or Arcon
 

Will there be assurances in writing from either or both of the above regarding the plans for the build?

- Inspection of properties
 

At Trafford Town Hall Public Meeting Arcon agreed to inspect 41 and 51 prior to work commencing to include photographs.

  - i) How often will this monitoring be done throughout construction?
  - ii) If damage occurs who will be liable to remediate and stand costs?
  - iii) How often will inspection of properties continue Post Construction- if at all?

- Buttresses and Gable Walls 41 and 51
  - i) Who owns Buttresses and Gable End?
  - ii) How deep are they and are they below the cellars of 41 and 51?
  - iii) Will the top of the buttresses be inspected to ascertain how waterproof they are?
  - iv) How deep into the Gable Walls and Buttresses of 41 and 51 will the builders go?

- Joining Roofs
 

If new roofs are joined to existing on 41/51 will the builders have to disturb existing and go on these during construction?

- Foundations on New Properties
 

How deep will the foundations go on new properties?

- Pile Driving
 

What will be the extent of the Pile driving and for how long?

- Construction Site hours and traffic
  - i) What will be the hours of construction and how will this be controlled?
  - ii) How much traffic will there be and how will this be managed?
  - iii) Will there be alternative parking for residents during construction?

iv) Will there be on site security?

- Parking

i) There are serious parking problems in the area which will be exacerbated by new residents. Can Stanley Rd be re- opened?

ii) Will traffic congestion problems be addressed?

- Methane Gas

If the foundations are disturbed during building or from the weight of new houses will this create Methane Gas and where will this migrate to?

- Cracks in the Walls at 51 Humphrey Road

51 has issues with cracks on external and internal walls and sloping Kitchen floor, garden wall at front cracks and 41 external back garden wall is separating. Is this a sign of subsidence and instability of the land?

- Wildlife

i) What are the plans for the tree especially if birds are nesting in it?

ii) There are Bats present in the immediate area so what would happen re protection?

- Water Levels

There is reference to rising water levels in the reports so how will this be affected when houses are built on the site? Will there be an increase in water in the cellars along the row?

*In respect of the questions neighbouring residents have raised with regard to assurances that the proposal will not adversely affect their properties, the specifics of the buttresses at 41 and 51 Humphrey Road, the proposed construction details, their rights regarding works to their properties and their requests for regular inspections through the construction process and post construction these matters are not material planning considerations in the determination of this application – these are civil matters that need to be discussed with appropriate assurances sought from the developer. Arcon have however responded in more detail in respect of these private matters. Their detailed response has been forwarded to the concerned residents.*

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. Annex 2 of the NPPF provides a definition of what constitutes previously developed land stating that “*Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure but excludes land that was previously developed but the remains of the permanent structures of fixed surfaces have blended into the landscape in the process of time*”. According to this

definition the application site does not constitute previously developed land as there are no remnants of the dwellings that previously occupied the site remaining.

2. It is acknowledged that the NPPF promotes the development of previously developed sites; however it does not preclude the development of Greenfield sites for residential purposes.
3. Paragraph 14 of the NPPF advises that at its heart is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking, with Paragraph 49 of the NPPF advising that housing applications should be considered in the context of the presumption in favour of sustainable development.
4. Policy L1.7 of the Core Strategy, which relates to Land for New Homes, sets an indicative target of 80% of new housing provision to be built on Brownfield land over the Plan period. It goes on to advise that in order to achieve the 80% target the Council will release previously developed land and sustainable urban Greenfield land in the following order of priority –
  - Firstly land within the Regional Centre and inner areas
  - Secondly, land that can be shown to contribute significantly to the achievement of the regeneration priorities set out in policy L3 and/or strengthen and support Trafford’s town centres
  - Thirdly, land that can be shown to be of benefit to the achievement of the wider plan objectives set out in Chapters 4 and 5 of the Core Strategy which relate to Strategic Objectives and Place objectives.
5. Policy L2 of the Core Strategy, which is entitled “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. It requires new development to be (a) On a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents; (b) Appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure (schools, health facilities, leisure and retail facilities) to ensure the sustainability of the development; (c) Not harmful to the character or amenity of the immediately surrounding area and; (d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.
6. Policy L3 of the Trafford Core Strategy relates to the Borough’s Regeneration Areas. It states that within these areas the Council will seek to encourage developments that will address and reduce inequalities identified within the Index of Multiple Deprivation.

7. In this case the application site is not located within the Regional Centre; however it is located within the Inner Area. It is also located within the Old Trafford Priority Regeneration Area.
8. It is considered that the proposal would make a positive contribution towards meeting Strategic Objectives S01 which relates to meeting housing needs and S02 which relates to regeneration, while also making a contribution towards achieving place objectives OT01 and OT02 which seek to improve the quality, mix and type of residential offer in Old Trafford and maximise the re-use or redevelopment of unused, underused or derelict land within the area. The development will also contribute to the regeneration priorities for Old Trafford, making a positive contribution towards the housing stock in the area through the provision of family homes.
9. Having regard to these facets of the development, in combination with the fact that the application site is considered to be located within a sustainable location being located within walking distance to the Trafford Bar and Ayres Road local centres and public transport links at Trafford Bar and on Chester Road, it is considered that subject to the development being acceptable in terms of its impact upon the character of the area, neighbouring properties and highway safety the principle of erecting four, two bedroom dwellings at the site is acceptable and in accordance with the NPPF and the Core Strategy; the proposal would provide additional residential accommodation and contribute towards meeting the housing needs of the Borough.
10. In any event it is necessary to have regard to the fact that the Council is unable to demonstrate a 5 year supply of housing, which means the housing policies in the plan are considered to be out of date, with paragraph 14 of the NPPF advising that where the development plan is out of date, planning permission should be granted unless “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole*” or “*specific policies in this Framework indicate development should be restricted*”. On this basis it is considered that the principle of the development is acceptable – the site is located within an urban area with the proposal offering an opportunity to develop a site which is located within an accessible and sustainable location and there are no specific policies in the framework which indicate that the development should be restricted.

## **VISUAL AMENITY**

11. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment - good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places

better for people. 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.

12. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
13. The dwellings, which would measure 6.5m in height at the eaves and 9m in height at the ridge, with a pitched roof, would be set back 2.9m from the back of the footpath on Humphrey Road. The main front elevation of the proposed dwellings would run flush with the main front elevations of the adjacent properties at 41 and 51 Humphrey Road. The rear elevation of the dwellings would be set back 3.3m behind the rear wall of the outriggers at 41 and 51 Humphrey Road. The units would be set approximately 0.45m above street level of Humphrey Road being accessed via a series of steps.
14. The siting of the proposed dwellings would therefore respect the established building line on Humphrey Road. The proposed dwellings would have a good relationship with the established street scene with the scheme incorporating a low front boundary wall in order to define the private space while still providing views into the development from the street.
15. The scale and massing of the units would be comparable to the other units within the vicinity, with the eaves and ridge height of the units matching that of the units at 41 and 51 Humphrey Road and consequently the scheme is considered acceptable in this respect.
16. The rear garden area of each unit would contain a bin storage area for 4 bins. Bins would be taken to Carver Street, via the rear alley way, for collection. It is therefore considered that appropriate provision is made for necessary waste and recycling bins.
17. In terms of the design detail the proposed dwellings would be of a traditional form with a contemporary twist; the rhythm and proportions of the fenestration would be as per the other units on Humphrey Road in order to ensure continuity however the bays would be squared off at one side and the windows would comprises a series of panels rather than the more traditional one pane per window with a top opening. The units would be constructed from red/orange brick, with a dark blue string course with grey window frames and doors and a grey slate tiled roof.

18. It is considered that the design of the proposed dwellings is acceptable as the traditional form of the dwellings together with the use of a brick construction would ensure that the development respects the design of other buildings in the vicinity, while the modern influence added to the fenestration detailing would give the proposed units a distinctive, more modern appearance.
19. For these reasons, subject to the attachment of conditions to ensure the use of satisfactory materials and appropriate landscaping, the proposed development would make a positive contribution to the visual amenities of the area. The proposal is therefore considered to be in accordance with the thrust of the NPPF and the design policy within the Trafford Core Strategy.

## **RESIDENTIAL AMENITY**

20. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
21. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
22. The application site is located within a predominantly residential area, being bounded to the north, east and west by terraced residential properties. Seymour Park occupies the land to the south, on the opposite side of Humphrey Road.
23. The properties at 41 and 51 Humphrey Road do not have any windows in their blank gable ends. The proposed dwelling, which would be built off the gable ends of the properties at 41 and 51 Humphrey Road, would not project beyond the main front elevation of 41 and 51 Humphrey Road, with the two storey rear outriggers at these properties projecting beyond the main rear elevation of the proposed dwellings.
24. The main rear elevation of the proposed dwellings would be located 12.6m from the rear boundary of the properties on Stanley Road, 25.4m from their rear outriggers and 31.2m from their main rear elevations. The proposed dwellings would be set further away from the properties on Stanley Road than the other units on Humphrey Road.
25. Having regard to the relationship of the proposed dwellings to the neighbouring properties it is not considered that the introduction of the proposed dwellings would result in any neighbouring residents experiencing a loss of amenity by virtue of a loss of light, privacy and/or overbearing impact.

26. With regard to noise and disturbance it is not considered that the erection of 4 dwellings at the site would generate a level of activity that would result in neighbouring land users being exposed to an unacceptable increase in noise and disturbance.
27. With regard to the level of residential amenity future occupants of the proposed dwellings would enjoy it is acknowledged that the main rear elevation of the properties would be set back 3.3m behind the rear wall of the outriggers at 41 and 51 Humphrey Road, however this relationship is deemed to be acceptable as future occupants would be aware of the relationship prior to occupation. On balance it is therefore considered that future occupants would be provided with adequate light and outlook from their habitable room windows. They would also be provided with an area of useable amenity space in the form of a rear garden. It is therefore considered that future occupants of the proposed dwellings would be provided with a satisfactory standard of living.
28. The proposal is therefore considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF as it would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy and the development would provide future occupants with a satisfactory standard of living.

## **PARKING AND HIGHWAY SAFETY**

29. Policy L4 of the Trafford Core Strategy seeks to ensure that all new developments do not adversely affect highway safety, with each development being provided with adequate on-site parking, having regard to the maximum standards set out in appendix 3.
30. According to appendix 3 of the Trafford Core Strategy a two bedroom dwelling in this location should be provided with 2 parking spaces. The development should therefore be provided with a maximum of 8 parking spaces.
31. There would be no on-site parking provided for the proposed dwellings, however there is on street parking available on Humphrey Road and the surrounding streets. The application site is located within an accessible location being located within walking distances to the Trafford Bar and Ayres Road local centres, Trafford Bar Metrolink stop and Chester Road, along which a number of buses run, serving areas across the Borough and beyond.
32. There are no proposals, as part of this application, to re-open Stanley Street as requested by neighbouring residents.
33. The Council's highway officer has reviewed the application and confirmed that they have no objections to the proposals given the availability of on street parking, the

proximity of the site to good public transport links and given the nature of the adjoining properties i.e. with no off street parking.

34. Having regard to the comments of the Council's Highway Officer it is considered that the proposed parking and access arrangements are acceptable. The proposal is therefore considered to be in accordance with policy L4 of the Trafford Core Strategy – it does not raise any issues from a highway safety perspective.

## **TREES**

35. Policy R2 of the Trafford Core Strategy requires development to protect and enhance the landscape character of an area.
36. There is a mature sycamore tree located at the rear of the application site. The tree is not protected by a tree preservation order.
37. A tree survey has been submitted with the application which concludes that the tree on site has a significant cavity on the main stem that has compromised the structural stability of the tree and therefore should the site be developed it may be necessary for the tree to be removed to ensure the safe use of the site. Having regard to the conclusions of the tree survey report it is considered that the tree on site should be felled on safety grounds. In order to compensate for the loss of the tree replacement tree planting should be secured
38. Subject to the attachment of a condition requiring the submission, approval and subsequent implementation of a landscape scheme which includes appropriate tree planting; it is not considered that the proposed development would have an unacceptable, adverse impact the treescape of the area. The proposal is therefore considered to be in accordance with policy R2 of the Trafford Core Strategy.

## **ECOLOGY**

39. The proposals have been reviewed by the Greater Manchester Ecological Unit who have confirmed that they have no objections to the proposal as there are no existing bat roosts in either adjoining property and it is unlikely that the buildings or the tree which would be felled would support any roosts.
40. Having regard to the comments of the Greater Manchester Ecological Unit it is not considered that the proposal would have a significant adverse impact upon ecology and as such the scheme is considered acceptable in this regard. An informative will be attached to advise the developer on what action to take in the unlikely event that bats are found during development.



## **GROUND CONDITIONS – CONTAMINATION, METHANE GAS AND STRUCTURAL STABILITY**

41. NPPF paragraph 121 states that planning decisions should ensure that the proposed site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation.
42. Core Strategy policy L5.13 indicates that development that causes adverse pollution of air, light, water, ground, noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.
43. The application has been submitted with a series of ground contamination reports. The applicant has also submitted a short statement summarising the position re ground contamination and methane gas which states that –
  - The subsoils on this site present a low risk to future site users when assessed in compliance with the current UK methodology.
  - The controlled waters (groundwater) beneath the site are unlikely to become impacted by the passage of water through the soils on the site.
  - The site, in its present condition, does not represent a significant risk to the environment and is unlikely to become an environmental liability in the future.
  - The monitoring results undertaken over the last 12 months indicate that the gas production of methane are now very low and no pressure driving mechanism has been identified that would give rise to migration of gas into the proposed development or neighbouring properties.
  - Gas monitoring has been undertaken on the vent stacks in parallel with the monitoring of the GeoAssist boreholes installed in 2014. No gas emissions from the vent stacks have been identified during this period and their removal will not adversely alter the gas regime at the site. Gas monitoring at the site will be continued for a period of time to confirm the gas regime is stable and the risk assessment remains valid.
44. The submitted reports have been reviewed by the Council's Pollution and Licensing team and they have confirmed that there are no contaminated land or ground gas concerns that would prevent the proposed development taking place. As such they advise that the precautionary approach of installing a gas resistant membrane (minimum 1200 gauge) and ventilated sub floor void is acceptable; there is no need to undertake any further gas monitoring in respect of the development.
45. Having regard to the comments of the Council's Pollution and Licensing team it is not considered that there are any issues with regard to ground contamination and/or ground gas that would warrant a refusal of this application. A condition will be attached to secure the installation of the membrane and ventilated sub floor void.

46. In respect of subsidence and the structural stability of the proposed dwellings and the impact that the development will have on the stability of neighbouring dwellings the application site is not identified as being located within an area which is affected by land or slope stability or a site where there are any former mine entries.
47. The applicant has confirmed the following in relation to the ground conditions at the site and how the dwellings will be constructed –
- The ground on the site is made ground to depths between 1.50m to 3.00m underlain by organic silty clay, peat and gravelly silty clay with sand inclusions at depth.
  - The existing gable party wall, screen wall and buttresses to both properties are supported on underpinned foundations located on piles extending into stable ground at depth.
  - The underpinned foundations are located at cellar depth to the front of the properties and existing foundation depth to the rear of the properties.
  - There is no evidence to indicate that the gable walls are not structurally sound. The cracks noted are due to the continued movement of the adjoining walls which have not been underpinned.
  - The foundations for the new properties will be located on pile foundations extending into stable ground at depth and will be designed and constructed to act independently of and not interfere with the existing foundations.
  - There will be a requirement to cut into the screen wall (not the party wall) in order to insert floor joists/beams, the loading from which will be limited to ensure no adverse impact on the existing underpinned foundations.
  - There is no evidence of a pond onsite.
  - Peat depression was the cause of subsidence
48. In the light of the fact that the application site is not identified as being located within an area which is affected by land or slope stability or a site where there are any former mine entries and given that the development will need to obtain building regulations approval with this stage of the process being designed to ensure that any new development is constructed in such a way that it is fit for purpose, it is not considered that there are any ground stability grounds on which to refuse the application.

## **FLOOD RISK AND DRAINAGE**

49. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
50. Paragraph 103 of the NPPF states that when determining planning applications local planning authorities should ensure flood risk is not increased elsewhere.

51. Policy L5.16 of the Trafford Core Strategy states that the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location, advising that this will involve a sequential approach to determining the sustainability of land for development and application of the exception test where necessary.
52. Policy L5.18 of the Trafford Core Strategy states that developers will be required to improve water efficiency and reduce surface water run-off through the use of appropriate measures such as rain water harvesting, water recycling and other Sustainable Drainage Systems (SUDS).
53. Having regard to the location of the application site in flood zone 1, which is at the lowest probability of flooding, it is not considered that the proposed development will be at risk from flooding.
54. In respect of whether the development will increase the risk of flooding elsewhere the Council's drainage engineer has advised that it that it will be necessary to constrain the peak discharge 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, stating that they have no objections to the proposal subject to the attachment of a condition to secure this.
55. The drainage engineer has noted that the water tables around the Trafford Park area are rising and that this may be a reason why once dry cellars are now becoming damp / flooded before advising that they agree with the developers conclusions that the development should not impact on the groundwater regime and should not adversely impact on the current cellar situation -effectively the development is 'perched' over the site supported on deep piles.
56. For these reasons, subject to the attachment of the condition recommended by the Council's drainage engineer, it is not considered that the proposal raises any issues from a flood risk perspective.
57. The development is therefore considered to be in accordance with the thrust of the NPPF and policy L5 of the Trafford Core Strategy.

## **SUSTAINABILITY**

58. Paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

59. Policy L5 of the Trafford core Strategy which relates to climate change advises that new development should maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.
60. The application has been supported by a Sustainability Strategy Report which confirms that the houses are to be constructed to a standard equivalent to Code for Sustainable Homes level 3, despite the Homes and Communities Agency's performance standards requiring all development to meet Code Level being withdrawn. The sustainability statement submitted advises that this will be done by designing the development in such a way that it will actively facilitate a reduction in energy requirements, improve energy efficiency, reduce water consumption and surface water run-off, minimise waste and maximise recycling.

## **DEVELOPER CONTRIBUTIONS**

61. This application proposes to erect four dwellings, each with two bedrooms.
62. The CIL form submitted with the application form advises that the combined gross internal floor area of the dwellings is 355.3sqm.
63. The application site is located within Longford which is a cold charging zone, where the charging rate for private market dwellings is £20 per square metre.
64. The units will however provide affordable housing and consequently the development will be eligible for social housing relief from paying CIL subject to the developer completing and submitting CIL form 2 "Claiming Exemption or Relief" and a Commencement (of development) Notice to the charging authority prior to the commencement of development.

## **OTHER ISSUES**

65. Neighbouring residents have objected to the proposal on the basis that the proposals will provide two bedroomed properties, when families in the area actually need properties with three bedrooms or more, with the provision of more two bedroomed houses perpetuating a transient community who will be looking to move on to larger properties fairly quickly rather than strengthening the community. In response to this point the Council's Access to Housing Manager has advised that although there is a demand for all types of affordable housing in the Borough the most significant demand is for one bedroomed flats and smaller family homes. In the Old Trafford area this demand comes as a result of the demolition of a number of high rise blocks which were no longer deemed suitable and as a result of the introduction of the Additional Bedroom Charge which has put pressure on existing social housing tenants who under occupy their homes to seek smaller accommodation. Having regard to these comments it is considered

appropriate to provide two bedroomed houses at the site – there is an identified need for them in this area.

66. Neighbouring residents have expressed concerns that they will be subjected to unacceptable increase in noise, disturbance, traffic dust etc. during the construction period. They have also queried the extent and duration of the proposed pile driving. It is acknowledged that the construction of the proposed development will result in some disruption for neighbouring residents however it is considered that this can be adequately controlled via the attachment of a condition for a construction environmental management plan (CEMP), which requires the developer to provide details of a number of matters including the proposed hours of working, delivery times, details of the proposed pile driving etc. The Council's Pollution and Licensing team have confirmed that they consider that the proposed condition is sufficient to ensure that the construction phase does not have an unacceptable adverse impact upon the level of amenity enjoyed by neighbouring residents.

**RECOMMENDATION: GRANT subject to the following conditions:**

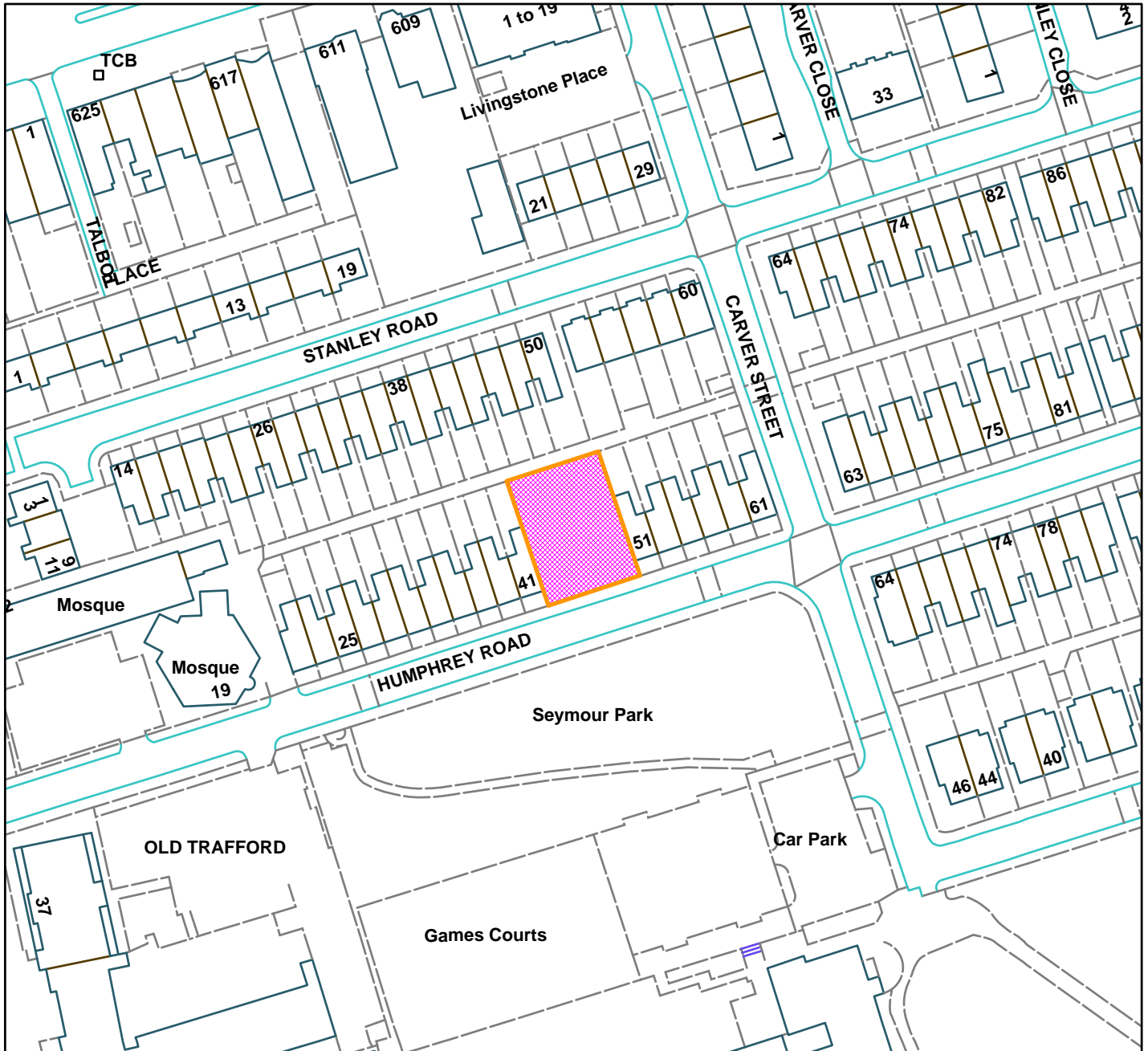
1. Time limit
2. Approved plans
3. Samples of materials
4. Landscape scheme including details of boundary treatments
5. Drainage scheme
6. Provision of a gas resistant membrane (minimum 1200 gauge), and ventilated sub floor void, as detailed in the GeoAssist report, May, 2015
7. Construction Environmental Management Plan

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NT



43-49 Humphrey Road, Old Trafford (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**Erection of 8 no. residential penthouse apartments on the existing roof levels of Fairbairn House, consisting of 4no. 2 bedroom apartments at proposed fourth floor level and 4no.2 bedroom apartments at proposed eighth floor level with associated car parking.**

Fairbairn House, 21 - 25 Ashton Lane, Sale, M33 6WP

**APPLICANT:** Mr Chris Bowman

**AGENT:** Miss Jade Rufus - IDP Group

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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### **SITE**

This application relates to the roof space of the former Fairbairn House office building which is currently undergoing conversion to an 80 unit apartment scheme granted under prior approval application 84623/PAJ/15. The building consists of 3 buildings arranged in a horse shoe shape; the central building (Block A) has 8 storeys, whilst the side blocks (Blocks B and C) have 3 storeys. Surface car parking surrounds the building to all sides. The site has a main vehicular access point from Ashton Lane, whilst a secondary access is provided from Cranleigh Drive. An Ambulance Station and Fire Station bound the site to the south; the Salvation Army Centre is located to the west; residential properties are located to the north; whilst to the eastern side of Cranleigh Drive there are residential units, further to which is the Sports Direct fitness centre. Sale Town centre is located within easy walking distance of the site to the east.

### **PROPOSAL**

Planning permission is sought for the erection of 8 apartments, located on the roof space of Fairbairn House (Block A, B and C). The proposed apartments comprise the following:-

Apt. No. 81	2 bedrooms, kitchen / diner, lounge, bathroom and en-suite	76.1 sqm
Apt. No. 82	2 bedrooms, kitchen / diner, lounge, and bathroom	52.7 sqm
Apt. No. 83	2 bedrooms, kitchen / diner, lounge, and bathroom	52.7 sqm
Apt. No. 84	2 bedrooms, kitchen / diner, lounge, bathroom and en-suite	76.1 sqm
Apt. No. 85	2 bedrooms, kitchen / diner, lounge, bathroom and en-suite	69.5 sqm
Apt. No. 86	2 bedrooms, kitchen / diner, lounge, bathroom and en-suite	68.8 sqm
Apt. No. 87	2 bedrooms, kitchen / diner, lounge, bathroom and en-suite	68.8 sqm
Apt. No. 88	2 bedrooms, kitchen / diner, lounge, bathroom and en-suite	69.5 sqm

The apartments will be finished using a mix of grey lightweight panelled cladding and ribbon windows. Parking and access arrangements for the apartments will be provided as approved under the prior approval planning application (84623/PAJ/15).

## **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 25<sup>th</sup> 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**

- L1 – Land for new homes
- L2 – Meeting housing needs
- L4 – Sustainable transport and accessibility
- L5 – Climate change
- L7 – Design
- L8 – Planning obligations

## **PROPOSALS MAP NOTATION**

None



## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

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

## **RELEVANT PLANNING HISTORY**

The following applications relate to the apartment building which was approved under a prior approval application:-

**84717/FUL/15** - External alterations to existing office block to include new cladding and alterations to windows. Erection of new bike stores. Application approved 24.03.2015

**84623/PAJ/15** - Change of use from offices (Use Class B1) to 80no. residential apartments (Use Class C3). Application for prior approval under Part 3 Schedule 2 Class J of The Town and Country Planning (General Permitted Development) Order 1995 (as amended). Prior approval approved 05.03.2015

**84079/FUL/2014** - External alterations to include the enclosure of existing corridor links, erection of canopies to existing entrances, creation of a bin store, modifications to existing bike store and alterations to front barrier. Alterations to external lighting and landscaping. Application approved 16.02.2015

The following application has been submitted on part of the car park, adjacent to Cranleigh Drive:-

**85754/FUL/15** – Erection of 6 no. townhouses each with 3 no. bedrooms to be provided on the existing vacant car parking lot. Pending consideration

## **APPLICANT'S SUBMISSION**

The applicant has submitted the following documents in support of the planning application:-

- Design and Access Statement
- Noise Impact Statement
- Parking Feasibility Study
- Planning Statement
- Plans and drawings

## **CONSULTATIONS**

**Lead Local Flood Authority** – No objections subject to a condition to limit peak discharge rates of storm water in accordance with the Council's Level 2 Hybrid Strategic Flood Risk Assessment.

**Local Highway Authority** – No objections. They state that the number of car parking spaces and cycle parking spaces are adequate and acceptable.

**Pollution and Licensing** – No objections subject to the implementation of the acoustic mitigation measures described within the submitted Noise Impact Assessment.

## **REPRESENTATIONS**

Six letters of objection have been received from residents of separate addresses. The following issues have been raised:-

- Loss of light
- Highway safety
- Increased traffic and congestion
- Increased pressure for parking in the surrounding area
- Inadequate parking and cycling provision
- Privacy and overlooking
- Noise
- Inappropriate consultation process
- Inappropriate design

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. The application site is located within Sale and is in close proximity to Sale Town Centre as defined on the UDP Proposals Map. The apartments will be built on the roof space of the existing residential block and as such it is considered that the development will make effective use of land by developing additional floors on an established building frame. NPPF states that planning should “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.*” Core Strategy Strategic Objective SO7 seeks to secure sustainable development through promoting the reuse of resources. On this basis, it is considered that the development makes effective use of land, whilst protecting the need to release less sequentially preferable or greenfield sites.
2. NPPF paragraph 47 identifies a clear policy objective to, “*boost significantly the supply of housing*”. In order to meet future housing need, Core Strategy Policy L1 seeks to release sufficient land to accommodate a minimum of 12,210 new dwellings (net of clearance) over the plan period to 2026. The policy states that this will be achieved through the delivery of new build, conversion and sub division of existing properties.
3. The Council has indicated that it does not, at present, have a five year supply of immediately available housing land. The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of “*boost(ing) significantly the supply of housing.*” Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the

Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.

4. Core Strategy policy L2.6 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Council's Housing Strategy and Housing Market Assessment. The proposed scheme will deliver the following mix of units:-
  - 8 x 2 bed apartments
5. The scheme will help to diversify the mix of house types within the ward and it is considered that this will contribute towards the creation of a mixed community.
6. Core Strategy Policy L2 indicates that appropriate provision should be made for the provision of affordable housing. The policy states that within a moderate market location such as Sale, any development comprising 5 or more new dwellings should provide an element of affordable housing, the level of which will be 20% under "normal" market conditions. The Council has recently published its Housing and Market Conditions Report (August 2015) which indicates that the housing market within Trafford continues to operate under 'poor' market conditions and as such a 10% affordable housing contribution is required in this instance.
7. Discussions have been held with the Council's Affordable Housing Manager who has indicated, due to the size of the scheme, the quantum of units, and the likelihood of a Registered Provider taking on the units; that a commuted sum (comprising 30% of the open market value of the units) should be secured, which would be used towards the provision of off-site affordable housing provision within the borough. The Council's Estates Surveyor has assessed the open market value of the units and has indicated that each unit will achieve a value of approximately £160,000. The off-site commuted sum, based upon 30% of the total value of the units means that a commuted sum of £48,000 is payable. This commuted sum may be used to deliver new affordable homes, bring vacant properties back into use as affordable housing; or to improve or convert existing dwellings so that it is suitable as affordable housing. The heads of terms have been agreed in principle between the interested parties and the commuted sum will be secured via a S106 Agreement should the Planning Committee be minded to grant planning permission.

## DESIGN

8. Core Strategy policy L7 reiterates these policy guidelines and states that high quality design is, "*a key element in making places better and delivering environmentally sustainable developments.*" The policy provides guidance in respect of design quality, functionality, amenity, security and accessibility.
9. The scheme includes the provision of 8 apartments on the roof space of Blocks A, B and C of Fairbairn House. The proposed apartments will increase

the height of the building by a single storey. Discussions between officers and the applicant have resulted in the proposed units to Block A being set back from the perimeter of the buildings, in order to reduce the visual impact of the development. On the basis of the revised scheme it is considered that the proposed increase in height and massing is acceptable. In addition to this, the proposed development would result in the removal of a number of condenser units, which will improve the overall aesthetic of the building.

10. The apartments will be finished using a mix of grey lightweight panelled cladding and ribbon windows. The design of the building follows the aesthetics of the approved proposals façade, using an appropriately matched colour palette to the white render and blue engineering brick. The use of ribbon windows reflects that of the main building and ensures that the proposed units assimilate with the existing. The proposed materials are therefore considered to meet the requirements of Core Strategy policy L7 in principle subject to a condition requiring the applicant to submit for approval the proposed materials.

## **AMENITY**

11. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Policy L7 of the Core Strategy states that in relation to matters of amenity, development must not prejudice the amenity of future occupiers of the development and / or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
12. The application site is located within a predominantly residential area. Residential properties are located to the north and east of the site; properties on Park Road are approximately 40 metres from the site, whilst properties on Cranleigh Drive are approximately 60 metres from the site. Due to the distances involved, it is not considered that the proposed scheme would have a detrimental impact upon the amenity of existing residents in terms of privacy or loss of light. In respect of the amenity of future residents, it is considered that adequate light and outlook would be provided from habitable room windows.

## **TRANSPORTATION, HIGHWAY SAFETY AND PARKING**

13. Vehicular access to the site will be taken via the existing access off Ashton Lane which is an established means of accessing the site. The Local Highway Authority has considered the proposed access arrangements and also the impact of the development on the highway network and raise no objections to the proposed scheme.
14. 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. Sale is identified as being located within Area C and as such the following maximum parking and cycle standards apply:-

<b>Dwelling size</b>	<b>Parking spaces</b>	<b>Bicycles</b>
2 to 3 bedrooms	2	2 (allocated) 1 (communal)

15. Based upon the above maximum standards an additional 16 parking spaces are required on site. The car parking layout approved under application 84623/PAJ/15 will be implemented in full and it provides 141 parking spaces. Based upon the mix of units approved under application 84623/PAJ/15, a maximum parking requirement of 118 parking spaces is required and as such there is currently an overprovision of 24 parking spaces. On this basis, it is considered that there is sufficient parking provision within the approved parking layout to accommodate the additional units without the need to create an additional capacity. The applicant has also specified on the layout plan the eight parking spaces which will be used by future occupiers should planning permission be granted.
16. In terms of cycle parking provision, the cycle parking layout approved under application 84623/PAJ/15 provides 80 cycle spaces, which breaks down to 1 cycle parking space per apartment. The applicant has indicated that they will provide an additional 8 cycle parking spaces on site as part of the proposed application. Based upon the assessment of the Local Highway Authority in the determination of application 84623/PAJ/15, it is considered that the quantum of additional cycle parking provision is adequate in this instance. A planning condition is recommended to secure the delivery of appropriate cycle storage provision.

## **POLLUTION**

17. A Noise Impact Assessment (NIA) has been submitted in support of the planning application. The NIA recommends that mitigation is required to reduce the impact of noise within internal habitable areas. The NIA recommends that alternative ventilation to opening a window is provided for all habitable rooms in line of sight to Cranleigh Drive as an open window would result in noise levels which exceed target levels. The Council's Pollution and Licensing Officer has reviewed the NIA and raises no objections to the proposed scheme subject to securing the proposed mitigation measures via condition. Subject to the inclusion of the recommended conditions, the proposals are considered acceptable and in accordance with Core Strategy policy L5 and the NPPF.

## **FLOOD RISK AND DRAINAGE**

18. The site is located entirely within Flood Zone 1; however the site is located within a Critical Drainage Area. Core Strategy policy L5.18 aims to reduce surface water run-off through the use of appropriate measures. The applicant has indicated that surface water will be disposed of via the mains sewer. The Lead Local Flood Authority (LLFA) has commented on the scheme and has

raised no objections to the proposed development. The LLFA has indicated that peak discharge storm water rates should be constrained in accordance with the limits indicated in the Council's Level 2 Strategic Flood Risk Assessment document. These matters can be secured via planning conditions, the details of which are outlined at the end of the report.

## **DEVELOPER CONTRIBUTIONS**

19. This proposal is subject to the Community Infrastructure Levy (CIL) and comes under the category of 'Apartments', consequently the development will be liable to a CIL charge rate of £0 per square metre in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

20. A S106 Agreement will be drafted to secure a financial contribution of £48,000 towards the delivery of off-site affordable housing provision. The heads of terms are agreed by all parties concerned.

## **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 commuted sum of £48,000 towards the delivery of off-site affordable housing provision.

(B) In the circumstances where the S106 Agreement 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: -

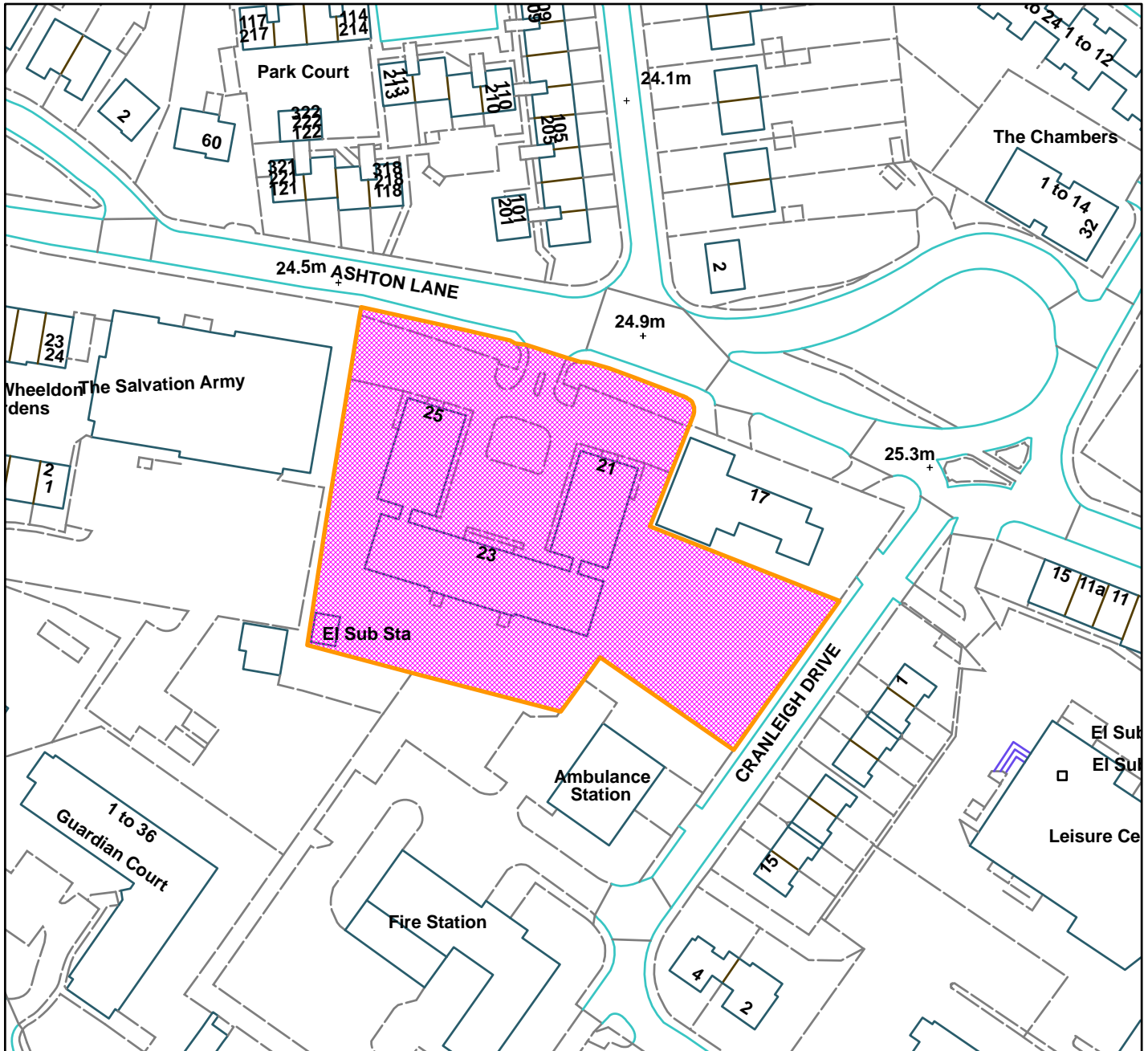
1. Standard time limit 3 years
2. To be development in accordance with approved plans
3. Submission and approval of facing materials
4. Submission of a sustainable drainage scheme to comply with ore Strategy policy L5 and the Strategic Flood Risk Assessment
5. Implementation of noise mitigation measures
6. Submission, approval and implementation of cycle storage scheme

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**JP**



Fairbairn House, 21-25 Ashton Lane, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Broadheath

**86090/FUL/15**

**DEPARTURE: No**

**Erection of a proposed single storey rear extension for storage use.**

2 Deansgate Lane, Timperley, WA15 6SB

**APPLICANT:** Patidar Ltd

**AGENT:** Trinity Architecture & Design Ltd

**RECOMMENDATION: GRANT**

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**SITE**

This application relates to the Nisa convenience store which operates from an end terraced property set within an L-shaped site at the junction of Deansgate Lane and Brook Lane in Timperley.

The convenience store occupies the ground floor of 2 Deansgate Lane which has a self-contained flat at first floor level.

The store has an L shaped side and rear yard/service area, which wraps round to the rear of 4 Deansgate Lane. The rear portion of the yard/service area is used for car parking, despite not being formally marked out as such.

The application property is located within a mixed use area – there are residential properties located to the south, east and west and there is a hot food takeaway located to the north on the ground floor of 4 Deansgate Lane, the first floor of which is used as a self-contained flat. 6 Deansgate Lane is used as a hairdressers.

The store, together with the other three units within the terrace and the properties at 59-65 Brook Lane form the Brook Lane Neighbourhood Centre.

**PROPOSAL**

Planning permission is sought for the erection of a single storey rear extension in order to provide additional storage space for the store.

The proposed extension would project 10.3m from the existing rear wall of the property, along which it would run for 8.9m. The extension would measure 2.5m in height at the eaves and 3.8m in height at the ridge with a pitched roof. The extension would provide a total of 84sqm of storage space for the store.

The erection of the extension would allow the existing storage area, which is 26.15sqm, to be converted to provide additional tradable space. The total tradable space at the unit would therefore increase from 124.5sqm to 150.65sqm.



The erection of the proposed extension would result in the loss of a portion of the informal car parking area at the rear of the premises. It is proposed to formalise the parking arrangements on the portion of land that would remain by providing 3 parking spaces to the front of the proposed extension. Two of the proposed parking spaces would be allocated for use by occupants of the flats above the Nisa store and 4 Deansgate Lane, with the third space being allocated for use by visitors. The spaces would not be utilised by staff or patrons of the Nisa store.

The proposal would not alter the hours of operation for the store, which would remain as 7am to 10pm Monday to Friday and 8am to 10pm on Saturdays, Sundays and bank holidays, neither would they alter the timing, type and way vehicles deliver to the store with a mix of HGVs, box vans and transit vans visiting to deliver stock, parking either on site or on Brook Lane while delivering.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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

L8 - Planning obligations

W1 - Economy

W2 – Town Centres and Retail

## **PROPOSALS MAP NOTATION**

S10 – Local and Neighbourhood Shopping Centres

## **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**

**76788/FULL/2011** - Erection of single storey side and rear extension to provide additional retail space, with part rear extension within curtilage at no. 4 Deansgate Lane. Alterations to existing flat roof – Refused 18.07.2011

- 1. The proposal, in particular the forward extension of the development on this corner plot and by reason of its size, design and cramped form of development would form an unduly prominent feature in the streetscene and would detract from the character and appearance of the property and the streetscene. As such the proposal is contrary to Proposal D1 of the Revised Trafford Unitary Development Plan.*
- 2. The proposed development would restrict the ability for deliveries (loading and unloading) to be undertaken on-site in a satisfactory manner with the result that delivery vehicles would have to park on surrounding highways to the detriment of residential amenity and the convenience of other users of the highway. As such the proposal would be contrary to Proposals D1 and D2 of the Revised Trafford Unitary Development Plan, and the Council's approved 'Car Parking Standards'.*
- 3. The proposed alteration to widen the existing vehicular access to Brook Lane will result in a greater access point for pedestrians to negotiate to the detriment of pedestrian safety. As such the proposal is contrary to Proposals D1 and D2 of the Revised Trafford Unitary Development Plan*
- 4. The proposed car-parking and service/delivery area layout will restrict the ability of users to leave the site in forward gear to the detriment of highway safety. As such the proposal is contrary to Proposals D1 and D2 of the Revised Trafford Unitary Development Plan.*
- 5. The proposed development will result in the loss of existing external refuse storage facilities/area, such provision will now be restricted to an area within the proposed service and parking area further restricting parking and manoeuvring space within the site as such the proposal is contrary to Proposals D1 and D2 of the Revised Trafford Unitary Development Plan.*

The applicant appealed the refusal of planning permission under appeal reference APP/Q4245/A/11/2160471.

The appeal was dismissed with the Inspector concluding that “Overall, I have found harm to the character and appearance of the surrounding area and this harm is not sufficiently offset by the benefit of increased economic development or by the lack of harm arising to highway safety”.

In concluding that there were no issues from a highway safety perspective the Inspector noted the following points –

- The Council has not suggested that there is insufficient customer parking and they agree
- As a result of the reduced yard area proposed delivery vehicles serving the shop would be obliged to park on Brook Lane and unload across the footway. A reduction in the number of vehicles using the access way would result from the cessation of on-site deliveries and this would likely to improve highway safety for pedestrians using the access. While the access width would be increased any change in the effect on pedestrian safety by vehicles entering and leaving the site would be minimal.
- An increase in the number of delivery vehicles parking on the road may lead to an increase in congestion and possibly reduce visibility at the junction. However they have seen little evidence to show that the existing level of on-street deliveries (2-3 per day) has caused harm to highway safety or that the likely increase to 4 per day could reasonably be expected to result in a significant harm to highway safety particularly in the context of the existing slow moving traffic and the existing road layout.

For the avoidance of doubt the scheme being considered under this application differs significantly from the scheme refused and subsequently dismissed at appeal. The appeal scheme involved the erection of two extensions - a single storey extension flat roofed extension along the southern elevation adjacent to Deansgate Lane which would provide additional tradable space and a single storey flat roofed extension over part of the rear yard/service area which would provide storage.

**H/62134** - Installation of ATM to shop front with associated masonry around – Approved 30.06.2005

**H/60987** - Installation of ATM to shop front – Refused 23.02.2005

**H/60357** - Widening of existing access onto Brook Lane, creation of car parking area, new perimeter wall and creation of access ramp to the front – Approved 21.10.2004

**H/59291** - Erection of new disabled ramp to front elevation, hard surfacing in front of shops for additional parking, brick wall with steel railings above and gates to side boundary fronting onto Brook Lane and gates facing Deansgate Lane, creation of vehicular access onto Brook Lane, erection of timber panel fence towards the rear and demolition and rebuild of brick wall along rear boundary – Refused 16.06.2004

**H/58435** - Installation of ATM through shopfront – Refused 15.03.2004

**H46817** - hem of existing rear outrigger, store & garage & erection of a part 2/part single storey rear extension to form additional retail area, storeroom, staff room & office – Approved 31.03.1999

**H44970** - Display of externally illuminated fascia signage to the Deansgate Lane and brook lane elevations – Approved 18.12.1997

**H44969** - Alterations to external appearance of ground floor elevation to brook lane including bricking up of windows – Approved 18.12.1997

**H44950** - Erection of single storey extension to side of existing shop to provide additional retail floorspace –Approved 18.12.1997

**H43491** – Change of use from a shop with living accommodation to a dwelling house with associated elevational alterations including removal of shop front & new bay window to brook lane frontage – Approved 24.03.1997

**H12187** - Erection of extension to form kitchen and dining room – Approved 11.06.1980

**H07391** - Illuminated double sided projecting box sign – Approved 10.08.1978

### **APPLICANT'S SUBMISSION**

The applicant's submission includes –

- Appropriate plans
- Design and Access Statement
- Delivery schedule
- CIL form

### **CONSULTATIONS**

**LHA** – Advise that there would be adequate parking provided for the flats, with the proposed layout providing space for delivery vehicles to turn within the site thereby allowing them to enter and leave the site in a forward gear. State that it is acceptable for deliveries to take place from Book Lane if necessary - the Inspector who dealt with the appeal on 76788/FULL/2011 did not raise any issues with this arrangement. Note that there is sufficient space at the site to provide the necessary refuse and recycling storage,

On this basis they confirm that they have no objections to the proposal subject to the 3 on-site parking spaces being re-arranged so they are sited perpendicular to the wall of the proposed extension. Suggest that the bin storage area could be relocated adjacent

to the proposed “reversing area” in order to further improve manoeuvring space for turning vehicles.

**Environmental health (Nuisance)** – Confirm that they have no objections to the proposal subject to the attachment of a condition to restrict the noise emanating from fixed plant and machinery operating at the site.

## **REPRESENTATIONS**

There have been two rounds of neighbour consultation undertaken on this application as amended plans have been received.

11 letters of representation, from 11 different addresses, were received in response to the original consultation on the application. The following issues were raised –

- There is no need for the store to increase in size – it is a store within a neighbourhood centre which serves a local need; large stores should be located within one of the Boroughs town or village centres such as Altrincham and Timperley as a small supermarket is inappropriate in this residential area
- The erection of the extension will result in neighbouring residents experiencing a loss of light and privacy
- The proposed extension would be overbearing when viewed from neighbouring residential properties
- The proposal will result in a loss of view from neighbouring residential properties
- The proposal will devalue neighbouring residential properties
- The extension to the store will result in neighbouring residents being exposed to an unacceptable increase in noise and disturbance due to an increase in the level of activity at the site and as a result of the operation of the air conditioning and refrigeration units
- The erection of the extension will result in the building becoming too large for the area, with the extension being designed in such a way that it is not in keeping with the neighbouring residential properties
- The extension is described as single storey however the eaves and ridge height is significantly taller than would be expected for a single storey structure, with the plans indicating that a staircase will be provided.
- The scale and mass of the extension is such that it would form a bulky addition which is out of character with the building and those in the vicinity
- The existing shop causes traffic congestion at the junction of Deansgate Lane and Brook Lane as customers and delivery drivers park on footpath, verges, over drives and close to the junction creating hazards to pedestrians and motorists - the proposal will exacerbate the existing issues and increase the risk of accidents occurring
- There is already inadequate car parking for the store, with the proposal resulting in the loss of some parking at the rear of the site. The proposal will therefore increase parking problems in the area

- There is no disabled parking provided at the front of the store as indicated on the plans
- The existing and proposed plans suggest that there are 11 spaces available for use by the commercial unit, however 3 of the spaces are owned by 8 Deansgate Lane
- There are existing problems with litter and the proposal will exacerbate this

Councillor Anstee requested that the application is determined by the Planning Committee, expressing concerns that the extension is designed in such a way that it will have a significant adverse impact upon neighbouring residents.

After the initial consultation was undertaken the scheme was revised – the building was pulled further away from the common boundary with 43 Brook Lane, it was reduced in height and the roof type was altered from a gable end to a hipped roof. All those originally consulted on the application and anyone who objected were re-consulted on the revised scheme.

1 letter of representation has been received in response to the amended plan consultation. The writer, who had previously written in to object, advises that the revisions to the scheme do not overcome their concerns with the proposal. They state that -

- The proposed extension is inappropriate as it will result in the creation of a small supermarket in a residential area – the unit should be retained as a local shop
- The infrastructure and local traffic network cannot cope with the vehicles associated with the existing store and the proposed extension will exacerbate the existing problems with parking, congestion and delivery vehicles blocking the driveways of neighbouring properties.
- The shop is in a state of disrepair with unkempt grounds, peeling paintwork and noisy air conditioning units – if permission is given to extend a condition of approval should be that the appearance of the store is improved and the air conditioning units are maintained and screened off.

After being advised of the revisions to the scheme Cllr Anstee contacted the department to advise that they are happy that the developer is looking to work with the Council and residents.

In addition to the letters opposing the development 19 letters of support have been received, from 18 different addresses. Those supporting the scheme do so on the basis that –

- The proposal will allow the store to provide a wider variety of goods which will benefit those using the store, particularly groups such as the elderly who rely on the store as they cannot travel further afield – a local store with a wide range of goods is required in this area
- The provision of an increased range of goods would mean that people do not have to travel into Altrincham or Timperley Village for top up shopping

- The outside of the property is looking shabby and the proposal would provide an opportunity for the property to be improved/refurbished, improving the visual appearance of the site
- The staff at the store are friendly and very helpful, offering a shopping experience similar to that offered by a family store

## **OBSERVATIONS**

### **PRINCIPLE OF DEVELOPMENT**

1. Policy W2.9 of the Trafford Core Strategy advises that within Trafford's Local centres there will be a focus on providing convenience retail facilities and services to meet local needs. The application property is located within the Brook Lane neighbourhood centre which comprises the units at 2 to 8 (even) Deansgate Lane and 59-65 (odd) Brooks Lane.
2. The proposed single storey rear extension would provide 84sqm of storage space, with its erection allowing the existing storage area, which is 26.15sqm, to be converted to provide additional tradable space. The total tradable space at the unit would therefore increase from 124.5sqm to 150.65sqm.
3. The scheme will increase both the tradable and non-tradable space within the store and it would allow the existing convenience store to increase their retail offer by allowing the store to carry extended stock. Consequently, the proposal would make a positive contribution to the ability of the Brook Lane Neighbourhood Centre to meet the needs of the local population by facilitating the continued operation and expansion of an existing retail unit within the centre.
4. The proposal is therefore considered to be acceptable in principle as it is in accordance with policy W2 of the Trafford Core Strategy.

### **VISUAL AMENITY**

5. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment - good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. 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.
6. Policy L7 of the Core Strategy states that the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. Policy L7 states that development must be appropriate

in its context; make best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.

7. The proposed extension would project 10.3m from the existing rear wall of the property, along which it would run for 8.9m. The extension would measure 2.5m in height at the eaves and 3.8m in height at the ridge with a pitched roof. The extension would be constructed from matching facing brick and roof tiles, incorporating a hipped roof that matches that of the existing building.
8. The proposal would necessitate the re-siting of one of the air handling / refrigeration units located on the rear elevation of the existing building. This unit would be located on the front elevation of the proposed extension. The proposal would not increase the number of air conditioning/refrigeration units at the site.
9. Having regard to these facets of the development and given that the proposed extension would be set back at least 9.7m from the back of the footpath on Brook Lane, it is not considered that the proposal would have an adverse impact upon the character and appearance of the existing building or the visual amenities of the area generally.
10. Consequently, subject to the attachment of a condition requiring the use of matching materials it is not considered that the proposal would have an adverse impact upon the visual amenities of the area. The development is therefore considered to be in accordance with the thrust of the NPPF and the design policies of the Trafford Core Strategy.

## **RESIDENTIAL AMENITY**

11. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
12. The application property is located within a mixed use area. There are residential properties located to the south, east and west and there is a hot food takeaway located to the north on the ground floor of 4 Deansgate Lane, the first floor of which is used as a self-contained flat. The property at 6 Deansgate Lane is used as a hairdressers.
13. The erection of the proposed extension would not result in the application property being located any closer to the properties on the opposite side of Brook Lane than the existing store.



14. The proposed extension would be located 1m from the common boundary with 43 Brook Lane at its closest point, increasing to 2.3m at its furthest point. The common boundary between the application site and 43 Brook Lane is marked by a 1.8m high (approx.) wall and fence. The property at 43 Brook Lane has a single storey side and rear extension running adjacent to the common boundary between the sites. This extension provides a large kitchen / siting area and windows to the front, rear and side. The proposed extension would project 0.5m forward of the front elevation of the single storey side and rear extension at 43 Brook Lane and 2.2m beyond the rear elevation of the extension at 43 Brook Lane.
15. The rear elevation of the proposed extension would run flush with the side wall of the two storey outrigger at 4 Deansgate Lane with the roofline of the extension being set below the first floor habitable room window serving the self-contained flat at 4A Deansgate Lane.
16. The rear elevation of the proposed extension would be located 1.5m from the common boundary with the property at 6 Deansgate Lane, both floors of which are used as a hairdressers, with the property having a long rear yard running adjacent to the site of the proposed extension. The common boundary is marked by a 1.8m high (approx.) fence.
17. Having regard to the relationship of the proposed extension to the neighbouring residential properties it is not considered that the introduction of the proposed extension would result in neighbouring residents experiencing a loss of light, privacy and / or overbearing impact.
18. In respect of noise and disturbance the proposed extension will provide a total of 84sqm of storage space for the store. The erection of the extension would allow the existing storage area, which is 26.15sqm, to be converted to provide additional tradable space. The total tradable space at the unit would therefore increase from 124.5sqm to 150.65sqm.
19. The agent has confirmed that there are no proposals, as part of this application, to amend the hours of operation for the store, which would remain as 7am to 10pm Monday to Friday and 9am to 10pm on Saturdays and Sundays. The applicant has also stated that deliveries to the store would remain as existing in terms of timing, type and the way vehicles deliver to the store with a mix of HGVs, box vans and transit vans visiting to deliver stock, parking either on site or on Brook Lane while delivering.
20. Having regard to this and the fact that the erection of the extension will only result in an 26.15sqm increase in the tradable space provided at the site it is not considered that the proposal will result in a significant intensification of use of the site.

21. The Council's Environmental Health Officer has reviewed the proposals and confirmed that they have no objections to the proposal subject to the attachment of a condition to restrict the noise emanating from fixed plant and machinery operating at the site. Subject to the attachment of this condition it is not considered that the proposal will result in neighbouring residents being exposed to an increase in the levels of noise and disturbance they are currently exposed to.
22. For these reasons the proposal is considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF as it would not adversely affect the level of amenity neighbouring land users can reasonably expect to enjoy.

## **PARKING AND HIGHWAY SAFETY**

23. Policy L4 of the Trafford Core Strategy seeks to ensure that all new developments do not adversely affect highway safety. Policy L7.2 of the Trafford Core Strategy states that development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety, before advising that adequate manoeuvring and operational space should be provided.
24. According to the Council's maximum parking standards a food retail store with a floor area of 235sqm in this location should be provided with a maximum of 16 parking spaces. A non-food retail store with a floor area of 235sqm in this location should be provided with a maximum of 12 parking spaces. The parking standards note that smaller food and non-food retail facilities may require significantly less parking due to them serving local need, advising that each case needs to be assessed on its own merits.
25. The store would not be provided with any on-site car parking for use by staff or customers. Three parking spaces would be provided at the rear of the unit for use by the occupants of the flat above 2 and 4 Deansgate Lane and their visitors.
26. There are a series of off street parking spaces provided to the front of the units at 2-8 (even) Deansgate Lane which can be used by staff and customers of the store.
27. There is also on street parking on Brook Lane and Deansgate Lane, as well as on the other residential streets off Deansgate Lane which can be utilised by staff and patrons of the store.
28. Servicing of the site takes place via Brook Lane. The agent has confirmed that the timing, type and way vehicles deliver to the store will be unaffected by the proposal. The table below shows the existing and proposed delivery schedule for the store –

SUPPLIERS	VEHICLE	DAYS	DELIVERY WINDOW	VISIT DURATION
<b>Delivery: On-road - Brook Lane</b>				
Warburtons – Bread	12.0m Rigid HGV	Mon to Sat	07:00 - 08:00	10 min
Roberts – Bread	12.0m Rigid HGV	Mon to Sat	07:00 - 08:00	10 min
Nisa Way	Articulated HGV	Friday	09:00 - 11:00	20 min
Nisa Chill/Frozen <sup>(1)</sup>	12.0m Rigid HGV	Tue, Thur, Sat	09:00 - 11:00	15 min
<b>Delivery: Off-road – Forecourt</b>				
Valley Fresh – Meat	Transit – LWB	Mon, Wed	13:00	10 min
G4S – ATM	Box Van	Once a week	09:00 - 15:00	20 min
Louise Pastor – Cards	Car	Once a month	09:00 - 15:00	20 min
Fresh Choice – Bread	Transit – SWB	Tue, Thur	09:00 - 15:00	10 min
Halal Kitchen - Sandwiches	Transit - SWB	Tue, Thur	09:00 - 11:00	10 min
<b>Delivery: Off-road – Servicing Area</b>				
J.N. Dairy - Milk	Box Van	Mon to Sat	07:00 - 08:00	10 min

Notes:

1. Nisa Chill/Frozen vehicles collect recyclable packaging during deliveries

29. The Council's Highway Officer has reviewed the proposals and confirmed that there would be adequate parking provided for the flats; the application has been modified so that the proposed spaces are located perpendicular to the wall of the proposed extension as requested. Furthermore the highways officer has not raised any highway safety concerns with regard to the fact that the store would have no on-site parking provided for staff and patrons.
30. In respect of deliveries the Highways Officer has confirmed that the proposed layout provides sufficient space for delivery vehicles to turn within the site thereby allowing them to enter and leave the site in a forward gear. They have also advised that it is acceptable for deliveries to take place from Book Lane if necessary given that the Inspector who dealt with the appeal on 76788/FULL/2011 did not raise any issues with this arrangement.
31. Having regard to the comments of the highway officer it is considered that the proposed parking, access and servicing arrangements are acceptable and consequently it not considered that the proposal would have any adverse impact upon highway safety. The development is therefore considered to be in accordance with policy L4 of the Trafford Core Strategy.

## **DEVELOPER CONTRIBUTIONS**

32. This application relates to an A1 retail store which currently has a floor area of 150.65sqm.
33. The proposed extension would provide an additional 84sqm of storage space for the store.
34. It is not considered that the proposal raises any liability under CIL as the additional floorspace that would be provided at the site falls below the 100sqm trigger point for charging.

## **OTHER ISSUES**

35. Neighbouring residents have objected to the proposal on the basis that it will result in them experiencing a loss of view and it will de-value their property. Loss of view and devaluation of property are not material planning considerations.
36. Concerns have also been expressed that the proposal will result in an increase in the amount of litter accumulating on street in the vicinity of the application site. There is a litter bin located outside the property on Brooks Lane, which can be used by those purchasing and consuming goods outside the store to dispose of any waste. The site also has a series of bin for the store to use for the disposal of commercial waste. Consequently it is considered that adequate provision is made for the disposal of waste.

## **RECOMMENDATION: GRANT subject to the following conditions:**

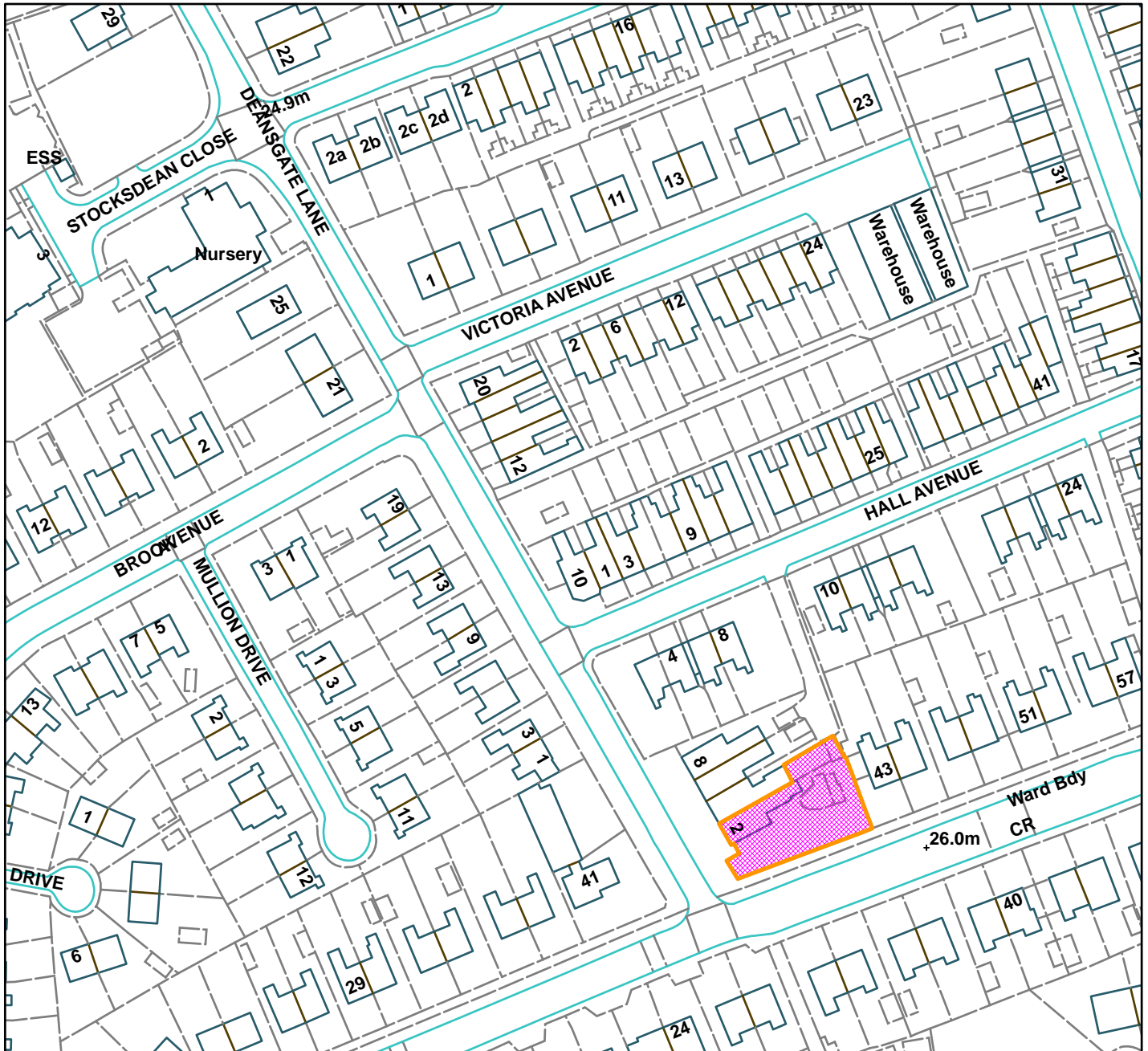
1. Time limit
2. Plans
3. Matching materials
4. Noise from plant and machinery
5. Parking laid out and made available for use prior to first occupation of extension hereby approved

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NT



2 Deansgate Lane, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Hale Barns

**86139/HHA/15**

**DEPARTURE: No**

**Demolition of attached garage and rear conservatory and erection of part single part two storey rear and side extension**

24 Wood Lane, Timperley, WA15 7PS

**APPLICANT:** Mr Ross

**AGENT:** None

**RECOMMENDATION: GRANT**

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

**SITE**

The application site comprises a two storey detached dwelling in an established residential area sited on the southern side of Wood Lane and close to its junction with Cloverley Drive to the west.

No.1 Cloverley Drive is located to the south of the application site, with its side/northern boundary shared with the southern/rear boundary of 24 Wood Lane. This property has a conservatory to its rear adjacent to the shared boundary.

22 Wood Lane is the adjacent property to the west of the application site, and is sited further back from the road than the application property. It has been extended to the rear.

26 Wood Lane, the adjacent property to the east, is set a similar distance back from Wood Lane as No.24. This house has also been extended to the side and rear.

**PROPOSAL**

The applicant proposes the demolition of an existing conservatory and the erection of a part single, part two storey side and rear extension to create a five bedroom property. The driveway is also proposed to be enlarged to accommodate three vehicles.

The increase in floor space of the proposed development would be 49.22m<sup>2</sup>.

**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 1<sup>st</sup> 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 26<sup>th</sup> 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

#### **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**

##### 22 Wood Lane

H/46222 – Erection of single storey side extension to form additional living accommodation. Approved in September 1998.

##### 26 Wood Lane

79940/HHA/2013 - Erection of single storey side and rear extension, following demolition of existing single storey rear extension. Approved in April 2013.

#### **CONSULTATIONS**

None

## **REPRESENTATIONS**

**Councillor Myers** - has called-in the application in response to concerns raised by the adjoining neighbour at number 22 Wood Lane relating to the massing of the proposed development and unnecessary overlooking and loss of light.

**Neighbours**: 1 objection letter – the points within this are summarised below:

- Concerns regarding loss of light and an overbearing impact as a result of the proposed development in close proximity to living room windows. References made to guidance within SPD4: A Guide for Designing House Extensions and Alterations.
- States that the proposed two storey extension would result in a separation distance of approx. 6.5m and that of the single storey extension approx. 3m from windows within living room which is less than guidance recommending 15m.
- Impact upon “Right to light”

## **OBSERVATIONS**

### DESIGN AND STREETSCENE

1. The proposed development would be built over an existing attached garage to the eastern side of the house and would retain a gap of 1.19m between it and the common boundary shared with 26 Wood Lane, thereby complying with guidance regarding the provision of spaciousness within the streetscene. The maximum height of the existing property would be retained, with eaves height, materials and fenestration details to both side and rear extensions are considered to be appropriately designed to comply with guidance contained within SPD4. Accordingly the design of the extension and its impact on the street scene are considered to be acceptable.

### NEIGHBOUR AMENITY

#### Impact upon 22 Wood Lane

2. To the rear of this property there is a single storey extension with its main access to the garden via a standard door with glazing in its top half and a clear glazed window within the western elevation facing Cloverley Drive. To the eastern elevation of the extension, there are two obscure glazed windows providing secondary light to the kitchen area that is at a lower level than the main dwelling.
3. In the south eastern corner of the original dwelling of No.22, there is a lounge/breakfast area that is naturally illuminated by two clear glazed windows in the eastern side elevation facing the application site. There is open access from this area to the rear kitchen area via a step. The main side elevation of this property containing these windows is approximately 1m from the boundary shared with the application site which is marked by a 1.6m high fence with trellising above to a



maximum height of 1.8m. Further mature planting is adjacent to the common boundary within the application site providing further privacy to both parties. A bathroom window with obscure glazing at first floor level is also within the eastern elevation of No. 22.

4. The proposed part single, part two storey rear extension would be visible from the two windows that serve the lounge/breakfast area.
5. Guidance contained within paragraph 2.16.1 of SPD4 A Guide for Designing House Extensions & Alterations states that *“An extension positioned too close to a boundary, may cause a loss of sunlight and/or daylight to a neighbour’s window or garden. An extension that would overshadow your neighbour to an unreasonable extent would not be considered acceptable”*. The proposed development has been reduced from projecting approximately 3.5m from the main rear elevation to approximately 3m, and the position of the west elevation of the proposed two storey rear extension would be approximately 3.3m from the western/side elevation of the host building, approximately 4.8m from the western boundary shared with 22 Wood Lane and therefore approximately 6.8m from the side facing habitable room windows of the adjacent property. Given the juxtaposition of the adjacent properties and the angle of sunlight as it moves during the day, it is considered that sufficient sunlight would be received by that room and therefore no detrimental harm would occur to the occupant regarding this assessment. Furthermore, it is generally considered to be acceptable for a single storey extension to be allowable adjacent to a common boundary subject to relevant criteria and therefore this element is considered not to cause detrimental harm. Furthermore, the neighbour has stated that there is no objection to a single storey rear extension replacing an existing conservatory..
6. The adjoining neighbour has raised concerns regarding the proposed development and it having an overbearing impact to a habitable area. Paragraph 2.17.1 of the Council’s SPD4 relates to development which may be overbearing and states that *“A large expanse of brickwork can be overbearing to the amenities of a neighbouring property”*. Within paragraph 2.17.3 of the above guidance, a minimum of 15m is normally recommended between a habitable room window and a two storey blank gable wall, however, the windows of 22 are off-set from the existing gable of the application property and the original property would have had its main window within the rear elevation which has been extended upon. Furthermore, there is a through room to a rear kitchen area with another window and partially glazed door within the western elevation to allow adequate outlook and sunlight to be received from this room. Therefore it would be unreasonable not to support a two storey rear extension if it were to be positioned on the far side of the property from the common boundary and if its projection would be similar to what may be able to be achievable under the property’s permitted development rights. It is noted that although the proposed development would be less than the standard recommendation of 15m from the habitable room windows in the side of No.22, the position of the development would only be directly in front of one window and the other would have some visual relief. In addition to this, the orientation of the application property would allow for sunlight to reach the habitable room throughout the day following some impact in the early

morning. Although there would be some harm to the occupiers of 22 Wood Lane, it is considered, on balance, that there would not be sufficient grounds to justify a recommendation of a refusal of planning permission. As such, it is considered that the proposed amended scheme would be are to be recommended for approval subject to relevant conditions.

7. The proposed single storey rear extension would be positioned in a similar position to an existing conservatory and project 3m from the rear wall – this is less than the permitted development rights of the property which would allow a maximum of 4m subject to certain criteria and therefore considered to be acceptable.

#### Impact upon 26 Wood Lane

8. This property is sited to the east of the application property and has recently been extended to both the side and rear elevations at ground floor level adjacent to the common boundary with the application site. No habitable room windows are within the western elevation of this property and the proposed development would project approximately 0.4m further than the recently completed development. No detrimental harm would therefore occur to the occupiers of 26 Wood Lane.

#### Impact upon 1 Cloverley Drive

9. The original submission has been reduced in its projection by 600mm to extend 3m from the original rear elevation of the dwellinghouse and provide a separation distance of approximately 10.8m between the two storey element and the rear boundary thereby accommodating the recommendation distance of at least 10.5m to protect the amenity of the occupiers of 1 Cloverley Drive which is at right angles to the application site and to its south. The amendments are considered to be acceptable would not cause detrimental harm to the occupants of that property.

#### **PARKING PROVISION**

10. The existing property has an attached garage and one space to its frontage – the proposed dwelling would provide 5 bedrooms (an increase of 2) and therefore at least 3 off-street car parking spaces would be required. The amended plans have provided this and although there would not be a large expanse of soft landscaping to be retained, this would not be discordant to other driveways within the vicinity therefore considered to comply with SPD3: Parking Standards and Design. It is considered that a condition regarding hard and soft landscaping is not required in this instance.

#### **DEVELOPER CONTRIBUTIONS**

11. No planning obligations are required.

## **CONCLUSION**

12. In conclusion, the proposed development would not cause undue loss of light or detrimental harm to the occupiers of 22 Wood Lane or to other neighbouring properties and its design and general appearance would complement the existing streetscene. The proposal is considered, on balance, to be in compliance with the relevant Trafford Core Strategy Policies and the relevant sections of the NPPF. The application is therefore recommended to be approved subject to relevant conditions.

### **RECOMMENDATION: GRANT subject to the following conditions**

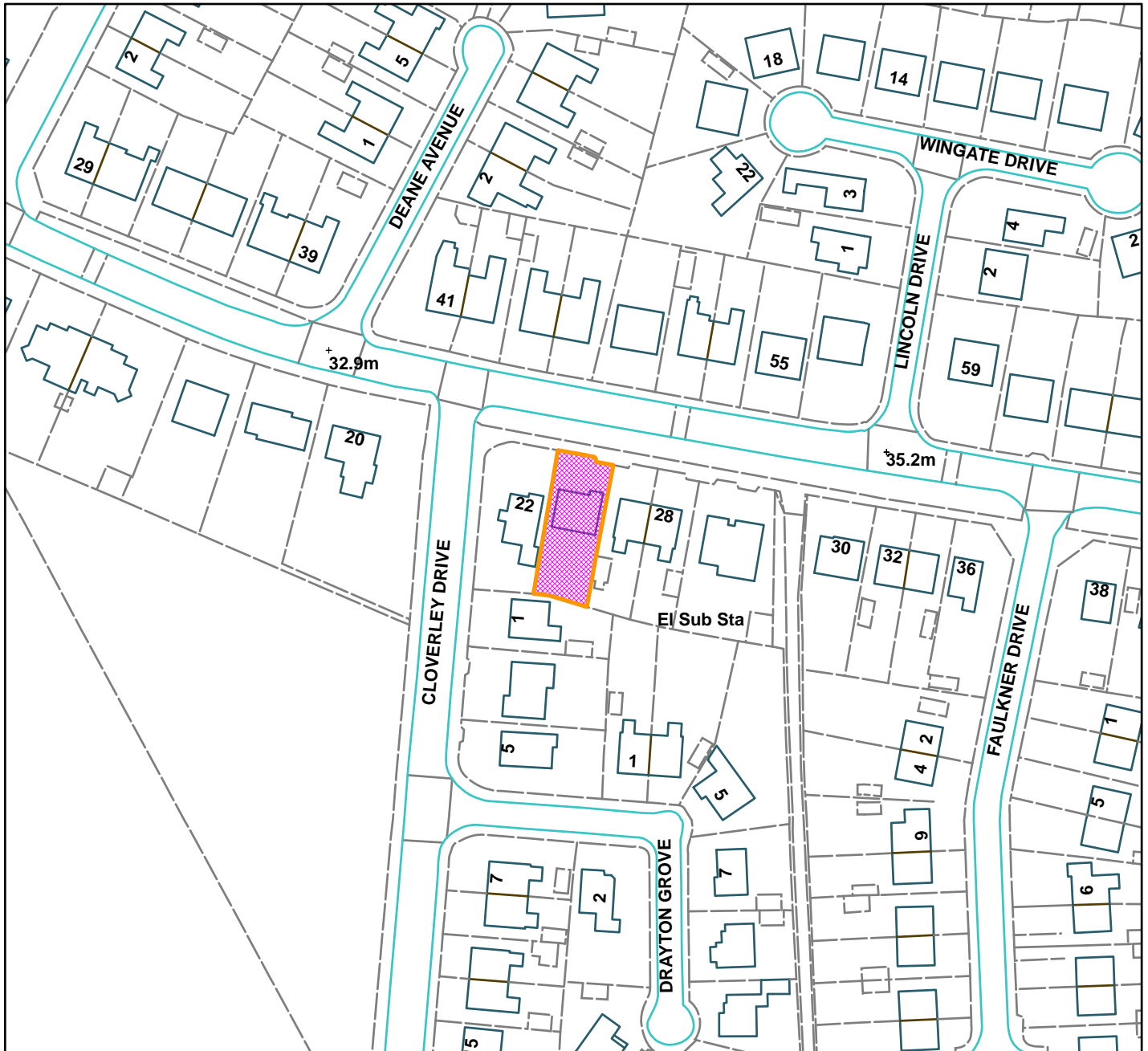
1. Standard
2. Details – compliance with list of plans
3. Submission of materials
4. Obscure glazing to east elevation
5. No further openings to east or west elevations

GD

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24 Wood Lane, Timperley (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**Erection of a part three, part four/five storey building to provide 1036 square metres (GIFA) of retail/commercial floorspace (Use Classes A1, A2, A5, B1, D1 and/or D2) and 34 no. residential apartments with associated car parking, cycle storage and landscaping.**

Land at Cross Street, Sale, M33 7AQ

**APPLICANT:** THT Developments Ltd

**AGENT:** IBI Group

**RECOMMENDATION: GRANT**

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**The details of this application have not changed since it was approved by the September 2015 Planning Development Control Committee. However since this resolution by the Committee, the applicant has sought to amend the wording of planning conditions detailed within the September 2015 Planning Development Control Committee Additional Information Report.**

**Conditions 13 and 14 were reported in the September 2015 Additional Information Report as follows:**

13. Opening hours – 0700 to 2300 hours

14. Servicing, delivery and waste collection not to take place outside the hours of 09:30 to 21.00 hours

**As a result of negotiations with the applicant, the amended Conditions are proposed as follows:**

13. The commercial premises on the ground floor of the building hereby approved shall not be open for customers outside the following hours: -

0700 - 2300 hours, Mondays – Sundays, unless otherwise agreed in writing.

14. No deliveries, servicing or waste collection shall be taken at or despatched from the site outside the hours of 0730 - 2100 hours Monday – Friday, 0830-2100 Saturday nor at any time on Sundays, Bank or Public Holidays.

**The Local Highway Authority and Pollution and Licensing Team have been consulted in relation to these amended conditions and consider the amendments acceptable.**

**The report has been updated to include comments previously reported in the September 2015 Planning Development Control Committee Additional Information Report and the list of planning conditions at the end of the report has been updated to reflect the above.**

## **SITE**

The application site is situated on the north western side of Cross Street, which forms part of the A56 and is a principal transportation route through the Borough. The site is approximately 0.36 hectares in size and historically comprised of the former Wagon and Horses public house (No.137) which was a part single, part two storey building and garage workshop buildings (No.'s 139 and 143), which were long single storey brick and concrete buildings set back from the highway and commercial premises (No.'s 145, 145A, 147 and 149), which were two storey brick built buildings. These buildings were all in a semi derelict state and have since all been demolished recently. The site is therefore presently vacant.

The side and rear of the site is bound by residential properties on Doveston Road, Denmark Road and Gordon Avenue. There are no listed buildings or tree preservation orders within or immediately adjacent to the boundary of the site.

## **PROPOSAL**

It is proposed to erect a part three, part four/five storey building to provide 1036 square metres (GIFA) of retail/commercial floorspace (seeking consent for Use Classes A1: retail; A2: Financial and Professional Services, A5: Hot Food Takeaway, B1: Office, D1: Non Residential Institutions and/or D2: Assembly and Leisure) at ground floor level and 34 no. residential apartments above with associated car parking, cycle storage and landscaping.

The residential apartments would consist of 6 x one bedroom apartments and 28 x 2 bedroom apartments. All apartments would be for the open market.

The proposed building would be of red brick and would consist of a 4/5 storeys to the centre section of the building with three storey wings either side. The building would incorporate a flat roof with the fifth floor containing enclosed courtyard amenity space to the upper floor level units. Glass balustrade balconies would be incorporated together with simple linear fenestration proposed to the elevations.

Soft landscaping would be introduced around the site at the rear and private amenity space in the form of balconies and courtyards would benefit 30 of the residential dwellings (2 x 1 bedroom apartments and 28 x 2 bedroom apartments). Refuse bins for the apartment buildings would be stored within an internal enclosure accessed at the rear of the building and off the main car park.

The ground floor of the building is shown as being divided into three commercial units. The floorspace of the units would be 409sqm, 156sqm and 212sqm. Each unit would contain storage and service space internally, accessed and located to the rear. Pedestrian public access to the units would be via the front elevation at ground floor level off Cross Street.

Residential car parking would be provided at the rear of the site in a private car park, with 34 vehicle parking bays.

Car parking for the commercial units would also be provided at the rear of the site, providing 36 vehicle parking bays. A total of 6 x motorcycle bays are proposed and secure long stay parking for 38 bicycles.

The proposal is similar to a recent approval at the site for outline planning permission for the *"Erection of a part three, part four storey building to provide 940 square metres of retail/commercial floorspace (use classes a1, a2, a5, b1, d1 and/or d2) and 34 no. residential apartments with associated car parking, cycle storage and landscaping. Erection of 5no. two storey detached dwellinghouses with associated car parking and landscaping and access off Gordon Avenue (details of access, layout and scale submitted for approval with all other matters reserved)"* (ref: 76054/O/2010)

The reserved matters application for Phase 1 of the above mentioned permission (*'erection of 5no. 2 storey houses...'*) was recently approved (ref: 85479/RES/15) in June 2015. However the applicants have submitted the subject application rather than apply for Phase 2 reserved matters because the subject scheme is marginally different to the scheme approved under the outline permission (ref: 76054/O/2010). The subject application proposes an additional set back fifth floor level and the footprint of the building has been remodelled with the removal of a small projection at the rear.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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  
L3 – Regeneration and Reducing Inequalities  
L4 – Sustainable Transport and Accessibility  
L7 – Design  
L8 – Planning Obligations  
W1 – Economy  
W2 – Town Centre and Retail

### **PROPOSALS MAP NOTATION**

Large Sites Released for Housing Development

### **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

Policy HOU10 Development  
Policy H3 Large Sites Released for Housing  
Policy S5 Development in Town and District Shopping Centres  
Policy S10 Local and Neighbourhood Shopping Centres  
Proposal S11 – Development Outside Established Centres  
Policy S14 Non Shop Uses Within Local and Neighbourhood Shopping Centres

The A56 Corridor Development Guidelines Supplementary Planning Document is also 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**

85479/RES/15 - Application for approval of reserved matters for appearance and landscaping for Phase One: Erection of 5no. two storey detached dwelling houses with associated car parking, landscaping and access off Gordon Avenue following outline approval under planning ref: 76054/O/2010. Approved with conditions 17/06/2015

85477/CND/15 - Application for approval of details reserved by conditions of grant of planning permission 76054/O/2010. Condition numbers 8, 9 (partial), 14, 16 (partial), 17, 18 (partial), 19 (partial) and 20 (partial) - Decision Issued 12/06/2015

84951/DEM/15 - Demolition of the Wagon and Horses Public House together with Nos. 137-145 Cross Street and all light industrial buildings to the rear (Consultation under Schedule 2, Part 31 of the Town and Country Planning (General Permitted Development) Order 1995). Prior Approval Approved 18/03/2015

76054/O/2010 - Outline application for demolition of existing buildings; erection of a part three, part four storey building to provide 940 square metres of retail/commercial floorspace (use classes A1, A2, A5, B1, D1 and/or D2) and 34 no. residential apartments with associated car parking, cycle storage and landscaping. Erection of 5no. two storey detached dwellinghouses with associated car parking and landscaping and access off Gordon Avenue (details of access, layout and scale



submitted for approval with all other matters reserved) - Approved with conditions 04/07/2014

There are various historical planning applications and advertisement applications relating to minor alterations of the previous buildings within the site that have now been demolished. The most recent and relevant of these applications are: -

139-143 Cross Street - H42128 - Renewal of planning permission H/34898 to allow continued use of premises as car storage with vehicle repair workshop and ancillary office accommodation – Approved with conditions 08/05/1996.

139-143 Cross Street - H34898 – Change of use of vacant property previously in use for wholesale distribution with ancillary office accommodation to car storage with vehicle repair workshop & ancillary office accommodation – Approved with conditions 01/04/1992.

149 Cross Street - H23567 - Retention of open staircase to rear of building – Approved 11/07/1986.

149 Cross Street - H17666 - Change of use of ground floor from shop to take-away hot food shop – Refused 07/04/1983.

### **APPLICANT'S SUBMISSION**

The application is accompanied by the following detailed supporting statements:

Design and Access Statement  
Remediation Strategy  
Travel Plan  
Affordable Housing Statement  
Viability Statement (confidential)  
Car Park and Servicing Management Strategy  
Community Infrastructure Levy Application Form  
Tree Survey  
Crime Prevention Plan  
Carbon Budget Statement  
Air Quality Assessment  
Noise Assessment

The information provided within these documents is discussed where relevant within the Observations section of this report.

### **CONSULTATIONS**

**Greater Manchester Police Design for Security:** GMP recommends that this proposal should be accompanied by a thorough assessment of the crime and disorder issues. A Crime Impact Statement should be submitted in support of this application which should include the relevant certified crime statistics and security advice for both the retail/commercial space and apartments. GMP raises concern about the large open communal car park and service area to the rear of the building.

The residential car park should be secured with vehicular/self-closing pedestrian gates, controlled by fob or proximity reader both on access into and egress from the car park.

The commercial car park should also be secured outside of normal working hours. A strategy should be developed to manage out-of-hours access, residential through-access and servicing access. The main entrance to the apartments should front onto Cross Street, in order to maximise surveillance over it and over any visitors to the building, with a 'secure lobby' arrangement to allow for deliveries without providing access to all floors of the building. A secondary residents' only entrance should be taken off the rear resident's car park. The sides and rears of the properties should be defined and enclosed as private space by 2100mm high walls or robust timber fencing (1800mm high between private plots).

The front elevations of the dwellings should be protected by some defensible space, defined by low-level railings (e.g. 1200mm high); to clearly indicate they are separate from the street in ownership/control of the residents themselves. Lighting should be provided to the front and rear of the properties, operated by photo-electric cell and to all access roads, parking areas and building entrances to an adequate and uniform level (as defined within BS 5489), so as not to allow any areas of pooling/shadowing.

**LHA:** The submission of the car park and servicing management strategy prepared by JMP on behalf of the applicant is largely acceptable to the LHA. However 3 disabled bays should be provided in the retail/commercial parking area. It would also be prudent to provide some disabled bays in the residents parking area, say 2 number bays. Short stay cycle parking spaces should be shown. The provision of 34 plus 2, equating to 36 car parking spaces is lower than the maximum provision required by the standards. It is accepted that a proportion of trips to food and non-food retail outlets will be by local residents and not all will attract vehicle trips. Therefore the parking provision for the retail units is acceptable to the LHA. The provision of one car parking space for each apartment has already been accepted by the LHA given the accessibility of the site by public transport. The residential parking element will need to be managed by the developer.

**Pollution and Licensing (Contaminated Lane):** No objection, subject to a condition requiring a verification report of the remediation carried out to be submitted to and approved by the Local Planning Authority.

**Pollution and Licensing (Nuisance):** The 'Car Park and Servicing Management Strategy' by JMP ref NW91260 states that the hours of operation for servicing and deliveries will be 1900-0700, to reduce potential for vehicle conflicts between residents, staff and visitors. This creates the potential for noise nuisance to residents at the most sensitive time period. It is strongly recommended that servicing and deliveries be prohibited between the hours of 2100 and 0700hrs. The commercial unit's hours of operation after 2300 hours are another potential source of noise nuisance. The submitted Construction Management Plan is acceptable.

**Strategic Planning** – No objections. The main points of which are discussed in the observations section of this report.

## **REPRESENTATIONS**

One letter of representation has been received from a resident at 11 Denmark Rd. The issues raised in the objection are as follows:

- Development will increase traffic
- Disruption from building work
- Contractors at site should not park on nearby roads
- The boundaries of the site have been neglected and in a state of disrepair. Is there opportunity to work with neighbouring businesses on Cross Street to improve overall condition?
- Pedestrians on Cross Street – although the site has been boarded up the pavement is now narrow in sections on Cross Street causing safety issues for pedestrians. The crossing of the site entrance is also dangerous.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

1. The development site comprises a former public house and various vacant buildings that had been in a poor state of repair, with some being vacant for over 10 years. This resulted in the site being detrimental to nearby residential amenity leading to a substantial number of complaints in recent years.
2. The application site is allocated for housing within Land at Cross Street, Sale (HOU10 of Proposal H3) in the Revised UDP Proposals Map. The site is not within a town centre or local centre and is located on the A56.
3. Policy W2 states that outside of defined centres, there will be a presumption against the development of retail, leisure and other town centre type uses except where it can be demonstrated that they satisfy the tests outlined in current Government guidance. In this case and given the planning history for the site, Trafford Council accepts that there are no sequentially preferable sites in Sale Town Centre suitable for the proposed retail/commercial uses.
4. The application site is identified as edge-of-centre and the development brief for Land at Cross Street acknowledges the existing uses (residential, retail, leisure and offices/workshops) and makes provision for a mixed-use scheme, given its sustainable location and that it can be easily accessed from Sale Town Centre. It is also considered that the qualitative benefits that would come forward from the provision of retail/commercial floor space at the Cross Street site would outweigh any limited harm on the vitality and viability of Sale Town Centre that would result from the provision of these uses at this site.
5. The site is currently allocated for housing (HOU10 of Proposal H3) in the Revised Trafford UDP. Policy L2 of the Trafford Core Strategy states that the proposed mix of dwelling type and size should contribute to meeting the housing needs of the Borough. One bed, general needs accommodation will normally only be acceptable for schemes that support the regeneration of Trafford's town centres and the Regional Centre. In all circumstances the

delivery of one bedroom accommodation will need to be specifically justified in terms of a clearly identified need.

6. It is accepted that the proposed mix of dwelling size and tenure in this proposal, together with the development at Phase I to the rear of the site, would contribute to the creation of a mixed and sustainable local community. The proposed range of accommodation provides for a variety of local needs and residential units suited to first time buyers or the elderly. In regards to the proposed one bedroom accommodation, it is acknowledged that there is market demand for one bedroom properties in and on the edge of Sale Town Centre.
7. It is therefore considered that in light of the previous approval, the site's close proximity to the town centre, its location on a Quality Bus Corridor and the substantial regeneration benefits the development would bring, the proposal is acceptable in principle.

#### RESIDENTIAL AMENITY

8. 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. Residential dwellinghouses on Gordon Avenue and Doveston Road bound the site to the north, south and west. Residential flats situated above commercial premises on Cross Street are situated to the north-east of the site.
9. The part three, part four/five storey building is proposed to the south-east of the site, fronting Cross Street, comprising of commercial premises at ground floor and residential apartments above. A minimum distance of 14m would lie between the proposed building and neighbouring boundaries with dwellings on Dovestone Road. A minimum distance of 25m would also lie between this building and the rear elevation of these properties. A minimum distance of 5m would lie between the building and the common boundary with the nearest property on Denmark Road, No.1. This distance would increase to a minimum of approximately 32m to the rear elevations of the neighbouring properties in Denmark Road.
10. The Council's Guidelines for new residential development recommends that where there would be major facing windows, for three storey dwellings or above these should retain a minimum distance of 24m across public highways and 30 metres across private gardens. In terms of the relationship of the proposed building to dwellings in Dovestone Road, a minimum separation distance of 25m would be maintained. This is the same separation distance as approved under the outline permission and while the distance would be under the recommended guidelines, in this case given the landscaping proposed and the benefits of the site being redeveloped, it is not considered the development would result in an unacceptable level of overlooking to the occupiers of 9-13 Dovestone Road. Furthermore these properties are orientated at an angle to the development and would not be directly facing the development.

11. In terms of the distance between the rear elevations of properties in Denmark Road and the subject building, the separation distance of a minimum of 32m would comfortably exceed the Council's Guidelines for new residential development. The majority of windows to apartments in the rear of the building would overlook the proposed car parking area, however apartments located in the north western corner of the building at upper levels would overlook a small part of the existing expansive rear garden of 1 Denmark Road. Nevertheless the balcony openings to the flats in this part of the building would be inset and set back from the side elevation by 1.25m; while the windows would afford views of the rear part of the existing garden at No. 1 Denmark Road, on balance it is not considered the proposal would result in a significant loss of amenity. A large part of the garden would not be easily viewed from the proposed apartments due to the orientation of the building and much of the rear garden is already overlooked from neighbouring buildings 151 - 165 Cross Street, therefore the proposal is considered acceptable.
12. In terms of the impact of the proposal to the occupants of the 5no. two storey houses to be built at the rear of the site, referred to as Phase I of the wider development site, over 50m would be retained between the building and the rear elevations of these buildings. This would comfortably exceed the separation distances outlined in the Council's Guidelines for new residential development.
13. To the north of the site the proposed building would be located adjacent to the blank flank elevation of 151 Cross Street, with a gap of approximately 1.5m between the side elevation of the proposed building and the boundary of No.151. The building would project 6m beyond the rear elevation of this building, a similar relationship to that approved in the outline permission. Number 151 Cross Street is commercial use at ground floor level and, prior to being demolished, No. 149 featured a two storey full depth extension to the rear on the boundary with No. 151. Consequently given the above and the fact the relationship is the same as that approved in the outline permission, on balance this is considered to be acceptable.
14. On the front elevation, the apartments would overlook buildings opposite on Cross Street. These properties are mostly commercial however it is understood first floor residential accommodation is located above some of the units. A separation distance of 25m across Cross Street is proposed and this would comply with the Council's guidelines for new residential development. Furthermore this relationship is not considered uncharacteristic of the urban grain elsewhere on Cross Street.
15. Car parking, motorcycle parking spaces and cycle storage to serve the proposed commercial units and residential apartments would be situated adjacent to the common boundaries with No.'s 9 – 21 (odds) Doveston Road and No.'s 1 – 5 (odds) Denmark Road, to the rear of the proposed building and adjacent to the rear boundaries of the approved detached dwellinghouses that form Phase I of the wider development site. A landscaping buffer is

proposed around the boundaries of the parking area. Many of the neighbouring properties also have existing mature tree planting along the common boundary which would act as an additional buffer between the proposed development and the neighbouring dwellinghouses. Consequently it is considered that adequate provision would be provided within the site to further protect the amenity of neighbouring residents and soften the appearance of the development.

16. In total, 30 of the apartments would benefit from private balconies and outdoor space (2 x 1 bedroom apartments and 28 x 2 bedroom apartments). While 4 x one bedroom apartments would not benefit from private amenity space it is considered the site is located in good walking distance to various areas of public space. At fifth floor level it is proposed to provide enclosed private courtyards to the upper floor level apartments, resulting in duplex style apartments. These would be set back approximately 3.65m from the front elevation and 3.1m from the rear elevation and would be positioned directly above the fourth floor level of the building. The courtyards would be enclosed by slatted/louvered treatment ensuring clear direct views cannot be achieved from the courtyards to properties around. Given the set back from the front and rear elevations this would also ensure a limited impact in terms of overlooking to neighbouring buildings.
17. The separation distances referenced above are considered to be sufficient to prevent the proposed building from having an unreasonably overbearing or visually intrusive impact on existing neighbouring properties, and should ensure that it does not unduly overshadow them either.
18. Communal refuse bins associated with the apartments are set to be accommodated within an internally located enclosure accessed at ground floor level from within the car park. It is considered that the impermeable brick enclosure would be sufficient to prevent future occupants of the proposed dwellings from suffering any undue odour disturbance.
19. In terms of the hours of operation and servicing of the commercial units proposed at ground floor level, Pollution and Licensing have been consulted and raise no objections, subject to conditions.

## DESIGN AND VISUAL IMPACT

20. The previous buildings within the site were in a very poor condition and adversely impacted on the existing street scene and the character of the surrounding area. It is required by the Council's development brief for the site, that the redevelopment of this site would have a significantly positive impact on the street scene and surrounding area.
21. The proposed building would front on to Cross Street and be situated in line with the existing adjacent terraced properties. It is considered that the erection of a building of this size to the front boundary of the site would respect the scale and form of the surrounding environment, taking note of the adjacent three storey buildings and nearby offices of Dalton House (which is four

stories high) and Corner House (which is three and a half stories high) to the north of the site. The fifth floor element would be set back from the main elevations and consequently the main scale of the building would be as a three and four storey building. The commercial units at ground floor level would provide an active frontage to the road and surface car parking would be predominantly located to the rear of the building, thus complying with the guidance set out in the Cross Street Design Brief and the A56 Corridor Guidelines.

22. The architectural style of the building is simple and robust with carefully proportioned windows arranged within a primary framework of vertical brick piers. Where windows need not be full width a brick work panel is provided. Balconies are recessed behind the building envelope to ensure they are usable and practical against the traffic noise of Cross Street. A red multi brick is the predominant material to be utilised and it is intended the mortar be applied flush with the surface of the brick. Windows are to have dark grey uPVC frames, balconies glass and the ground floor level window frames to the commercial units to be aluminium framed.
23. Soft landscaping is proposed to the edges of the site and will help to soften and screen the appearance of the hard landscape, including the car park, from nearby properties and surrounding highways.

#### ARBORICULTURAL ISSUES

24. At present the site is vacant and has been cleared following the demolition of the previous buildings. Patches of vegetation and trees had previously become established at the site however none of these were protected. Hard and soft landscaping is shown on the submitted plans, with trees planted in the rear car park area and to the rear boundaries of the site.

#### HIGHWAY SAFETY AND PARKING PROVISION

25. The vehicular entrance off Cross Street would remain as existing and is thus considered acceptable. The Council's car parking standards require the provision of 59 car parking spaces to serve the proposed 34 residential apartments. The proposed development would provide a total of 70 car parking spaces to serve the proposed apartments and retail/commercial units. The Local Highways Authority (LHA) considers that it is appropriate for the residential car parking to be provided separately to the retail/commercial car parking, ensuring that provision is maintained for the apartments whilst also providing a secure area for residents to park.
26. It is recognised that the application site is located on a bus corridor, with a well serviced bus stop immediately outside of the site. The application includes the provision of 38 secure lockable long stay cycle parking spaces and 6 secure motorcycle parking spaces, which complies with the Council's standards for cycle and motorcycle parking. The site is also situated adjacent to a residential area and therefore many customers will be attracted to the retail and commercial units on foot. It is also considered that as the site is

situated on an arterial route through the Borough; a significant proportion of trade will be generated from passing traffic and therefore would not result in a significant increase in trip generation on Cross Street or surrounding roads and is likely to result in a high turnover of car parking spaces. In light of these alternative modes of transport and the predicted patterns of trade, the LHA considers that the provision of 34 car parking spaces would be acceptable to serve the apartments with the remaining 36 spaces serving the retail / commercial units and that the shortfall in car parking spaces would not exacerbate existing parking problems in the surrounding area to a level that would justify the refusal of the application.

27. A condition is recommended preventing the amalgamation of the retail / commercial units to ensure that a large store (particularly A1 food) is not created as such a store could result in an undue high level of trip generation to the site, a greater demand for car parking and the need to be serviced regularly by larger vehicles.
28. The LHA consider 2 disabled bays to be provided as acceptable and accept the level of cycle parking proposed. A condition is recommended for details of cycle parking to be submitted.

#### CRIME AND SECURITY

29. The applicant has included a Crime Prevention Plan as part of the application. This explains the scheme will result in the reuse of a vacant site and will provide a mix of accommodation, bringing additional activity and vitality to the area. Surveillance has been maximised with windows and doors arranged facing the car park and Cross Street.
30. Comments received from Greater Manchester Police are acknowledged, however, it is recognized that the provision of pedestrian entrances at the front of the building was not required at the time of the outline application and it is considered that it would not be reasonable to require this amendment to the current scheme.

#### PLANNING CONTRIBUTIONS

31. The application seeks consent for 1036m<sup>2</sup> (GIFA) of retail / commercial floor space for solely A1, A2, A5, B1, D1 or D2, or any combination of these uses and the proposed residential apartments are intended for the open market. The residential element of the proposal is subject to the Community Infrastructure Levy (CIL) and is located in the 'moderate zone' for residential development. Consequently private market apartments would be liable to a CIL charge rate of £0 per square metre.
32. The applicant has submitted an Affordable Housing Statement and supporting information. The Council has considered the applicant's viability assessment and, on the basis of the information provided to date, it is accepted that the developer profit won't exceed 20% and that the level of profit is such that it would not support a contribution to affordable housing. It is also relevant that



the scheme does provide benefits in terms of physical improvements to the area. Any profit made on the proposed development will go towards affordable housing provision in Trafford.

The development would provide 1036 square metres (GIFA) of retail/commercial floorspace for solely A1, A2, A5, B1, D1 or D2, or any combination of these uses. In terms of CIL requirements, the different use classes and CIL charge (per sqm) are as follows:

<b>Use Class and CIL definition</b>	<b>CIL charge (per sqm)</b>
A1 (Retail)	
Supermarkets outside defined town centres	£225
Supermarkets within the defined town centres of Altrincham, Sale, Stretford and Urmston	£0
A2 (Financial and Professional Services)	
All other development	£0
A5 (Hot Food Takeaway)	
All other development	£0
B1 (Business)	
Offices	£0
D1 (Non-Residential Institution)	
Public/Institutional Facilities as follows: education, health, community & emergency services, public transport	£0

D2 (Assembly and Leisure)	
Leisure	£10

33. In terms of the retail use, the three units would have individual floorspaces of 409sqm, 156sqm and 212sqm. The largest unit would have a floorspace of 409sqm and has the potential to be operated as A1 Use (retail). The Community Infrastructure Levy: Charging Schedule March 2014 states 'neighbourhood convenience stores are used primarily by customers undertaking 'top-up' shopping. They sell a limited range of convenience goods and usually do not sell comparison goods. Trading areas will either be less, or not significantly exceed the Sunday Trading Act threshold of 280 sq. m.' It is considered the largest unit would not significantly exceed the above mentioned threshold and thus would be considered as a neighbourhood convenience store in this case.

## CONCLUSION

34. The demolition of the existing buildings and the erection of a part three, part four/five storey building providing 1036m<sup>2</sup> of retail/commercial floor space and 34no. residential apartments is considered acceptable in this location. It is considered that the proposed development would significantly improve the visual appearance of the derelict site which would also improve the visual amenity of neighbouring residents and enhance the character of this area of the A56.
35. Whilst the proposed development would provide less car parking to serve the retail/commercial units and residential apartments than the maximum standards recommended within the Core Strategy, it is considered that due to the nature of the proposed development and its location, the proposal would not exacerbate existing car parking pressures on surrounding roads.
36. It is therefore considered that the proposal would result in a sustainable form of development, in accordance with the NPPF and in compliance with all relevant Policies in the Core Strategy and related Supplementary Planning Guidance.

## **RECOMMENDATION: GRANT subject to the following conditions:-**

1. Standard
2. Compliance with plans
3. Materials
4. Landscaping
5. Boundary treatment
6. Lighting
7. Provision and retention of parking
8. Construction Management Plan
9. Provision and retention of cycle parking

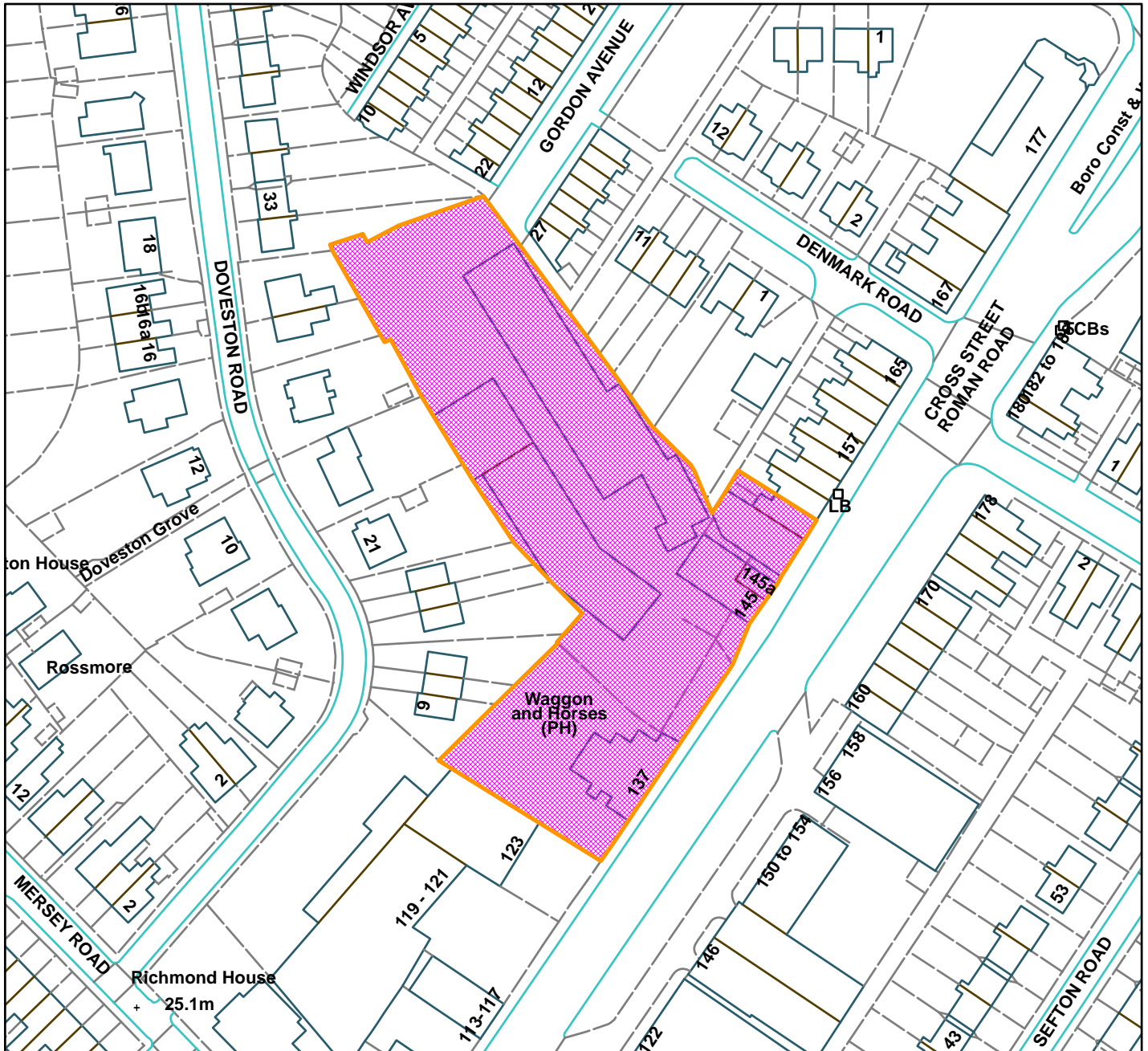
10. Drainage –sustainable drainage scheme to comply with Policy L5 of the Core Strategy
11. Contaminated land
12. Compliance with recommendations of Crime Impact Statement
13. Opening hours - 0700 to 2300 hours, unless otherwise agreed in writing.
14. Servicing and delivery hours - No deliveries, servicing or waste collection shall be taken at or despatched from the site outside the hours of 0730 - 2100 hours Monday – Friday, 0830-2100 Saturday nor at any time on Sundays, Bank or Public Holidays.
15. No amalgamation of retail units
16. Details of screening and provision and retention of screening to fifth floor courtyards

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LB



Land at Cross Street, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD: Davyhulme West**

**86288/VAR/15**

**DEPARTURE: No**

**Application for variation of conditions 3 and 4 on planning permission 81878/FULL/2013. (Demolition of existing school buildings with the exception of kitchen and dining hall, and construction of new 315 place school with nursery and additional teaching support facilities. Improvement of existing road junctions onto Irlam Road and Woodsend Crescent Road and adaptation of existing external areas to form new car park and minibus drop off). To retain existing front hall and re-clad.**

Acre Hall Primary School, Irlam Road, Flixton, M41 6NA

**APPLICANT: Acre Hall Primary School**

**AGENT: Mrs C. Bristow - Bowker Sadler Architecture**

**RECOMMENDATION: GRANT**

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## **SITE**

The application site is a 30,750 sq. metre site bounded by Irlam Road and Woodsend Crescent. It lies to the north of Irlam Road. To the west are residential properties in Woodsend Crescent; to the east are residential properties in Bishop Road, to the north lies Woodsend Park and to the South Wellacre Academy and Delamere special school. Sharing the main vehicular access to the site, from Irlam Road is the Sure Start Nursery. A further vehicular access serving a staff car park is from Woodsend Crescent. Pupils generally access the school by two footpaths off Woodsend Crescent Road. There is a third pedestrian access point behind the Sure Start nursery. The school site is generally level with trees to the West and South Boundaries. Two football pitches are located to the north east side of the site. A large grassed area to the south west corner provides soft play and two tarmac playgrounds are located to the North side.

## **PROPOSAL**

This application has been made under Section 73 of the Town and Country Planning Act 1990. Section 73 allows applications to be made for permission to carry out a development without complying with a condition(s) or to vary condition(s) previously imposed on a planning permission. A Section 73 planning permission is the grant of a new planning consent. However, the original planning permission continues to exist whatever the outcome of the application made under Section 73.

This application seeks to vary conditions 3 and 4 of planning permission 81878/FULL/2013

Condition 3 is worded as follows:-

*The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 101A, 102, 103, 104, 105, 106, unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: To clarify the permission, having regard to Policies L4 and L7 of the Trafford Core Strategy.*

Condition 4 is worded as follows:-

*All hard and soft landscape works shall be carried out in accordance with the approved details (Drawing No. 5). The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.*

*Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development having regard to Policies L4, L7, R2 and R3 of the Trafford Core Strategy and Policies DP2, DP7 and EM1 of the Revised Regional Spatial Strategy (RSS published 2008*

The existing front hall, shown to be demolished in the list of approved drawings (condition 3) will be retained and re-clad. The applicant has indicated that the retention of this hall will provide the school with a more suitable sports facility than the shared dining room which was originally proposed. The retention of this hall results in some minor changes to the previously approved landscaping and parking arrangements.

The development is currently under construction and information has previously been submitted by the applicant to discharge a number of conditions. Where this information has been agreed and the condition has been discharged / part discharged, the conditions will be amended on this consent to reflect the position accordingly.

## **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.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012. On 25<sup>th</sup> 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

R2- Natural Environment

R3 – Green Infrastructure

## **PROPOSALS MAP NOTATION**

OSR8 Improvement and Provision of Outdoor Sports Facilities

ENV17- Protection of Landscape Character

OSR6 Protected Linear Open Land

OSR5 Protected Open Space

## **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**

**81878/FULL/2013** - Demolition of existing school buildings with the exception of kitchen and dining hall, and construction of new 315 place school with nursery and additional teaching support facilities. Improvement of existing road junctions onto Irlam Road and Woodsend Crescent Road and adaptation of existing external areas to form new car park and minibus drop off. Application approved 13.3.2014

## **APPLICANT'S SUBMISSION**

The applicant has submitted various plans and drawings in support of the planning application.

## **CONSULTATIONS**

**Local Highway Authority** – No objections. The LHA requested that the submitted plans are revised to reinstate two motorcycle spaces, provide bollards to the main entrance, and the provision of long stay cycle provision. The applicant has since revised the layout plan to incorporate these matters.

**Pollution and Licensing** – The application site is brownfield land. Should planning permission be granted recommend contaminated land condition.

**Pollution and Housing** – No nuisance concerns

**County Fire Officer** – Development should meet the requirements for Fire Service Access.

**City Airport** – No objections however due to the proximity of the site to the Aerodrome the developer should ensure that any temporary crane exceeding 10m in height above surrounding trees should be notified in advance to the airport

**Electricity North West** – They indicate that the development is shown to be adjacent to or affect operational land or electricity distributions assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or the ancillary rights of access or cable easement. If planning permission is granted the applicant should verify such details by contacting Electricity North West.

## **REPRESENTATIONS**

No letters of objection 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. There have been no significant changes to the site or surrounding area since planning permission was granted, save for the implementation of the permission. The application was determined previously in accordance with the Core Strategy, the saved policies of the Revised Trafford Unitary Development Plan, relevant supplementary planning documents, all of which are still part of the Development Plan for the Borough and the National Planning Policy Framework.
3. The main planning issues considered under the original application were:-
  - Principle of development
  - Residential amenity
  - Design and appearance
  - Traffic and parking
  - Drainage / flood risk
  - Developer contributions



4. No further information has been submitted in support of the planning application, save for the revised plans and drawings. Information submitted in support of planning application 81878/FULL/2013 remains relevant to the determination of this application.
5. The matters listed above were considered by Members in the determination of the original application. There is no requirement to revisit these issues through the determination of this application other than where they are affected by the proposed variation. The key issues in the determination of this application relate to the following matters outlined below:-
  - Design and appearance
  - Landscaping
  - Highways and parking
  - Discharged conditions

## **DESIGN AND APPEARANCE**

6. As part of the original permission, the scheme included the demolition of a hall and associated circulation area. However, following a design review the applicant has indicated their intention to retain these buildings as part of the revised facility. The applicant has indicated that the retained hall would be re-clad to incorporate the palette of materials approved as part of the original scheme. The retention of the building would have no resultant impact upon neighbour properties as it would retain the current position in terms of impact. The proposed re-cladding would update and improve the external appearance of the building and would ensure that a coherent design solution is provided on site.

## **LANDSCAPING**

7. The retention of the hall would result some minor changes to the landscape plan which was approved under the previous consent. These amendments are insignificant in nature and the proposed amendments allow for an appropriate landscaping solution to be provided on site whilst accommodating the retained hall. The proposed landscaping scheme and its on-going maintenance will be secured via condition.

## **HIGHWAYS AND PARKING**

8. The retention of the building would have an impact upon the previously approved parking layout, in terms of the location of visitor parking, the turning head for refuse vehicles and the location of cycle hoops. The number of cycle hoops will remain as previously approved, whilst the total number of visitor parking spaces will be increased by 6 spaces. The Local Highway Authority has reviewed the scheme and subject to some minor amendments which have since been addressed by the applicant, they raise no objections in respect of highway safety or parking and as such the scheme complies with Core Strategy policy L4 and the NPPF.

## **DISCHARGED CONDITIONS**

9. 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 3 and 4, the Local Planning Authority should take note, in particular, of whether the conditions as currently worded are necessary and reasonable.
10. An application has been submitted to the Council to discharge conditions 2 (materials), 4 (landscaping), 6 (tree protection measures), 7 (porous materials), 8 (contaminated land), 9 (Construction Management Plan), 10 (turning facilities), and 13 (surface water drainage). 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. Condition 1 (standard 3 year time limit) has been removed as the scheme has already commenced.

## **CONCLUSIONS / SUMMARY**

11. It is considered that the proposed amendments will not have a significantly adverse effect on the character of the area, landscaping or parking over and above any impact already assessed under the previous application and therefore it is recommended that conditions 3 and 4 are varied as requested.

## **RECOMMENDATION:**

### **GRANT subject to the following conditions:-**

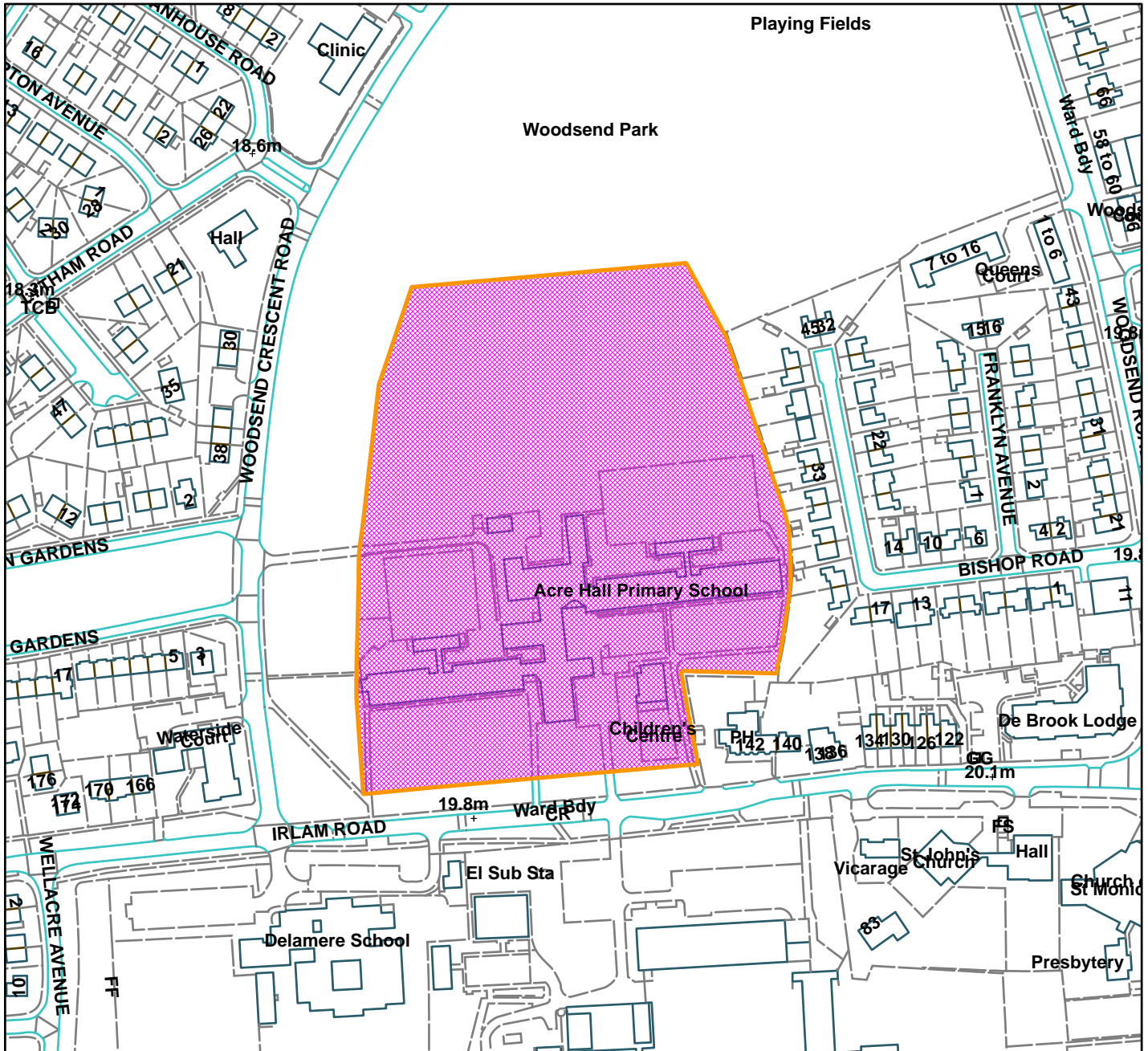
1. Materials to be implemented as approved
2. Compliance with approved plans
3. Implementation of approved landscaping scheme
4. Implementation of approved landscape maintenance schedule
5. Implementation of approved tree protection measures
6. Implementation of approved porous hardstanding scheme
7. Submission of contaminated land verification report
8. Construction Environmental Management Plan
9. Retention of approved turning and manoeuvring scheme to staff car park
10. Submission of a Travel Plan
11. Implementation of crime prevention and security measures identified within Crime Impact Statement
12. Implementation of approved Surface Water Drainage scheme
13. Cycle, motorcycle and scooter storage details

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CMR



Acre Hall Primary School, Irlam Road, Flixton (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee date 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Ashton On Mersey    **86349/HHA/15**

**DEPARTURE: No**

**Erection of a two storey rear extension following demolition of existing conservatory.**

Coach House, 5 Sandiway Road, Sale, M33 5AJ

**APPLICANT:** Mr And Mrs Rigby

**AGENT:** Goldcrest Design Services

**RECOMMENDATION: GRANT**

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**The application is to be heard by the Planning Committee as the occupiers of the application property are Councillor and Mrs Rigby.**

### **SITE**

The application relates to a residential property located on the north side of Sandiway Road, Sale. The surrounding area is residential in character and the site is bounded by residential properties to the north, east and west.

The application site comprises a two storey brick pitched roof dwelling. The dwelling has been converted from a coach house historically and has interesting internal and external features due to its origin. The property has previously been extended to the front at single storey and to the rear at two storey.

The rear garden is enclosed by well established planting comprising approximately 3m hedging to the side boundaries and approximately 5m tall conifers to the rear boundary.

The street scene comprises varying property styles. No.3 Sandiway Road is a modern property type whilst No.s 7 and 9 Sandiway Road are traditional properties.

### **PROPOSAL**

The application proposes the demolition of an existing rear conservatory and the erection of a two storey rear extension.

The increase in floor space of the proposed development would be 28.86 m<sup>2</sup>.

### **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 1<sup>st</sup> 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 26<sup>th</sup> 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

## **PROPOSALS MAP NOTATION**

Critical Drainage 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**

None.

## **CONSULTATIONS**

None received.

## **REPRESENTATIONS**

None received.

## **OBSERVATIONS**

## **RESIDENTIAL AMENITY**

1. The proposed two storey rear extension would measure 4m in length. It would not have a loss of light impact on either of the adjacent properties, Nos 3 and 7

Sandiway Road, due to its distance from the shared boundaries with these properties. The extension would be sited 7m from the boundary with No. 7 and 6.5m from the boundary with No.3, which would safeguard against loss of light impact and other potential impacts and is in accordance with the Council's Guidelines SPD4 for House Extensions.

2. In addition there is an existing two storey extension to the rear of No.5 which is located approximately 0.6m from the shared boundary with No. 7. This extension would additionally screen the proposed two storey rear extension and as such it would have no greater impact upon the windows in the rear elevation of No. 7.
3. No.7 Sandiway Road is an individual property which has been historically converted into residential use. It has a two storey rear projection that extends approximately 5m beyond the rear elevations of No. 3 and 5 and it contains side windows facing the shared boundary with the application site. This side elevation contains a bathroom and landing window at first floor and a kitchen and utility window at ground floor.
4. This respective elevation at No. 7 faces the two storey flank wall of the existing two storey structure to the rear of No. 5, which is sited 0.6m off the shared boundary. The proposed development at No. 5 would result in a section of 1.5m long two storey flank wall being visible beyond the existing two storey projection at a distance of 7m off the boundary. As such, due to the existing relationship between No.s 7 and 5 Sandiway Road, there would be no further impact upon the amenities of No. 7 Sandiway Road.
5. There are no windows proposed in the side elevations of the proposed extension at first floor preventing any overlooking impact.
6. The proposed first floor window in the rear elevation of the two storey rear extension would achieve 20.5m to the rear boundary, which is in accordance with standards outlined in the Council's SPD4 guidance for House Extensions and there would be no overlooking impact.

## **DESIGN AND APPEARANCE**

7. The scale of the proposed two storey rear extension is considered acceptable. The proposed pitched roof and gable design would be in keeping with existing features of the host dwelling. The proposed design is considered to be appropriately sympathetic to the character and appearance of the application dwelling and the surrounding residential area.

## **HIGHWAY MATTERS**

8. There is existing parking provision to the front of the application property and within its existing garage. The proposal would result in a 3 bedroom property,

however the extended property would retain sufficient parking within the curtilage of the property in accordance with the Council's Guidance SPD3 for Parking Standards.

## **DEVELOPER CONTRIBUTIONS**

9. No planning obligations are required.

### **RECOMMENDATION: GRANT subject to the following conditions:**

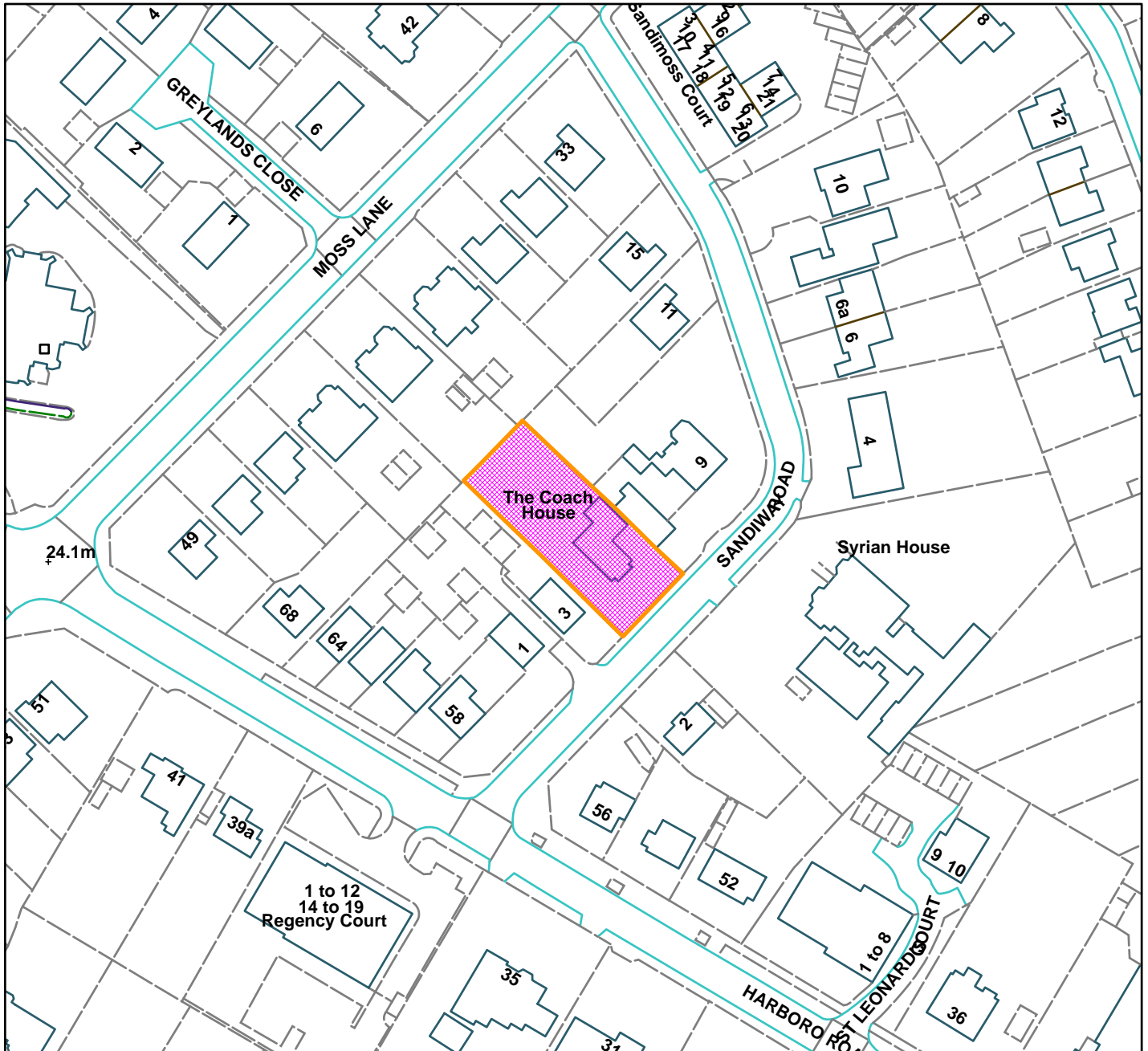
1. Standard time limit
2. Approved plans
3. Material to match existing

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RW



Coach House, 5 Sandiway Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)



**WARD:** Priory

**86361/FUL/15**

**DEPARTURE: No**

**Change of use to a retail unit (A1) and installation of disabled access ramp.**

105 Winstanley Road, Sale, M33 2AT

**APPLICANT:** Mr Qayyum

**AGENT:** BPM Architectural

**RECOMMENDATION: GRANT**

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**SITE**

This application relates to the front portion of the property at 105 Winstanley Road which is currently vacant, having formerly been used as a car parts retail business associated with Ken Coffey Motors.

Ken Coffey Motors has their reception area within the rear portion of 105 Winstanley Road, with the servicing and repairs taking place from a detached building located at the rear of 105 Winstanley Road.

The first floor of the property is being used as a self-contained flat, known as 105A Winstanley Road.

The property at 105 Winstanley Road has a cellar area.

The application site is located within a predominantly residential area being bounded to the north, south and west by residential properties in a variety of styles. The reception area and the garage building of Ken Coffey Motors occupies the land to the east.

**PROPOSAL**

Planning permission is sought to use the front portion of the unit at 105 Winstanley Road as an A1 retail unit, which would operate between 7am and 9pm Monday to Saturday and 9am and 7pm on Sundays and Bank Holidays.

The proposed unit would sell groceries including fresh produce, newspapers and magazines and it would have a self-service area where customers can purchase tea and coffee, fresh sandwiches and snacks.

The unit would have use of the front portion of the cellar at 105 Winstanley Road, which would be utilised for storage.

In order to facilitate the proposed use a disabled access ramp would be installed at the front of the property. The ramp, which would be 2.3m wide at its widest point, would have a 1.1m high handrail.

A 0.55m high, low boundary wall with associated planters would also be installed to the front of the building in order to create an enclosed forecourt area.

There would be no onsite parking provided for the proposed use, however parking would be retained for the occupants of the first floor flat at 105 Winstanley Road and for Ken Coffey Motors.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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

L8 - Planning obligations

W1 - Economy

W2 – Town Centres and Retail

### **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**

**H65085** - Change of use of vacant unit to use class A1 (retail) – Refused 23.08.2006

*The applicant has failed to demonstrate that there is a need for the proposal and that a sequential approach to site selection has been adopted, giving first preference to sites within or on the edge of existing shopping centres. In addition, the applicant has failed to demonstrate that the development would not have an unacceptable adverse impact on the vitality and viability of any existing shopping centre within or outside Trafford and that the site would be highly accessible by a choice of means of transport. As such the proposal is contrary to Proposals S1 and S11 of the Revised Adopted Trafford Unitary Development Plan and guidance in Planning Policy Statement 6, Planning for Town Centres.*

*The proposed use would have a detrimental impact on the amenity of local residents by reason of the proposed hours of opening, the noise and disturbance likely to be created by customers visiting the premises, and the associated likelihood of short term car parking on nearby residential roads. As such the proposal is contrary to Proposal D1 of the Revised Adopted Trafford Unitary Development Plan.*

**H53457** - Change of use from offices associated with tyre business to self-contained offices – Approved 09.04.2002

**H42140** - Demolition of part of existing single storey building & erection of single storey extension to form mot bay, tyre bays & storage facilities. Provision of 3 car parking spaces – Approved 08.05.1996

## **APPLICANT'S SUBMISSION**

The applicant's submission includes –

- Appropriate plans and drawings
- Design and access statement
- Town Centre Statement

## **CONSULTATIONS**

**Metrolink** – Confirm that they have no comments to make on the application.

**LHA** – Confirm that despite no onsite parking being provided for the proposed retail unit they have no objections to the proposal – there are waiting restrictions on the highway network in the immediate vicinity of the application site which will prevent the new use

displacing parking onto the surrounding highway network, with the access and servicing arrangements remaining as existed for the retail unit that operated from the unit previously.

**Drainage** – Advise that suitable arrangements must be incorporated into the private drainage system to prevent discharge of grease, fats and/or solid food waste into the public sewerage system.

State that it is an offence under section 111 of the Water Industry Act 1991 to allow to enter any public sewer, drain or sewer communicating with a public sewer any matter likely to injure the sewer or drain to interfere with the free flow of its contents or to affect prejudicially the treatment and disposal of its contents.

**Environmental Health (Nuisance)** – Confirm that they have no objections to the proposal subject to the attachment of 4 conditions; one to prevent deliveries and waste collections taking place between 9pm and 7am Monday to Friday, 9pm and 8am on Saturdays and 9pm and 10am on Sundays and Bank Holidays, another to prevent the use of the outdoor seating area between 6pm and 8am Monday to Saturday and 6pm and 10am on Sundays and Bank Holidays, a third to restrict noise from fixed plant and a fourth which restricts noise transference between the application property and neighbouring properties.

**Strategic Planning** – Confirm that they have no objections to the proposal. Their detailed comments will be set out in the observations section below.

## **REPRESENTATIONS**

There have been two rounds of neighbour consultation undertaken on this application as amended plans have been received and the description of development revised.

Eleven letters of representation have been received in response to the original consultation on the application. The following issues have been raised –

- The introduction of an external seating area directly adjacent to a residential property will result in those living adjacent to the site experiencing a loss of privacy
- The proposed café is not appropriate within a residential area – its introduction will adversely affect the character of the area
- The introduction of the café will result in neighbouring residents experiencing a loss of amenity by virtue of increasing the noise/activity in the area
- The submission does not include any details of ventilation proposals – there are concerns that the proposal will result in neighbouring residents being exposed to fumes and odours from the cooking process
- The proposal will increase traffic flow, congestion and parking problems in the vicinity of the site and on the neighbouring residential streets – there is no on-site parking provided for staff or patrons

- The proposal will increase traffic flow at an already busy junction and as such it could increase the chances of an accident occurring – bollards should be installed to prevent people pulling onto the forecourt
- There are concerns that the proposed café could become a meeting place for undesirables and school children/youth who could hang around outside exposing residents to anti-social behaviour, particularly if in the future the café/store applied for an alcohol licence
- There is no need for a café/store in this area – there is a pub close by that serves lunches, there are two convenience stores within close proximity to the site and others beyond, with Sale being saturated with cafes
- The proposed forecourt seating area is out of character with the area having a poor finish and as such it would be unattractive and detrimental to the visual amenity of the area – a high quality finish than asphalt should be used and secured via condition.
- The proposed hours of operation should be reduced, with opening prohibited after 7pm rather than the suggested 9pm
- There are limited refuse facilities provided for the unit - the proposal will result in an increase in the litter levels in the locality
- The food and rubbish will attract vermin to the area

A further letter has been received from an individual querying why they had not been notified of the application and several of those who wrote in to object to the proposal expressed a concern that there has not been adequate neighbour consultation on the proposal.

Councillor Jane Baugh has requested that the application is considered by the Planning Committee for the following reasons –

1. The proposal is detrimental to the amenities of neighbours. In particular, the proposed outdoor area will have an adverse effect on the privacy of 103 Winstanley Road.
2. The shop and café will cause customers to park on Winstanley Road near its junction with Dane Road.
3. The café, and especially the outdoor area, are out of keeping with the area.

After the initial consultation was undertaken the scheme was revised with the outdoor seating area being removed. As a result of this area being removed the description of development was revised to reflect the fact that the café element of the scheme had been removed.

Two letters of representation has been received in response to the amended plan consultation. The following issues have been raised –

- Objections persist in respect of the parking and deliveries – Winstanley Road is an extremely busy road with high levels of parking by metrolink users during the day with the application site being located very close to the busy junction with Dane Road.

- The addition of the shop will increase the volume of traffic at the already busy Dane Road/Winstanley Road junction and create a hazard for those on Winstanley Road when accessing/aggressing from their properties and other road users as the removal of the existing barrier on Winstanley Road will result in drivers parking in front of the shop. Fencing/hedging should be retained on Winstanley Road in order to prevent this occurring
- The proposal will increase litter – it still incorporates a self-service coffee, sandwich and snack area
- The proposal will result in neighbouring residents being exposed to increased levels of noise and disturbance due to young people congregating on the forecourt and delivery vehicles visiting the site and the increased volume of traffic and pedestrians visiting the site
- There is no need for the proposed retail unit in this residential area where there are already a broad choice of retail outlets and numerous coffee shops/cafes with outdoor seating

Councillor Jane Baugh has confirmed that the revised plans do not overcome the concerns that she has raised previously.

## **OBSERVATIONS**

### Principle

1. Paragraph 24 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan; advising that under the sequential approach local planning authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available out of centre, stating that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.
2. Paragraph 27 of the NPPF states that where an application fails to satisfy the sequential test it should be refused.
3. Policy W2 of the Trafford Core Strategy relates to town centres and retail with W2.12 stating that outside the town, district and local centres there will be a presumption against the development of retail, leisure and other town centre type uses except where it can be demonstrated that they satisfy the tests outlined in current guidance.
4. According to the definitions within the NPPF retail uses are main town centre uses and consequently it is necessary for the Local Planning Authority to consider whether there are any sequentially preferable sites where the proposed retail unit could be located.

5. The application site is located within close proximity to both Sale Town Centre and Sale Moor District Centre. Of the units in Sale Town Centre, 40% are A1 and of these, 17% are A1 convenience. The vacancy rate at Sale Town Centre is 24%. Of the units in Sale Moor District Centre, 56% are A1 and of these, 38% are A1 convenience. The vacancy rate at Sale Moor District Centre is 1%.
6. The applicant has not submitted a sequential test with their application. The applicant has however submitted a town centre statement within which they highlight the fact that the previous use of the unit was for A1 retail sales and advise that the proposed retail unit will serve the local community offering an opportunity for those living locally and using the tram from Dane Road to undertake top up shopping and meet their daily needs without having to travel further afield.
7. Even if a sequential test were submitted it is questioned whether the applicant would be able to demonstrate that there are no sequentially preferable sites that are suitable, available or viable given the number of vacant, small scale, commercial units within Sale Town Centre.
8. However, it is not considered that the introduction of a retail unit in this location would be harmful to the vitality and viability of Sale Town Centre or Sale Moor District Centre given the small scale of the proposed use and the fact that the use is likely to meet local need, serving the local population rather than being a destination in its own right which would draw trade away from the centres.
9. Consequently, notwithstanding the fact that the applicant has failed to demonstrate that there are no sequentially preferable sites where the proposed retail use could be located, it is not considered that a refusal could be sustained on the basis that the proposed would introduce a town centre use in an out of centre location and the applicant has failed to demonstrate compliance with the sequential test.

### Visual Amenity

10. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment - good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. 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.

11. Policy L7 of the Core Strategy states that in considering applications for development within the Borough, the Council will determine whether or not the proposed development meets the standards set in national guidelines and the requirements of Policy L7. The relevant extracts of Policy L7 require that development is appropriate in its context; makes best use of opportunities to improve the character and quality of an area by appropriately addressing scale, density, height, layout, elevation treatment, materials, landscaping; and is compatible with the surrounding area.
12. In order to facilitate the proposed use a disabled access ramp would be installed at the front of the property. The ramp, which would be 2.3m wide at its widest point, would have a 1.1m high handrail.
13. A 0.55m high, low boundary wall with associated planters would also be installed to the front of the building in order to create an enclosed forecourt area. This area would be re-surfaced with asphalt.
14. Having regard to the minor nature of the works proposed, with many of the units along Winstanley Road having an enclosed front curtilage, it is not considered that the installation of the proposed disabled access ramp and associated handrails or the creation of an enclosed forecourt would have a detrimental effect on the character and appearance of the application property or the visual amenities of the area generally. The use of an asphalt finish is considered acceptable as it would maintain the established finish of the forecourt area.
15. For these reasons the proposal is considered to be in accordance with the thrust of the NPPF and the design policy within the Core Strategy.

#### Amenity of neighbouring land users

16. One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
17. Policy L7 of the Core Strategy states that in relation to matters of amenity protection development must not prejudice the amenity of future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise or disturbance, odour or in any other way.
18. The application site is located within a predominantly residential area being bounded to the north, south and west by residential properties in a variety of styles. The reception area and the garage building of Ken Coffey Motors occupies the land to the east.



19. In order to facilitate the proposed use a disabled access ramp would be installed at the front of the property. The ramp, which would be 2.3m wide at its widest point, would have a 1.1m high handrail. A 0.55m high, low boundary wall with associated planters would also be installed to the front of the building in order to create an enclosed forecourt area.
20. Having regard to the minor nature of the works required to facilitate the proposed change of use, the level of separation between the ramp and neighbouring properties it is not considered that the erection of the ramp or the installation of the low boundary wall and the creation of an enclosed forecourt would result in neighbouring residents experiencing any issues with regard to loss of light, privacy and/or overbearing impact.
21. In terms of noise and disturbance the Council's Environmental Health officer has reviewed the proposals and confirmed that they have no objections to the proposal subject to the attachment of 4 conditions; one to prevent deliveries and waste collections taking place between 9pm and 7am Monday to Friday, 9pm and 8am on Saturdays and 9pm and 10am on Sundays and Bank Holidays, another to prevent the use of the outdoor seating area between 6pm and 8am Monday to Saturday and 6pm and 10am on Sundays and Bank Holidays, a third to restrict noise from fixed plant and a fourth which restricts noise transference between the application property and neighbouring properties. The comments of the Environmental Health officer were received prior to the removal of the outdoor seating area and the associated revision to the description of development and therefore they make reference to the need to control the use of the now removed outdoor seating area.
22. For these reasons subject to the attachment of the three of the four conditions recommended by the Council's Environmental Health Officer together with a further condition to restrict the hours of operation to those applied for (7am and 9pm Monday to Saturday and 9am and 7pm on Sundays) it is not considered that the proposal would adversely affect the level of amenity neighbouring land users can reasonably expect to enjoy. The condition the Environmental Health officer recommended regarding controlling the hours when the outdoor seating area can be used is no longer necessary as this element has been removed from the scheme.
23. The proposal is therefore considered to be in accordance with policy L7 of the Trafford Core Strategy and the thrust of the NPPF.
24. In respect of the concerns raised by neighbours that there would be exposed to fumes and odours from the cooking process the applicant has confirmed that the only cooking equipment that will be installed is a microwave for heating pies and pasties and a self-service tea and coffee machine. As such there is no requirement for a fume extraction system to be fitted in order to adequately deal with the dispersion of fumes generated during the cooking process. An

informative will however be added to advise the applicant that if they install cooking equipment which has a moderate odour concentration and/or a medium grease/smoke loading is installed a fume extraction system would be required and a further planning application would need to be submitted and approved prior to the installation and operation of such equipment.

#### Parking and highway safety

25. Policy L4 of the Trafford Core Strategy which relates to sustainable transport and accessibility, seeks to ensure that all new developments do not adversely affect highway safety, with each development being provided with adequate on-site parking in line with the maximum standards set out in appendix 3.
26. There would be no onsite parking provided for the proposed retail unit, however 4 parking spaces would be retained for the use by the occupants of the flat at 105 Winstanley Road and those visiting Ken Coffey Motors.
27. The Council's highway officer has reviewed the submission and confirmed that despite no onsite parking being provided for the proposed retail use they have no objections to the proposal – there are waiting restrictions on the highway network in the immediate vicinity of the application site which will prevent the new use displacing parking onto the surrounding highway network, with the access and servicing arrangements remaining as existed for the retail unit that operated from the unit previously.
28. Having regard to the comments of the Council's highway officer and given that the scale of the unit is such that it is likely to serve the local population rather than drawing customers from significant distances it is considered that the proposed parking, access and servicing arrangements are acceptable. As such it is not considered that the development raises any issues from a highway safety perspective. The proposal is therefore considered to be in accordance with policy L4 of the Trafford Core Strategy.

#### Developer contributions

29. The proposal involves the change of use of a vacant unit to a retail use.
30. The proposed development would not result in an increase in the amount of floorspace provided at the site.
31. The floor area of the new retail/café is less than 100sqm and consequently the development does not raise any CIL liability.

### Other Issues

32. Neighbouring residents have questioned whether there is a need for the proposed development. In response to this point it is not the role of the planning system to determine whether there is a need for a proposed development and as such the need for a retail unit in this location is not a material planning consideration in the determination of this application.
33. Concerns have also been raised regarding vermin and litter. The agent has confirmed that the applicant intends to provide a litter bin on the forecourt area in order to provide those purchasing and consuming goods outside the store with facilities to dispose of waste. They have also advised that the proposed retail unit will use the existing refuse storage and recycling area at the rear of the unit in order to dispose of commercial waste. The proposed arrangements are considered appropriate. Should issues arise with litter and vermin in the future they can be dealt with via Environmental Health.
34. With regard to the issue raised regarding neighbour consultation neighbouring residents were notified in accordance with national requirements as set out in section 15 (5) of the Development Management Procedure Order 2015 which states that applications like this should be advertised by either displaying a site notice on or near the land to which the application relates for not less than 21 days or by serving notice on any adjoining occupier - 9 neighbouring properties were notified by letter and a site notice was also posted on the 14<sup>th</sup> September. Adequate publicity has therefore been undertaken.

### **RECOMMENDATION: GRANT subject to the following conditions:-**

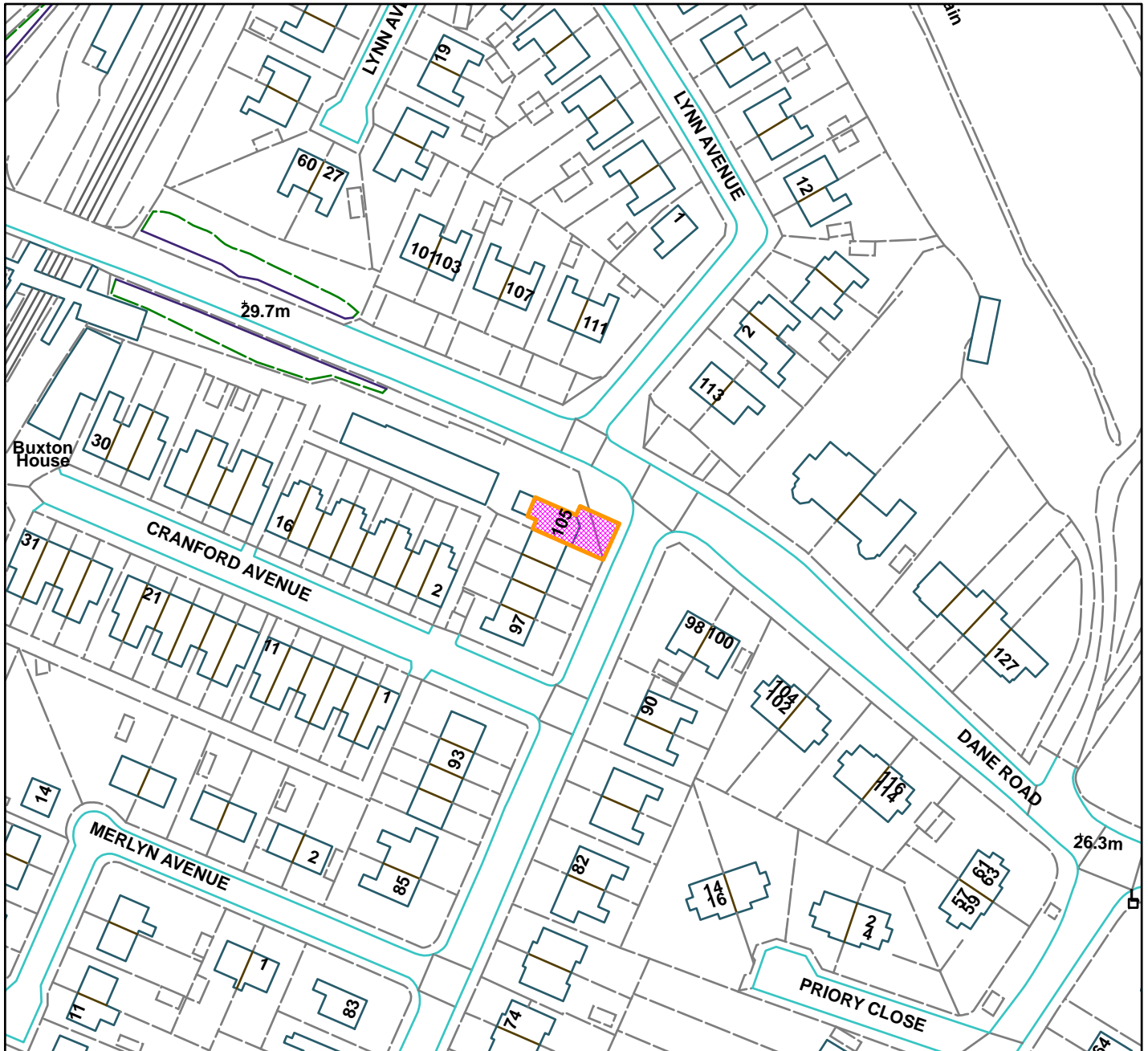
1. Time limit
2. Approved plans
3. Wall surrounding the forecourt seating area constructed from bricks to match the building at 105 Winstanley Road
4. Handrails colour treated in black
5. Hours of operation - 7am to 9pm Monday to Saturday and 9am to 7pm on Sundays and Bank Holidays.
6. Deliveries to and waste collections from the development hereby approved shall be prohibited between the hours of 2100hrs -0700hrs on every day apart from Saturday mornings where the prohibited period will extend to 0800hrs; and Sunday/Bank Holiday mornings where the prohibited period will extend to 1000hrs.
7. Forecourt area not used to provide seating
8. Noise from fixed plant and machinery
9. Noise levels within neighbouring dwellings not to exceed levels stipulated within BS8233 'Sound insulation and noise reduction for buildings – Code of practice'

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NT



105 Wynstanley Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Bowdon

**86382/FUL/15**

**DEPARTURE: NO**

**Erection of a proposed single storey side extension. (Resubmission of 84981/FUL/15).**

Bickham House, Green Walk, Bowdon, WA14 2SN

**APPLICANT:** Bickham House Trustees

**AGENT:** Green Square Architecture Limited

**RECOMMENDATION: REFUSE**

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**Councillor Hyman has requested that this application be called-in for consideration by the Planning Development Control Committee and supports the application for the reasons set out in the report.**

### **SITE**

The application relates to a three storey, mid-19<sup>th</sup> century property, sited on the south-western side of Green Walk, Bowdon. Situated within a large residential area, the site has residential dwellings sited to all sides, with Denzell Gardens to the north-east. The property itself was formally built as a dwelling but has since been converted into a Care Home for the elderly. The property, a fine example of the Gothic Revival (or Victorian Gothic) architectural style, retains many of its original distinctive features such as its gabled ends, bay windows, chimney stacks and other stone/brickwork detailing. The site enjoys an extensive sized private garden area to the rear, with a small car park, with its access leading off from Green Walk to the front of the site. The property has been extended in the past at single storey level to the western side/rear.

The site is situated within Sub Area C of the Devisdale Conservation Area.

### **PROPOSAL**

The application details the erection of a single storey side extension to the south-eastern side of the site. The proposed extension is identical to that recently refused under delegated powers (planning application 84981/FUL/15). It would be the full length of the eastern side elevation of the building, would have a flat roof and would provide additional dining, office and bedroom accommodation.

The increase in floor space of the proposed development would be approximately 52m<sup>2</sup>.

### **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 1<sup>st</sup> 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 26<sup>th</sup> 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**

L7 – Design

R1 – Historic Environment

## **PROPOSALS MAP NOTATION**

Conservation 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**

84981/FUL/15 - Erection of a single storey side extension. This application was refused on 05/05/2015 for the following reason:-

The proposed extension, in particular as a result of its design and siting, would represent an unsympathetic addition to the host building, Bickham House, that would harm the positive contribution it makes to the Devisdale Conservation Area. As such the development would neither preserve nor enhance the character and appearance of the Devisdale conservation area and would be contrary to Policies L7 and R1 of the Trafford Core Strategy, Proposal ENV21 of the Trafford Unitary Development Plan, SPD for the Bowdon, Devisdale, Downs and Ashley Heath Conservation Areas and to national guidance as set out in the National Planning Policy Framework.

## **APPLICANT'S SUBMISSION**

Design and Access statement

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

**Councillor Hyman** – supports the application and raises the following points:-

- The proposed scale and siting of the proposed extension would not compromise the architectural features of the building itself or the character of the wider plot
- The extension has been designed to incorporate many of the existing features on the property
- The extension would not have an impact on the amenity of neighbouring dwellings

## **OBSERVATIONS**

### **Impact on Devisdale Conservation Area**

1. The application property, Bickham House, built in 1863, is considered to be a fine example of the Gothic Revival style of architecture. The property itself is considered to hold a high degree of visual richness and this can be seen as being concentrated within its front, eastern side and rear elevations. These elevations have largely remained unaltered and still hold the property's key architectural and historic features and detailing, which include large bays, gabled ends, small single storey projections with flat roofs and parapets, alongside other stone and brickwork detailing. As such, the property is considered to be a non-designated heritage asset and is considered to make a positive contribution to the Devisdale Conservation Area. It should further be noted that within the draft Devisdale Conservation Area Appraisal 2015, the property is highlighted as being a positive contributor for the Conservation Area and is detailed as being of historical importance.
2. The adopted Devisdale Conservation Area guidelines, within section 5.1 state that to be acceptable, any development proposal must preserve or enhance the character of the area. The area has a high overall quality as regards layout, building design and landscaping. New development will therefore accordingly need to be of the highest standard of design. This remains in line with Policy R1 of the Trafford Core Strategy, which relates to the historic environment, stating within policy R1.1 that "All new development must take account of surrounding building styles, landscapes and historic distinctiveness".
3. In this case, however, given that the property has been highlighted as being a non-designated heritage asset Para. 135 of the NPPF states when assessing applications affecting a non-designated heritage asset, a balanced judgment will be required, having regard to the scale of any harm or loss to the heritage asset and its significance.

4. The current application details the erection of a single storey side extension to Bickham House, along its eastern side elevation. The extension would run almost the entire width of the elevation, designed to be flush with the existing building to the front and being stepped in slightly from the rear. The extension would have a width of 5.775m and a total length of 14.96m and has been designed to have a flat roof design. The extension would have a flat roof with parapet detail. This would have an overall height of 4.8m.
5. As a result of the siting, scale and massing of the proposed extension, a number of original architectural features of the existing building would either be removed or concealed from view. This includes the removal of two small projecting bay features (one with a pitched roof and one with a flat roof), the lower part of an external chimney and other details. The proposal would lead to the loss of the irregular form of the building on this elevation to be replaced with a larger more regular extension. It is considered that this would be to the detriment of the character and appearance of the building and thus to the contribution it makes to the character and appearance of the Devisdale Conservation Area.
6. Furthermore the proposed extension is not seen to be in keeping with the design and style of the host. It is recognised that the existing bay window has a flat roof design; however this features remains a small secondary element within the elevation and such additions can be seen on a number of other Victorian properties within the borough. This however, does not justify the use of a flat roof design for the proposed extension. (It has further been considered that given the positioning and size of the extension, the use of a pitched roof would lead to a further loss of detailing on the eastern elevation and as a result would lead to a greater level of harm to the property).
7. The property as a whole currently has a well-balanced appearance within its front elevation, it is noted that due to the current form of boundary treatment, this is not readily visible from the wider street scene, however the proposed extension would alter its appearance by adding an extension which is not in keeping with this to its eastern side elevation, therefore altering this balance and adding an additional degree of massing to the properties eastern side. It is noted that there currently does lie an extension to the rear of the of Bickham House which is also out of keeping with the host property, however no previous history can be found for this extension and as such this cannot be used as a means of justifying a further poor addition to the property.
8. It is therefore considered that the proposed extension would lead to an unacceptable level of harm to the appearance of Bickham House, a non-designated heritage asset. It is considered to be inappropriate, both in terms of siting and design and therefore would fail to comply with the Conservation Area guidelines and as a result would harm the contribution Bickham House makes to the Devisdale Conservation Area, failing to preserve or enhance its appearance or character.



9. The NPPF further states within Para. 132 “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”. In this instance, given that Bickham House is a single property within the Conservation Area, the level of harm is considered as being less than substantial. Para. 134 of the NPPF states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
10. Bickham House is currently operated as a Care Home for the elderly. Any benefit of the extension would directly favour the existing care home operators and residents. The proposal provides no justification for the works and presents no public benefit in order to satisfy the above test and as such the proposal is considered to be contrary to a number of policies within the NPPF, alongside policies L7 and R1 from the TBC core strategy and policies within the Devisdale Conservation Area SPG.

#### Impact on amenity

11. It is considered the extension would not lead to any new material overlooking or amenity related concerns, given the extensions form and scale and the distances it would retain from its eastern, southern and northern boundaries. These boundaries are currently formed from extensive sized planting, in excess of 10m in height and as such the extension is considered to be acceptable from an amenity point of view.

#### **RECOMMENDATION: REFUSE for the following reason:-**

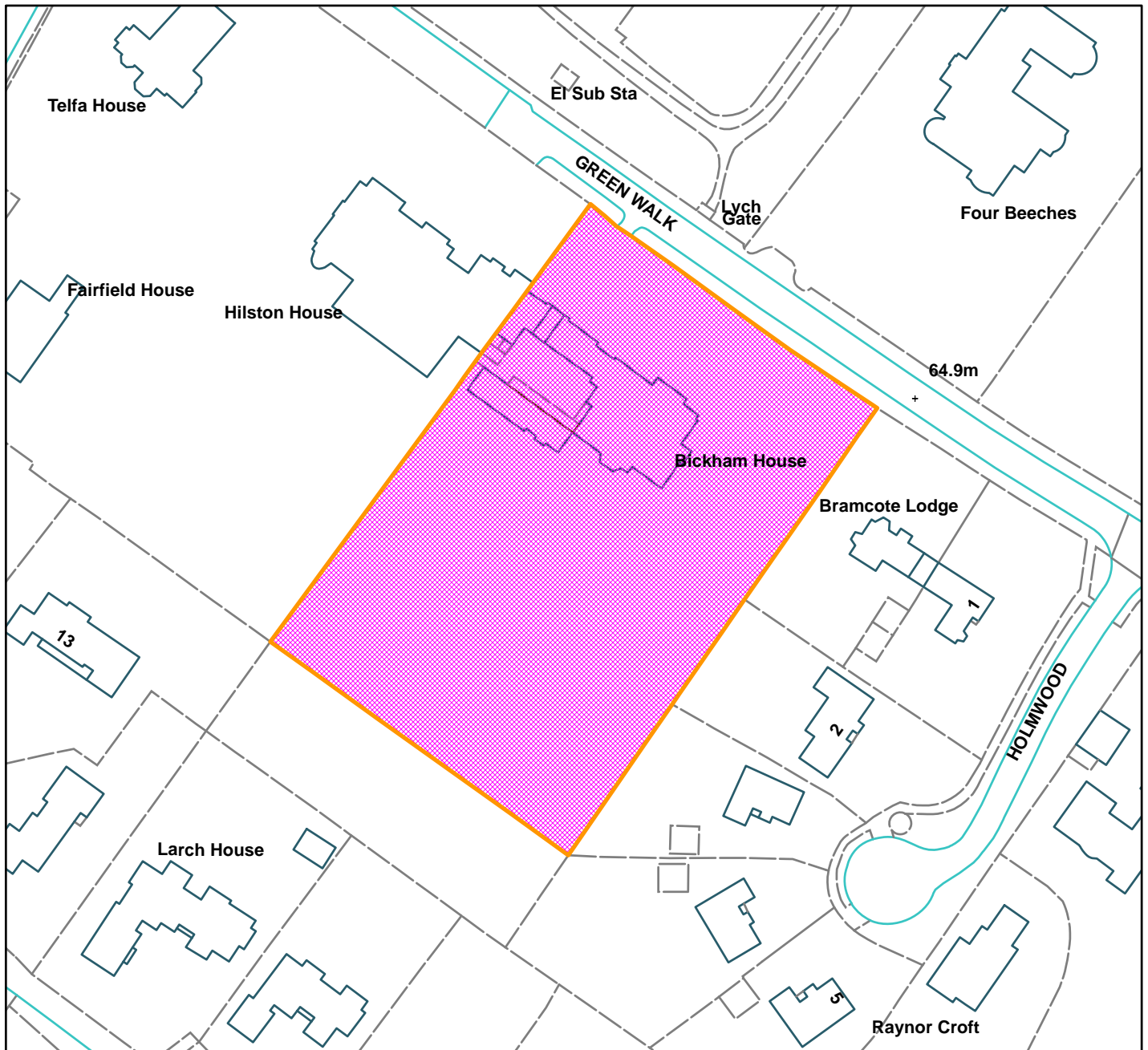
1. The proposed extension, in particular as a result of its design and siting, would represent an unsympathetic addition to the host building, Bickham House, that would harm the positive contribution it makes to the Devisdale Conservation Area. As such the development would neither preserve nor enhance the character and appearance of the Devisdale Conservation Area and would be contrary to Policies L7 and R1 of the Trafford Core Strategy, Proposal ENV21 of the Trafford Unitary Development Plan, SPD for the Bowdon, Devisdale, Downs and Ashley Heath Conservation Areas and to national guidance as set out in the National Planning Policy Framework.

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Bickham House, Green Walk, Bowdon (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD:** Broadheath

**86460/FUL/15**

**DEPARTURE: No**

**Erection of residential development comprising of 62 no dwellings including 29 apartments and 33 houses. Associated external work including car parking, access and landscaping.**

Former Bayer Site, off Manchester Road, West Timperley

**APPLICANT:** THT Developments Ltd & Popecrowd Ltd

**AGENT:** PRP Architects LLP

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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## **SITE**

The application site is a vacant industrial site located on the north-west side of the A56 Manchester Road, Broadheath, formerly occupied by the pharmaceuticals company Bayer UK. The application site measures approximately 1.5ha in area and comprises a three storey 'L' shaped office building which fronts onto Manchester Road (A56) and a larger portal steel frame storage building which is located centrally within the site. Other buildings within the site have been removed over previous years.

To the north side of the application site is a Dulux Trade Centre building along with two detached three storey office buildings; one occupied by Dulux the other by Styles & Wood. The three buildings are accessed from Etchells Road via Stamford Brook Road; South Trafford College is located on the opposite side of Stamford Brook Road. Timperley Brook extends along the northern boundary of the site which forms a natural barrier between the application site and the commercial and office developments on Etchells Road.

To the east side of the site on the opposite side of Manchester Road (A56) are a number of commercial business which include a Nissan car dealership; Altrincham Tyre & Exhausts and the former Stamford Van Hire site which is currently being redeveloped as a storage depot.

To the south side of the site is a disused railway line within the ownership of Network Rail. The railway is at an elevated level to the application site with the railway embankment comprising extensive tree coverage, this section of the railway corridor is designated a wildlife corridor on the UDP Proposals Map. To the west side of the site is a new housing development nearing completion on site (Redrow Homes).

The site is unallocated within the UDP Proposals Map (although it is designated a River valley Floodplain). The site also falls within Flood Zone 3 and is also identified as a Critical Drainage Area.

## **PROPOSAL**

This application proposes the comprehensive redevelopment of the site to facilitate the provision of 62 new residential units. The new residential units will comprise 29 apartments and 33 dwellinghouses made up of the following residential mix:-

- 20 No. x 3 bedroom dwellinghouses (House Types A & B)
- 11 No. x 4 bedroom dwellinghouses (House Types C & D)
- 2 No. x 5 bedroom dwellinghouses (House Types E & F)
- 12 No. x 1 bedroom apartments (Apartment Type G)
- 17 No. x 2 bedroom apartments (Apartment Type H, J and Penthouse)

The total floorspace of the proposed development would be approximately 5,137sqm. This comprises a total gross internal area for the dwellinghouses of approximately 3,450sqm and 1,687sqm for the apartments. The layout of the proposed scheme includes detached; semi-detached and terraced dwellinghouses, with the apartment accommodation contained within one detached building positioned adjacent to the eastern boundary with Manchester Road (A56). Accommodation within the apartment building will be predominantly over three storeys with a section of penthouse accommodation above which extends across part of the roof area.

Vehicular access to the site will be via Etchells Road to the north and will include the formation of a new bridge over Timperley Brook. The existing vehicular access onto Manchester Road (A56) will be made redundant with pedestrian access only from Manchester Road (A56). The proposal also involves car-parking provision throughout with associated soft and hard landscaping proposals.

The applicant has proposed to develop the site in two phases; phase 1 would allow for the construction of the proposed new access bridge; phase 2 would be commencement of the wider development of the proposed residential accommodation. The detailed wording of conditions should this application be approved would be worded appropriately to allow phased works to commence at different stages.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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

R2 – Natural Environment

R3 – Green Infrastructure

R5 – Open Space, Sport and Recreation

W1 - Economy

## **PROPOSALS MAP NOTATION**

River Valley Floodplain

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

ENV13 – River Valley Flood Risk

## **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**

86402/PRB/15 - Demolition of 2 x no. buildings (Consultation under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 – Approved 14/10/2015.

## **APPLICANT'S SUBMISSION**

The applicant has submitted the following information in support of their proposal, details of which will be referred to within the Observations section of this report as necessary:-

- Design & Access Statement
- Residential Travel Plan
- Transport Statement
- Employment Land Statement

- Flood Risk Sequential Test Report
- Flood Risk Assessment
- Sustainability Statement
- Construction Method Statement
- Geo Thermal Site Investigation
- Gas Addendum Report
- Crime Impact Statement
- Air Quality Assessment
- Habitat and Arboricultural Survey
- Protected Species Assessment
- Noise Impact Statement

## **CONSULTATIONS**

**Local Highway Authority (LHA)** – No objections, comments included under the Highways section of this report.

**Pollution, Housing & Licensing (Contaminated Land)** - The applicant has provided a detailed intrusive (phase II) contaminated land investigation to support the application. The investigation has confirmed that contamination is present across the site which may present a risk to the future site users. The report recommends that further ground investigations are required across the site to further understand potential risks from underground tanks present on the site, asbestos and VOC's. A condition is recommended.

The application has also been referred to the Environment Agency for consultation as there is the potential for groundwater to have been impacted from contamination at the site.

**Pollution, Housing & Licensing (Noise)** – No objections subject to the mitigation measures described within the noise impact assessment are implemented prior to occupation, and retained thereafter. Measures include acoustic fencing; upgraded glazing to those habitable rooms of the apartment block which have a line of site to the A56; a construction method statement.

**Trafford Council (Waste Management)** – No objections.

**Greater Manchester Police (Design for Security)** – No objection subject to condition

**Greater Manchester Fire and Rescue Service** – Suggested informatives relating to access road/turning area widths; provision of hydrants and installation of domestic sprinklers.

**Greater Manchester Ecology Unit** – The submitted ecological survey refers to the identification of a Slow Worm on site and that a further survey recommended for reptiles was required. Given the status of the reptiles as protected species this information should be submitted to the Council prior to the determination of the application.

**Highways (Trafford Council)** - Whilst highway adoption is a separate issue to planning consent, it is highlighted to the planning authority that it has been made clear to the developer that adoption of the highways highlighted in pink on drg ELL-464-WL-W-998B will be considered only if the section of Etchells Road leading to the new development is both brought up to adoptable standards and subsequently adopted under an appropriate legal agreement between the landowner and the Council. It is asked that if appropriate this matter be covered as an informative in any planning consent.

**Structures (Trafford Council)** - The Developer is required to submit an Approval in Principle for approval of the proposed box culvert brook crossing.

**Drainage (Trafford Council)** - No objection in principle.

**Lead Local Flood Authority** – No comments received at time of report preparation, comments received will be reported on additional information report.

**Waste/Refuse Collection (Trafford Council)** – No objections.

**Network Rail:** - No objection in principle.

**United Utilities** – No objection in principle.

**Environment Agency** - No objection in principle subject to conditions, including landscape management plan; development in accordance with FRA; finished floor levels; preparation of an emergency evacuation plan in the event of flooding.

## **REPRESENTATIONS**

**Neighbours:-** Two letters of objection have been received (no addresses provided), citing the following concerns:-

- The scale of development is of great concern
- It will result in more pressure on existing busy traffic; traffic from Stamford Brook Road is currently bad both directions at peak times, with tailbacks to the Waitrose roundabout.
- The development will disrupt residents lives (noise, dust)
- The development will result in air pollution during demolition and building on site.
- Garden area will be overlooked, and desire not to share a garden fence with this development; a further barrier should be erected to divide our development and this development (Note. Resident assumed to be referring to the Redrow boundary)
- This development will put more pressure on existing school admissions in the area.
- No consideration for more recreational areas including trees and greenery.

- Object to any social housing provision, there is sufficient Social/Council housing surrounding our community.

One letter received from local resident who does not object to the development but wished to highlight the applicant had listed the site address as the resident's home address. (Note:- The submitted details referred to the site address as 253 Manchester Rd, Timperley WA14 5PG; this has now been changed by the applicant to now read 'Former Bayer Site, Off Manchester Road, West Timperley', the neighbour has been advised of this change.

A letter of objection was received from the adjacent Dulux Decorator Centre citing the following concerns:-

- Congestion at junction of Etchells Road and Stamford Brook Road at peak times is severe and impacts on local occupiers and businesses. The junction will be unable to cope with additional traffic generated during the construction period of the proposed development and following completion.
- Highway and pedestrian safety issues with regards staff and visitors from Dulux crossing Etchells Road and vehicles turning out of the Dulux Centre because of a blind bend.
- Due to parking pressures at the Dulux Centre and the Styles & Wood building, staff and visitors currently park on both sides of Etchells Road which we believe to be a private road; resulting in a single carriageway not suitable for access to the proposed development.
- The area shown by the applicants for construction of the bridge over Timperley Brook is demised to Dulux under the terms of their lease and the applicant has no rights to construct the bridge on our land (Note: following this representation the applicant has provided confirmation from their solicitor that they do have right to construct the bridge on this land; having been made aware of the rights of ownership over the land Dulux have subsequently withdrawn their initial objection with regards this specific issue)

Two letters have been received from Bradley Investments who are the owners of the land upon which the Dulux buildings and Styles & Wood (Aspect House) are located. The first letter related specifically to the issue of not having received the initial Notice No.1 served upon them on the 21/08/2015 as indicated under Certificate B (Certificate of Ownership) on the planning application form, this is the responsibility of the applicant to serve this notice. Having brought this to the applicant's attention by the Local Planning Authority, Bradley Investments were renotified by the applicant via e-mail on the 30/09/2015.

A subsequent letter has been received from How Planning Consultants acting on behalf of Bradley Investments objecting to proposal for the following reasons:-

- The application site is identified in the emerging Trafford Local Plan:Land Allocations Development Plan Document;Trafford Council Executive have announced the delay of the production of the Land Allocations Plan until such



times the joint Greater Manchester Strategic Framework (GMSF) is further advanced. In accordance with Para. 216 of the NPPF, the draft allocation should not be attributed any weight when assessing the application.

- It is considered that the submitted Employment Land Statement (ELS) provides limited detail/evidence to demonstrate that there is no need for the site to be retained for employment purposes. In addition concern that the tenants of the Dulux and Styles & Wood buildings could not operate effectively in their current premises due to sharing a new access with a large residential scheme combined with the on-street parking from South Trafford College.
- CBO Transport Consultants have considered the proposal on behalf of Bradley Investments; the consultants state that they believe insufficient information has been submitted with regards proposals for bringing access road to adoptable standards; visibility details with Stamford Brook Road and an assessment regarding vehicle queues for traffic waiting to access Stamford Brook Road.
- The proposal involves visibility splays over land outside the applicants ownership exacerbated by current parking on (Etchells Road)
- The proposal will result in additional on-street parking due to the proposal not providing sufficient on-street parking.
- The proposal involves high density housing, which conflicts with Policy L1 of the Core Strategy which identifies locating higher density housing in locations at a lower risk of flooding.
- No justification for the provision of 1 bed apartments normally only acceptable for schemes within Traffords Town centres and Regional centre.

## **OBSERVATIONS**

### PRINCIPLE OF DEVELOPMENT

#### Housing Need

1. Policy L1 of the Core Strategy seeks to release sufficient land to accommodate 12,210 new dwellings (net of clearance) over the plan period up to 2026. Regular monitoring has revealed that despite maintaining a five year housing land supply in accordance with government guidance, the actual rate of building is failing to meet the housing land target as expressed in Table L1 of the Core Strategy. Therefore, there exists a significant need to not only meet the level of housing land supply identified within Policy L1 of the Core Strategy, but also to make up for a recent shortfall in housing completions. 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).
2. Under Policy L2.2 – Meeting Housing Needs, all new development is required to be:
  - a) On a site of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents;
  - b) Appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure

(schools, health facilities, leisure and retail facilities) to ensure the sustainability of the development;

c) Not harmful to the character or amenity of the immediately surrounding area; and

d) To be in accordance with L7 and other relevant policies within the Development Plan for Trafford.

3. Given the nature of this proposal, the proposal is consistent with Criteria a) c) and d), particularly in terms of the design and the impact of the proposal on the amenity of prospective residents and other facilities nearby; indeed it will remove a longstanding eyesore from the A56. It is considered that the proposal is consistent with criterion b) in that it is in a sustainable location close to existing social infrastructure.
4. Policy L2.6 of the Core Strategy seeks to ensure that proposals contribute to meeting the housing needs of the Borough. Whilst the proposal does have an element of 1 bed apartments, which will be considered under Policy L2.7 below, the 2 bed to 5 bed proposed units are considered to meet the housing need in the Borough.
5. Under Policy L2.7 – one bed, general needs accommodation, will normally, only be acceptable for schemes that support the regeneration of Trafford’s town centres and the Regional Centre. In all circumstances, the delivery of such accommodation will need to be specifically justified in terms of clearly identified need. The applicant has provided a statement stating demand was assessed across a range of demographic profiles prior to deciding on the mix within the application.
6. Considering the Council does not, at present, have a five year supply of immediately available housing and this site is identified within Trafford’s SHLAA (Strategic Housing Land Availability Assessment) it is considered that the development of the site for residential purposes is acceptable in principle. Given the lack of a demonstrable five year supply of housing land, the proposal should be considered in light of paragraph 49 of NPPF, which states that housing applications should be considered in the context of the presumption in favour of sustainable development as identified by paragraph 14 of the National Planning Policy Framework.
7. As detailed in the Design and Access Statement, a Viability Assessment using the HCAs toolkit was submitted to the Council. The submitted information was assessed by the Council’s Surveyor who agreed with the assumptions used to assess the scheme and it was agreed that even a small element of affordable housing provision would render the scheme unviable.

#### Loss of Employment Land

8. The proposal would result in the development of a former employment site. 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 and considering its long-term vacancy. 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 regards to market signals and the relative need for different land uses to support sustainable local communities. The applicant has submitted a statement in accordance with Core Strategy Policy W1.12 which demonstrates that the site is surplus to employment requirement.

#### Flood Risk

9. The site falls within Flood Zones 2 and 3 and a Sequential Test has been provided, together with information to demonstrate how the development meets the Exceptions Test. The scope of the Sequential Test was agreed with the Council prior to submission of the scheme and it reviews all sites within the Altrincham and Sale Places, as this is an area of high demand for family housing. A list of 12 Council agreed sites located within Altrincham and Sale from the 2013 Strategic Housing Land Availability Assessment (SHLAA) formed the sequential assessment. The Sequential Test concluded that none of the 12 identified sites were suitable and available for the proposed development, with the sites being dismissed on the basis of their size and availability. It is considered that the Sequential Test has been passed as it demonstrates that there are no sites within the Altrincham and Sale Places, as identified in the Trafford Core Strategy, that can accommodate the proposed development.
10. Paragraph 102 of the NPPF states that if, following application of the Sequential Test, it is not possible for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied. It states that in order for the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
11. With regard to the first part of the exception test the proposal will bring back into use a long term vacant brownfield site, which has been detrimental to the surrounding area. The proposed use will deliver a mix of family housing, help to conserve land resources and help reduce land contamination of a long term, vacant site which contains derelict buildings. It is therefore considered that the development would secure benefits in relation to each of the three roles of sustainable development. The Environment Agency have considered the proposal and have raised no objections (including with regards a site-specific flood risk assessment) subject to the inclusion of a number of conditions on any

grant of planning permission, including the implementation of a number of measures outlined within the applicants Flood Risk Assessment.

## LAYOUT

12. Vehicular access onto the site will be via a newly constructed bridge across Timperley Brook from Etchells Road along the northern side of the site. The new access road will extend southward into the site for a distance of approximately 35m before branching off to the east towards the Manchester Road boundary and also to the west side towards the new residential development. This western arm returns and extends towards the northern side of the site and turning heads are located where each section of the access road terminates within the site.
13. The new residential development layout includes the apartment block located immediately adjacent to the Manchester Road (A56) boundary (eastern side). Parking provision for the apartment block will be located within a designated parking area located towards the north east side of the site. The one and two bedroom apartments are located across all three main floors of accommodation with 2 penthouse suites at the upper level, both of which provide two bedrooms. The apartment block is positioned approximately between 2.4m – 5m from the Manchester Road (A56) boundary.
14. Along the western boundary of the site (adjacent to the new constructed residential development) will be 11 dwellings comprising of 2x detached 5 bedroom houses (House Type E & F); 7x detached 4 bedroom houses (House Type C) and one pair of 4x bedroom semi-detached dwellings (House Type C). These buildings retain a distance of 1m between each dwelling. This spacing between the properties is reflective of residential developments and ratios in the area especially within the wider Stamford Brook estate development. Directly opposite these properties are one pair of semi-detached 4x bedroom dwelling houses (House Type D) and a terrace of three 5x bedroom dwellings (House Type B).
15. Along the southern boundary of the site (adjacent to the redundant railway line) are 5x pairs of semi-detached 3x bedroom dwellings and a detached garage located to the south-western boundary which will serve one of the five bedroom dwellings (House Type E).
16. On the eastern side of the new access road are one pair of semi-detached 3 x bedroom dwellings (House Type B) and 1 x detached three bedroom dwelling (House Type A). On the western side of the access road are two pairs of semi-detached 3 x bedroom dwellings (House Type A).
17. All of the dwellinghouse plots include on-site parking provision and garden areas predominantly to the rear of each property, with a small landscaped area to the front. To the north and south sides of the apartment block are areas of private

amenity space with external seating areas around an area of soft landscaping. Cycle parking and the refuse store area for the apartment blocks are located on the southern side of the along with an area of further parking for the apartment block.

18. The proposed layout of the development is considered acceptable with regards the application site configuration and adjoining land uses which have influenced how the site has been planned in terms of new vehicular access and relationship to adjacent residential sites and the prominent boundary with Manchester Road (A56).

## DESIGN, VISUAL AMENITY & IMPACT ON STREETSCENE

19. The apartment block as indicated previously is located within approximately 2.4m – 5m from the boundary with Manchester Road. The apartment block has been positioned in line with the three storey office building (Aspect House) to the north side of the site. The apartment building will measure approximately 47m in length; approximately 17m in width and approximately 10m in height to the flat roof ridge of the three storey element of accommodation. The penthouse accommodation is located to the southern extremity of the new apartment block and adds a further flat roof section of accommodation which measures approximately 2.7m in height and which will immediately face towards Manchester Road (A56). This additional section of accommodation with the flat roof will extend back from the front elevation facing Manchester Road (A56) for a distance of approximately 7.5m whereupon a conventional dual pitched vaulted roof design is introduced and which adds a further 3m in height to the flat roof section of the penthouse (maximum ridge height of penthouse is 5.7m, above the 10m ridge line of the main three storey element of accommodation). The penthouse measures approximately 21.4m in length and has the same width as the main apartment block of accommodation (approximately 17m).
20. The building design will incorporate 2x cantilevered balconies to the elevation facing Manchester Road (A56), 6x cantilevered balcony areas on the rear elevation facing within the site and four cantilevered balconies on the side elevation facing towards Timperley Brook and the north side of the application site. The balconies will be constructed in glazed side panels with coloured metal balustrade railings along their frontage. The main external finish to the apartment block will be buff brick with contrasting colour brick along the ground floor of the building.
21. The roof structure to the penthouses will be clad in a buff coloured metal; the main flat roof area will be a single ply membrane flat roof. An element of metal brise soleil will be located to the west facing elevation of the penthouse suites.
22. The overall form of the apartment building has been designed having regard to the adjacent office blocks and South Trafford College to the north side of the site,

these are buildings of a similar height, scale and massing and the apartment block is considered to follow this theme of built development (Aspect House which is immediately to the north side of the application site measures approximately 12m to ridge height). From the south side of the site, the new apartment building will be predominantly screened due to the proximity of the railway bridge and high level embankment.

23. The palette of materials for the apartment block reflects to some extent the external appearance of the adjacent office blocks and South Trafford College which have elements of buff brick, render and brise soleil on the College building. Advice within Trafford Council's SPD2: A56 Corridor Development Guidelines, identifies the application site as a major opportunity site. The SPD indicates that proposed development on the site should reflect the scale and size of nearby developments; it also indicates that any development set back from the pavement would also restore the traditional line and character of the streetscene.
24. The proposed apartment block is considered to be an appropriate addition to the streetscene, its size, scale and design reflects the adjacent development sites and would result in a positive addition to this part of the A56 and as such complies with the general design policies of the Core Strategy and SPD2.
25. The proposed house types all adopt a similar palette of materials to the apartment block building and will include variation in buff brick finishes (referred to as a soft buff and a light brown). The buildings have conventional dual pitched roofs with a number of the house types adopting projecting front gables. Flat roof dormers are located to the rear of a number of the dwellings and rooflights are also located on the front and rear of a number of the dwellings.
26. Accommodation is predominantly over two floors, although House Type D & E both have accommodation within the loft area. The dwellings are of a similar height and size to those on the adjacent site to the west side of the application site. As a comparison House Type C which is the predominant dwelling type along the western boundary with the Redrow site measures approximately 10m from ground level to ridge height, the properties on the neighbouring residential site have properties that measure approximately 8.5m – 9m in height. Other properties throughout the proposed development have variations in overall height including House Type A which measures approximately 8.5m; House Type B which measures approximately 9m in height; House Type D & F which measure approximately 9.5m and House Type E which measures approximately 10m in height.
27. The house types have a similar design theme but there are sufficient variations in the design features of the different house types to distinguish between the different types of buildings. The palette of external materials and the size, scale and design of the dwellinghouses are considered appropriate in this location and will be a positive addition to the general streetscene.

## RESIDENTIAL AMENITY

28. The nearest residential dwellings to the site are located within the Redrow development at the rear of the site. As indicated previously within this report the predominant house type along the western boundary of the site is House Type C. This particular house type has two first floor habitable room windows (both bedrooms) on the rear facing elevation towards the shared site boundary with Redrow.
29. Advice with Trafford Council SPG: New Residential Development indicates that a distance of 10.5m is the minimum distance normally required from a first floor habitable room window to a neighbouring boundary (a further three metres added to this figure for every additional floor of accommodation). House Type C has a first floor rear elevation that is set back from the rear ground floor elevation by approximately 1.1m. The upper floor windows from the rear of these dwellings (House Type C) will retain a distance of approximately 11.2m – 12m, this variation accounts for the configuration of the new dwellings in relation to the position of the western boundary. At the northern extremity of the boundary with Redrow is one House Type G, this property retains a distance of 10m to the shared boundary, whilst this distance is marginally short of the recommended guidelines, it is reflective of the character of the wider Stamford Brook Estate and on balance is considered acceptable.
30. Within the application site the row of dwellings in Plots 25 – 29 and plots 30-33 are the only dwellings that shared rear boundaries with regards the layout of the proposed new development. The Properties all retain approximately 10.5m to the rear boundary from rear facing habitable first floor windows. Plot 26 is a House Type D and therefore has accommodation in the roof void, it does however retain a distance of 13.5m to the shared rear boundary with Plot 33, this complies with advice within the Council guidelines for New Residential Development. Plot 25 retains a distance of 9.5m to the rear boundary; however beyond the rear boundary is an area of soft landscaped amenity space adjacent to Timperley Brook and therefore no overlooking will occur from this to any residential plots.
31. Plot 29 retains a distance of approximately 9m to the rear boundary with Plot 30, this distance is short of the recommended distance of 10.5m, however Plot 30 will have two parking spaces at the rear of that site which will be fenced off from its rear garden area. Therefore it is considered acceptable with regards residential amenity as there will be no direct overlooking to an area of private amenity space.
32. Beyond the southern boundary on the other side of the railway line are established residential developments along Lindsell Road. These properties are

not visible from the application site due to the elevated position of the railway line which screens any views between sites.

33. Advice within the New Residential SPG recommends an interface distance of 27m across private gardens and 21m across public highways from major facing windows. Along the western boundary of the site an interface distance of approximately between 21.7m and 22.5m is retained from the rear elevations of the properties within the Redrow site and the properties proposed along the western boundary of the site. Interface distances between approximately 21m and 24m are retained between the rear elevations of plots 25 – 29 and Plots 30 – 33. Whilst there are a number of dwellings that are marginally short of the recommended guidelines, the distances are reflective of other approved site layouts within Stamford Brook and on balance are considered acceptable. The New Residential Development SPG advises that adopting a rigid adherence to suggested guidelines can stifle creativity in design and result in uniformity of development and therefore a flexible approach to be adopted with regards new residential development.
34. The proposed apartment building will retain a distance of approximately 16.5m to the nearest residential plot within the proposed development (Plot 4 towards southern side of the site). Plots 1-3 will retain a distance of approximately 20m – 25m to the western elevation of the apartment block which faces into the application site. These distances are considered appropriate with regards privacy distance requirements. The penthouse part of the development will have a view across part of the front area of Plot 4 and 5 and the access Road. The distance of 16.5m complies with the New Residential Guidance which as indicated allows for 10.5m from first floor level to a neighbouring boundary, plus an additional 3m to be added for every further level of accommodation. To the east side of the apartment block is Manchester Rd (A56) opposite which is commercial uses, similarly to the north side of apartment block is Aspect House (office development and the railway embankment to the south therefore no adverse impact on residential amenity.
35. The applicant has proposed the construction of a 2.1m high wall along the western perimeter of the car-parking area for the apartments. This will seek to reduce glare from car lights which would be parked facing towards the rear of plots 1-3.
36. It is appropriate to ensure first floor side bathroom and secondary bedroom windows on dwellinghouses only are obscured glazed where appropriate to ensure no adverse overlooking occurs. In addition it is considered appropriate to remove permitted development rights for first floor extensions only on plots 14-24 and 26-33 due to the relationship of these dwellings with adjacent dwellings to ensure no adverse overlooking or interlocking occurs across garden areas.



## NOISE (A56 and Railway Line)

37. A number of habitable room windows from the apartment block will directly face towards Manchester Rd (A56). To protect the amenity of the internal areas, it will be necessary to install upgraded glazing to those habitable rooms of the apartment which have a line of sight to the A56 (specification of glazing as described within section 5.1.1 and table 5.2 of the submitted noise impact assessment). In addition the Council's Pollution and Licensing section have recommended that where rearrangement of internal rooms to prevent habitable rooms not facing the A56 is not possible, the applicant must install a through frame window mounted acoustic trickle ventilator into the window frame of that habitable room. These trickle vents must be accompanied by a system of either mechanical extract ventilation or passive extract ventilation to ensure fresh air is drawn into the habitable room via the trickle ventilator and circulated, thereby overcoming the need to open the windows.
38. The proposal includes an acoustic fence to be erected along part of the southern boundary with the Network Rail Land; this fence will be 2.1m in height.

## HIGHWAYS, ACCESS AND PARKING

39. For the purposes of Trafford Council's parking standards (see SPD3) the application site is located within Area C. The parking standards for this area of the Borough indicate that for 2 or 3 bedroom dwellinghouses 2 car-parking spaces are required; for 4+ bedroom dwellinghouses 3 car-parking spaces are required and for 1 bedroom dwellinghouses 1 space is required.
40. The parking provision for the apartment block will be located to the rear of the apartment building and will include two dedicated parking areas; one larger area to the north side of the site boundary and one smaller one to the south side. Parking provision for the apartments is proposed with 39 spaces allocated, the advice within SPD3 indicates that 46 parking spaces are required. Whilst the provision is marginally short, it is considered acceptable as the parking standards are maximum standards and the site is located in a sustainable location particularly with regards bus routes and the metrolink at Timperley. Tandem parking is proposed to the parking area to the north side, this approach is considered acceptable. The tandem parking for the apartments needs to be allocated to the 2 bedroom apartments (i.e 2 spaces per apartment so individual residents can utilise both spaces associated with their 2 bedroom apartment). 6 secure cycle lockers have been provided along with cycle stands to accommodate 10 parking spaces within the environs of the apartment block, the LHA have stated that this level of provision is adequate.
41. The scheme proposes a mixture of three and four bedroom dwellinghouses. The detached houses will have an integral garage and two car-parking spaces to the front; the semi-detached dwellings will have two external parking spaces, with the

exception of plots 15 and 16; and 25 and 26 which will have three spaces. The terrace properties will have two spaces.

42. The applicant has submitted a Transport Statement supporting the planning application. This included a TRICS trip generation for both the extant uses and then goes on to provide a net trip generation. Table 1 in section 5.4 on page 17 of the Transport Statements summarises this.
43. The TRICS analysis is considered acceptable however, the access to the previous business use is direct from Manchester Road (A56). The LHA have considered the impact of all trips to and from the proposed residential development using Etchells Road, Stamford Brook Road and then Manchester Road.
44. In the weekday morning peak period TRICS indicates that 21 vehicle departures and 7 vehicle arrivals are likely, with 9 vehicles leaving and 19 arriving during the weekday evening peak period. These will be spread over the peak hour, indicating approximately one vehicle departing every 3 minutes in the weekday morning peak period and a similar number arriving in the weekday evening peak period. In practice there will be a time when vehicle movements are more concentrated than this but this is still acceptable to the LHA.
45. It is strongly recommended that parking restrictions are introduced around the junction of the new estate road with Etchells Road, but it is acknowledged that these can only be enforced on the section of highway that is adopted by the LHA.

## ECOLOGY

46. The applicant has submitted an ecological survey as part of the application which includes details of Bat and Reptile surveys undertaken at the site. With regards bats, no roosts were located on site and the recommendation from the ecologist was that demolition of the existing buildings on site could proceed without impacting adversely on the local bat population.
47. The reptile survey undertaken uncovered a population of Slow Worms (*Anguis Fragilis*) (4 counted) Smooth Newts (7 counted) and Common Toads (3 counted). Slow worms are a type of legless lizard and are often mistaken for snakes. It is suggested that following recent developments to the east side of the site over the years, this isolated slow worm population has maintained a habitat on the application site as it has been derelict for a considerable amount of time. It is estimated that between 9 and 17 individual adult slow worms are present on site. Slow Worms are protected against being deliberately killed, injured or sold/traded in any way.
48. The proposed redevelopment of the site would result in the destruction of the slow worm habitats (managed landscaped gardens are unsuitable for the

species). Following discussions between the Council, Greater Manchester Ecology Unit and the applicant a scheme for the translocation of the slow worms to another receptor site within the Borough has been identified. This scheme of translocation has been undertaken (because of impeding inclement weather) under the supervision of the GMEU and the team of Conservation Volunteers based at Sale Water Park. The applicant has entered into a S106 Agreement to fund the relocation works and maintenance of the slow worm population at the new receptor site over a five year period, a figure of £10,000 has been agreed in order to mitigate any liability for the Council arising from this translocation.

49. Giant knotweed (invasive species) was recorded along the northern boundary of the site with Himalayan balsam also noted along the northern boundary and some scattered stands were also identified within the site. It is understood that an eradication scheme is in place and a five year spraying programme commenced in May 2015.

50. The submitted plans indicate an ecological buffer zone alongside the south side of Timperley Brook including grasses, wild flora, existing trees and natural regeneration. The Environment Agency has requested that a condition be attached requesting submission of a landscaping maintenance plan to the buffer zone.

## TREES & LANDSCAPING

51. There are few trees within the application site, a number along Timperley Brook. The planting of nearly two hundred new trees (198) is proposed, the nursery stock ranging in size from small transplants less than one metre in height) to large semi-mature specimens. The proposed new tree planting will complement the existing tree cover beyond the site periphery, notably the 'volunteer' or 'self-seeded' trees that colonise the disused railway embankment immediately to the southwest of the site. It is proposed to plant a 'shrub layer' beneath native tree planting within the two 'Ecological Buffers' flanking the entrance to the site.

52. Boundary treatments vary throughout the site, along the Manchester Road boundary the boundary will consist of 1.8m high wall at the northern and southern extremities of the Manchester Road boundary, this section of wall extends for a distance of approximately 10m from the southern extremity of the Manchester Road boundary and approximately 4m from the northern extremity. The boundary treatment then reduces to a height of 1.4m brick piers with wall and railings between up to a height of approximately 1.2m along the main central section of the Manchester Road boundary

53. A wall at 2.8m high is setback from the front boundary and would extend from the southern elevation of the apartment building to the southern boundary a distance of approximately 10m; a similar wall would also extend from the north elevation of the apartments for a distance of approximately 5m to the edge of the soft

landscaped buffer zone area. The boundary treatments are considered acceptable with regards their impact on the wider streetscene and also within the site.

54. Garden plots within the site will be demarcated by 1.8m high close boarded timber fencing. Timber pergola structures located to the north and south side of the apartment building. External seating areas located to the south side within the area of private amenity space which is considered acceptable given the communal use of this area for the occupants of the apartment building.

## DRAINAGE

55. Core Strategy policy L5.18 aims to reduce surface water run off through the use of appropriate measures. The existing site is 100% impermeable and discharges into Timperley Brook. The proposals reduce the impermeable areas to 47% of the site. SuDS systems using infiltration and pond types of SuDS have not been recommended due to these type of SuDS being used as a possible pathway for contaminants to the watercourse and the high water table meaning they will not work. The car-park area for the apartments has been designed as a retention basin. United Utilities have advised that the site should be drained on a separate system with foul drainage to the public sewer and surface water draining to the nearby water course (Timperley Brook).

## REFUSE/BIN STORAGE

56. Following comments from the Council's Waste Management section the applicant has confirmed that each dwellinghouse will have its own waste and recycling provision within each plot (i.e. individual bins). With regards the communal refuse compound for the apartments, this is proposed to be located to the south side of the site, close to the southern boundary. The compound will be constructed of 1.8m high timber walls and gates.

## CLIMATE CHANGE

57. A Sustainability Statement has been submitted in compliance with Policy L5. A reduction in carbon emissions of 6.8% is demonstrated through the application of design techniques including improvements to the thermal envelope of the building and by installing heat recovery system from the boiler which will serve each dwelling.

## OPEN SPACE

58. Policy R5 seeks to secure the provision of a range of open space to meet community needs and address areas of deficiency in terms of quantity and quality. It is considered that adequate provision exists in the surrounding area at

present to meet standards for open space and quality play provision which is provided at the nearby Sinderland Brook play area.

## BROADBAND PROVISION

59. The applicant has confirmed they have approached both Openreach and Virgin Media to confirm feasibility of servicing the development and discussions are on-going with the service providers.

## DEVELOPER CONTRIBUTIONS

60. 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, and apartments will be liable to a CIL charge rate of £0 per square metre, in line with Trafford's CIL charging schedule and revised SPD1: Planning Obligations (2014).

61. 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 128 additional trees on site as part of the landscaping proposals. The applicant has submitted a soft landscaping plan which indicates approximately 198 trees proposed to be planted and as such it is considered that an appropriate landscaping scheme can be accommodated on site.

62. With regards the removal of the Slow Worms, a commuted sum of £10,000 is agreed, payable on commencement of the development, to ensure that the receptor habitat (within Trafford Council boundaries) is managed appropriately for the following five years.

## VIABILITY

63. The Council will seek to secure appropriate levels of affordable housing in accordance with Policy L2 of the Trafford Core Strategy. For the purposes of affordable housing, the proposal site would fall within a 'Hot Market' location (not to be confused with the CIL charging zones which differ). In these hot market locations a 40% contribution will be sought.

64. The applicant has submitted a viability case with regards affordable housing which has been accepted by the Council. This development will therefore not provide any on-site affordable housing units or off-site contributions with regards affordable housing. Notwithstanding this, the applicant for the scheme is Trafford Housing Trust. Assuming the scheme is developed by the Trust, most of the profit will be ploughed back into the Trust and go towards the provision of affordable housing elsewhere in the borough.

## CONCLUSION

65. The Council recognise that the proposed development will provide significant benefits in terms of economic regeneration, employment creation and provision of housing. The proposal will also bring about the regeneration of a long term vacant derelict site located on a highly prominent section of the A56. The proposal will make a significant contribution towards addressing the housing supply shortfall within the Borough. It is considered that the proposed development represents a sustainable form of development, providing social, environmental and economic benefits as required by paragraph 7 of the NPPF. It is therefore recommended that planning permission be granted subject to the appropriate legal agreement and planning conditions.

### **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT and the following conditions:-**

- (I) That the application will propose a satisfactory development for the site upon completion of a legal agreement which will secure a contribution of £10,000 towards the maintenance of the Slow Worm receptor habitat following their translocation to alternative site within Trafford Council boundaries;
- (II) In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning Services.
- (III) That upon satisfactory completion of the above legal agreement, planning permission be granted subject to the following conditions: -
  - 1. Standard
  - 2. List of approved plans
  - 3. Submission of external materials prior to their installation
  - 4. Landscaping details including secure acoustic fence adjacent to railway land.
  - 5. Landscape maintenance Plan to include land adjacent to river
  - 6. Tandem parking allocated to the two bedroom apartments
  - 7. Provision and retention of parking
  - 8. Removal of permitted development rights for first floor extensions on plots 14-24 and 26-33
  - 9. Construction Management Plan
  - 10. Contaminated Land
  - 11. Development to be carried out in accordance with the approved Noise Impact Assessment including glazing to apartment elevation fronting the A56 and appropriate acoustic trickle ventilator and a system of appropriate extract ventilation (Details to be submitted prior to installation)
  - 12. Obscured glazing to first floor side windows on dwelling house where appropriate

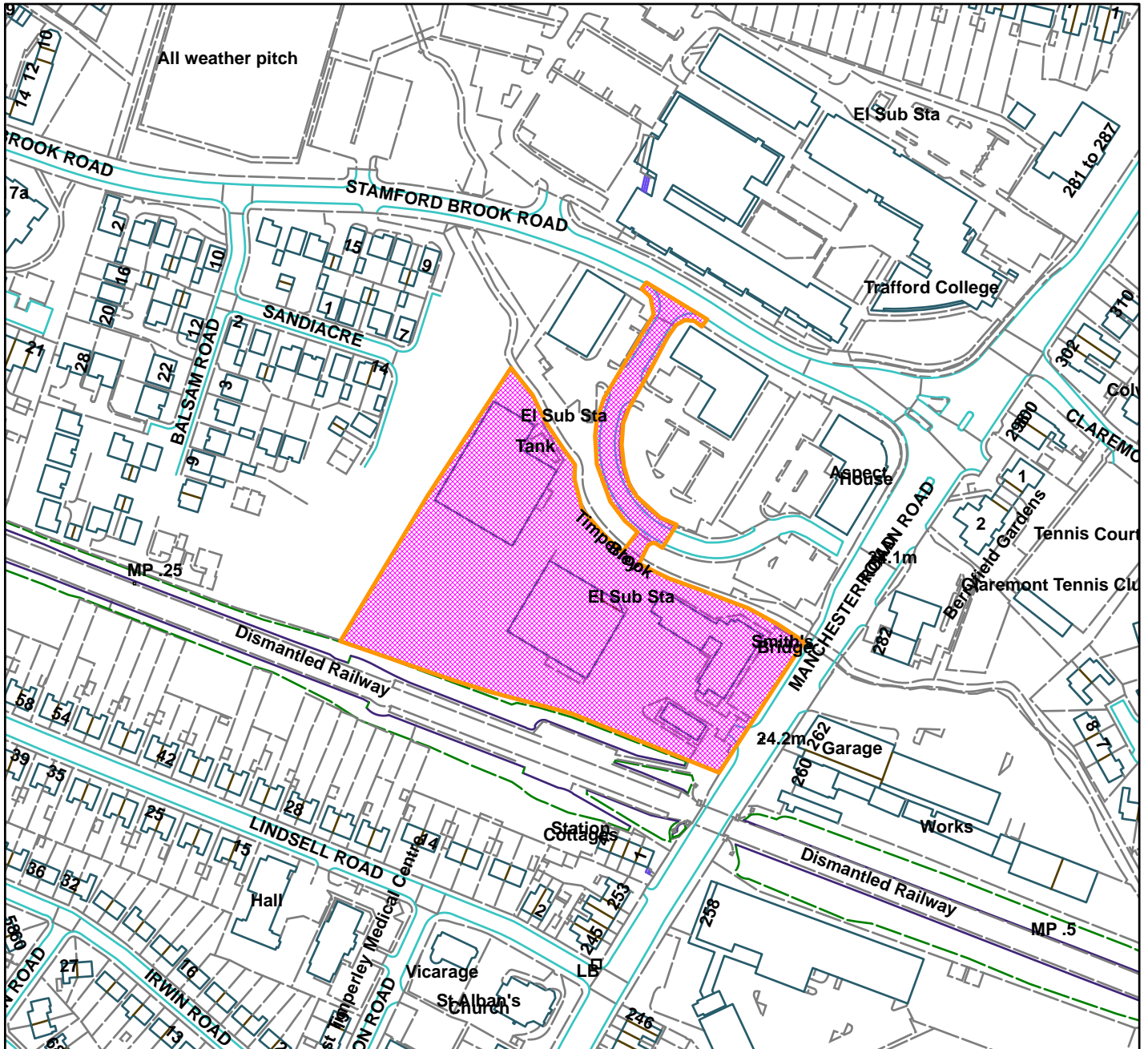
13. Development to be carried out in accordance with details as outlined within the submitted Crime Impact Statement
14. Submission of Risk Assessment, ground levels, earthworks and excavations regarding works adjacent to the operational railway.
15. Development in accordance with approved FRA. Surface and foul water directed away from Network Rail land.
16. Submission of scheme demonstrating no unacceptable risk to controlled waters from surface water drainage on ground where adverse concentrations of contamination are present.
17. Submission of scheme demonstrating no unacceptable risk to ground water from piling or other foundation designs using penetrative methods.

CM

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Former Bayer Site, Off Manchester Road, West Timperley (site hatched on plan)



Scale: 1:2,500

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)



**WARD:** Sale Moor

**86507/FUL/15**

**DEPARTURE: No**

**Erection of 2no. 3-bed semi-detached dwellings following demolition of the existing outbuildings.**

Land to the rear of 431-433 Northenden Road, Sale, M33

**APPLICANT:** Mr Bellis

**AGENT:** EBR Designs

**RECOMMENDATION: GRANT**

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**Councillor Freeman has requested that the application be determined by the Planning Development Control Committee for the reasons set out in the report.**

**SITE**

The application site comprises an area of land fronting Farmers Close and which lies to the rear of nos.431 and 433 Northenden Road. The application site also includes a strip of land which spans from Northenden Road along the north side of no.431, this gives vehicular access to the site via two gates (one forward of no.431 and one to the rear). Farmers Close is a cul-de-sac on the residential 'Pimmcroft Estate' and the site is surrounded by a mix of detached and semi-detached properties.

The site is currently occupied by single-storey, vacant former plant nursery buildings that are in a poor state of repair. The remainder of the site comprises hardstanding and an overgrown grassed area. It is fenced on all perimeters, there is also a high conifer hedge along the southern boundary of the site (not within the boundary of the application site).

**PROPOSAL**

Planning permission is sought for the erection of 2no. 3-bedroom, semi-detached dwellings with associated parking and landscaping, following the demolition of the existing single-storey units on the site. The accommodation comprises two-storey dwellings each with a bedroom in the roofspace. Vehicular access to the dwellings would be via Farmers Close. Only pedestrian access (for one of the houses) is proposed to Northenden Road, along the existing access via two lockable gates.

**FLOORSPACE**

The total floorspace of the proposed new dwellings would be 240m<sup>2</sup>.

(This application has been submitted following the withdrawal of application ref.85497/FUL/15 for the erection of a two-storey building comprising 4no. residential

apartments with vehicular access and parking off Farmers Close and Northenden Road.)

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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  
L3 – Regeneration  
L4 – Sustainable Transport & Accessibility  
L7 – Design  
L8 – Planning Obligations  
R3 – Green Infrastructure  
R5 – Open Space, Sport and Recreation

The following policy of the Unitary Development Plan (adopted June 2006) applies:

Policy A1 – Priority Regeneration Areas

Policy RE2.5 of the emerging Land Allocations Plan (Draft LAP) should also be regarded as a material consideration. This policy seeks to define the boundary of the Sale Moor Regeneration Area and promotes development which contributes to the regeneration of this area.

## **PROPOSALS MAP NOTATION**

Unallocated.

## **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**

85497/FUL/15 – Demolition of existing storage units and erection of two-storey building comprising of 4no. residential apartments with vehicular access band parking off Farmers close and Northenden Road. Withdrawn 8/7/15.

H/21378 – Demolition of Northenden Road Girls School and development of land for residential purposes including the erection of 208 dwellings and provision of new vehicular accesses on to Northenden Road and New Hall Road. Approved with conditions June 1985.

H/37231 – City Council Development – Development of land for residential purposes. (Ossington Walk/Sale Road). Deemed consent.

H/37241 – Residential development comprising 4 pairs of semi-detached dwellinghouses (Ossington Walk/Sale Road). Approved with conditions 1988.

## **APPLICANT'S SUBMISSION**

The proposal presents a unique opportunity in Sale to develop a highly sustainable residential scheme close to local facilities and amenities. The proposed development has been designed in the spirit of good design and sustainability as described in the NPPF and Trafford's guidelines on new development.

## **CONSULTATIONS**

**LHA** – No objection.

**Pollution and Licensing (Contaminated Land)** – No objection.

**Pollution and Licensing (Nuisance)** – No objection.

**Drainage** – No objection subject to drainage details being submitted and approved in accordance with the Guidance Document to the Manchester City, Salford City and Trafford Councils Level 2 Hybrid strategic Flood risk assessment.

**Strategic Planning** – No objection

**Transport for Greater Manchester** – No comments to make regarding this proposal.

**Greater Manchester Ecology Unit** – No objection

**Greater Manchester Police Design for Security** – Supportive of the proposal subject to the pedestrian gate at Northenden Road is self-closing/self-locking and the development is built to Secure by Design standards

## **REPRESENTATIONS**

Councillor Freeman requested the application be determined by the Planning Committee. Councillor Freeman objects to direct public access to the site from Northenden Road into the estate which would compromise security.

12 letters of objection have been received (including from the Nurseries Estate Homewatch Association) on the following grounds:-

### Access to Northenden Road

- Do not want access from Northenden Road to Farmers Close with vehicles driving in and out, this would be hazardous to children playing in the close.
- Do not want any pedestrian access from Northenden Road – this raises privacy, safety and security concerns (suggest a 3m high fence) and (suggest a high gate with only pedestrian access for no.431 Northenden Road).
- Access to Northenden Road will provide easy access to the estate for criminals.
- A gate would be a security risk.
- The proposal would benefit from retaining the side gate as it would deter criminals.

### Parking/Highway Safety

- 4 parking spaces in total for both properties is inadequate and will result in parking on Farmers Close causing congestion also a health and safety risk to the emergency services and to residents and pedestrians as there are no pavements on Farmers Close.
- No.431 Northenden Road has a right of way along the side access

### Residential Amenity

- Overlooking of no.65 Pimmcroft Way's rear garden and the lighting column at rear pedestrian gate will intrude (higher fencing to no.65 Pimmcroft Way would be acceptable in overcoming this).
- Loss of light and privacy to no.39 (the development is over 3 floors and replaces only single-storey buildings)
- Closer to no.39 Pimmcroft Way than existing buildings on the site.
- It is likely the owners of the conifer hedge (no.2 Farmers Close) will reduce it in height by 50% which will result in interlocking between habitable room windows and overlooking by the proposed houses.
- Does the proposal meet the privacy distances?

- Potential loss of light to rear garden at no.431 from tree planting
- Lighting along the access would be intrusive.

#### Other

- Noise during construction works.
- Devalue properties
- Is the hedge to the rear of 11 Pasturefield to be removed or retained and maintained by the applicant?
- Request the Northenden Road access is not used for any future building works
- Is the design consistent with Pimmcroft Estate leasehold conditions?
- Risk of damage to drains

4 of these neighbour letters state they are generally supportive of the 2no. semi-detached dwellings as it is a more suitable proposal for the size of this plot of land than the previous (withdrawn) proposal for 4 flats; as such they do not object in principle but have raised issues regarding the above.

#### Representations received in respect of the amended plans

5 further letters have been received in respect of the amended plans including from Councillor Freeman and the Nurseries Estate Homewatch Association on the grounds that the pedestrian access onto Northenden Road is unnecessary and is still unacceptable as proposed - for the reasons as set out in the previous letters of objection. Also, lockable gates do not provide the required security as these can be climbed over and residents could forget to lock them. A 3m high fence is required.

### **OBSERVATIONS**

#### **Principle of Development**

1. The application site is considered to be in a sustainable location close to a Metrolink stop and local health facilities and is previously developed land. It is situated within the Sale Moor Regeneration Area, designated in both the Revised UDP and the Draft LAP.
2. 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 NPPF. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.
3. It is considered that the proposed development for 2no 3 bed houses will contribute to the Council's overall housing and brownfield land targets.
4. The application site forms part of a former plant nursery, the wider site has now been redeveloped for housing. The proposal is for housing and the site lies within

a residential area. As such, it is considered the proposed development is acceptable in principle.

### **Character of the Area/Street Scene**

5. The proposed semi-detached dwellings would front the Farmers Close cul-de-sac where there are other semi-detached properties. The houses would be located forward of the adjacent pairs of semis (nos.65 & 67 Pimmcroft Way also nos.2 & 4 Farmers Close) however, there is not an established building line in the Farmers Close cul-de-sac and therefore this relationship is considered to be acceptable in the street scene.
6. The proposed design of the dwellings is similar to that of the surrounding properties on this estate. These include pitched roofs with gable ends; similar window styles and proportions also front porches.
7. The parking spaces would be to side and front of proposed dwellings with landscaped front gardens. This would be in keeping with the parking arrangements of the surrounding houses.
8. The proposed dwellings would not be readily visible from Northenden Road given their location behind nos. 431 and 433. Amended plans propose 2m high railings with a lockable gate, set back from the road, and these are considered to be acceptable in the street scene of Northenden Road.
9. In conclusion, it is considered the proposed pair of semi-detached dwellings would be in keeping with the character of the area and street scene generally, furthermore it is considered the proposed dwellings would be a significant improvement on the existing redundant buildings on the site that are in a poor state of repair.

### **Residential Amenity**

#### **431 & 433 Northenden Road**

10. These are a pair of semi-detached properties. No.431 is a two-storey dwelling with a rear dormer and a single-storey rear extension; it also has a shed/store along its rear common boundary with the application site. No 433 also has a rear single-storey building.
11. The Council's approved 'New Residential Development' Guidelines recommends a minimum distance for new two-storey dwellings of 27m across private gardens and a 10.5m distance to be retained to a rear garden boundary. It is accepted that the 27m distance can be reduced to 24m at first floor level as this distance allows for, subject to the removal of permitted development rights, rear extensions built within permitted development. Amended plans have been submitted which reduce the size of the upper floor of the dwellings, setting back

the rear elevation at first floor level by a further 1m thereby demonstrating a 24m separation distance can be achieved at first floor level. As such this complies with the Council's guidelines. Whilst a distance of only 8.5m is achieved to the rear common boundary at ground floor level there is the intervening rear shed at no.431 which provides screening. The amended plans show additional planting along this rear common boundary, also a condition can be attached requiring boundary fencing is erected/retained to a height of 1.8m to provide permanent screening. As such, the proposal complies with the Council's approved guidelines for new residential development and therefore it is considered that the 2no. semi-detached dwellings would not be unduly detrimental to the residential amenity of the occupiers of nos. 431 and 433 Northenden Road.

## 2 Farmers Close

12. The proposed dwellings would be in relatively close proximity to no.2 Farmers Close but would be mainly obscured from the view of no.2 by an existing high conifer hedge which lies outside of the application site (on its southern boundary), within the ownership of no.2. The owners of no.2 have stated they may want to reduce the height of this hedge in the future (by 50%) which would then result in the proposed dwellings being more visible to no.2. The wall at first floor level of the nearest dwelling to no.2 would be at a distance of 15.8m (from the first floor window of no.2) which is more than the recommended distance of 15m. Also, this would be to the corner wall of the proposed dwelling, rather than a blank facing gable wall, which is currently obscured from view by the existing high conifer hedge. Furthermore, the application has been amended to re-arrange the upper floor so the bathroom, with its obscure glazed window, on the rear elevation would be closest to no.2 (at 16m) instead of the bedroom window – as originally proposed. This window would also be set at an oblique angle to no.2. The application has also been amended to show additional trees along the southern boundary which would provide additional screening in the event of the conifer hedge being reduced in height. Therefore, whilst the proposed dwellings would be in close proximity to no.2 Farmers Close, for the reasons above it is considered the proposal would not be so detrimental to the residential amenity of no.2 as to warrant a reason for refusal of the application.

## 65 Pimmcroft Way

13. This property is located directly north of the application site; it has a blank facing gable wall and is set back from the front main wall of the proposed dwellings. No.65 has habitable room windows adjacent to the proposed dwellings however, given the separation distance between the properties this meets the recommended distances with regard to overshadowing in the Council's approved 'New Residential Development' guidelines. A letter from this neighbour states they are generally supportive of the proposed development however, there is concern regarding overlooking of the rear garden and intrusion from the lighting column and suggest this can be overcome by replacing the existing boundary fence for a higher fence. It is considered that the relationship of the proposed

semi-detached properties to no.65 is similar in arrangement to that between many other semi-detached properties and as such would not result in any undue overlooking. With regard to the lighting column, this has been removed from the plans and replaced by a dusk til dawn bulkhead light in accordance with the request from Greater Manchester Police – Secure by Design. As such, the proposal is considered not to be unduly detrimental to the residential amenity of no. 65 Pimmcroft Way.

### **39 Pimmcroft Way**

14. This property is located to the east, across Farmers Close at a distance of approximately 20m from the front elevation of the proposed dwellings. No.39 has a facing blank gable wall along with fencing and coniferous trees along its perimeter with Farmers Close. Whilst the front elevation of the proposed dwellings would face the side elevation and rear garden of no.39, the separating distance of 20m across a public road exceeds the required 15m recommended distance for habitable room windows to a two-storey blank gable. As the windows in the front elevation of the proposed dwellings would be across a road and benefit from screening via fencing and landscaping at no.39 it is considered this would not be unduly detrimental to residential amenity by reason of overlooking. Furthermore, this arrangement is replicated elsewhere within this estate.

15. In conclusion, given the above it is considered that the proposed dwellings would not be unduly detrimental to the residential amenity of the surrounding properties as to warrant the refusal of planning permission.

### **Highways/Parking**

16. Two parking spaces are provided for each property which meets the parking standard as required by SPD3: Parking Standards and Design. Whilst many neighbour letters refer to the potential for parking on Farmers Close where there are no footpaths, to the detriment of highway and pedestrian safety, the proposal meets the required parking standard and there is no objection to the proposal from the LHA. The LHA state the vehicular access is adequate and sufficient off-street parking is provided. The applicant would need to gain approval from Trafford's Streetworks Section for the pavement crossing under section 184 of the Highways Act 1980.

### **Security**

17. Due to the level of concern from neighbours regarding a potential thoroughfare, and its associated security risks, from Northenden Road to the Pimmcroft Estate via this proposed development, the proposal has been amended in consultation with Greater Manchester Police – Secure by Design. The proposal now provides pedestrian access via Northenden Road to only one of the dwellings via two lockable gates. Pedestrian access to no.431 will also be retained. 2m high railings are proposed forward of the front building line of no.433 to enhance



security. These measures have been recommended by GM Police and they have not raised an objection to the amended plans.. It is worth noting this access has historically been used by vehicles in association with the former nursery use, the site can still be easily accessed by pedestrians via the two low gates.

### **Ecology**

18. A bat survey has been submitted with the application which concludes that whilst there are places where bats could shelter, the likelihood of regular roosting or use by maternity colony with dependent young in Summer is negligible. Further survey work is not necessary but some precautions should be taken at the time of work. The Ecology Unit raise no objection. It is recommended that a condition be attached regarding the protection of any potential bats.

### **Specific Green Infrastructure**

19. In line with Core Strategy Policy R5.4 development is expected to contribute on an appropriate scale to the provision of the green infrastructure network. SPD1 requires the planting of 6 trees for this proposed development of two dwellings. The proposal proposes 9 additional trees along the western and southern perimeters of the site to provide additional screening/privacy.

### **DEVELOPER CONTRIBUTIONS**

20. 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).

21. 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 six additional trees on site as part of the landscaping proposals.

### **RECOMMENDATION: GRANT subject to the following conditions:**

1. Standard time limit
2. Compliance with approved amended plans
3. Materials to be approved
4. Removal of permitted development rights for extensions, first floor windows and dormer windows
5. Bat protection
6. Drainage

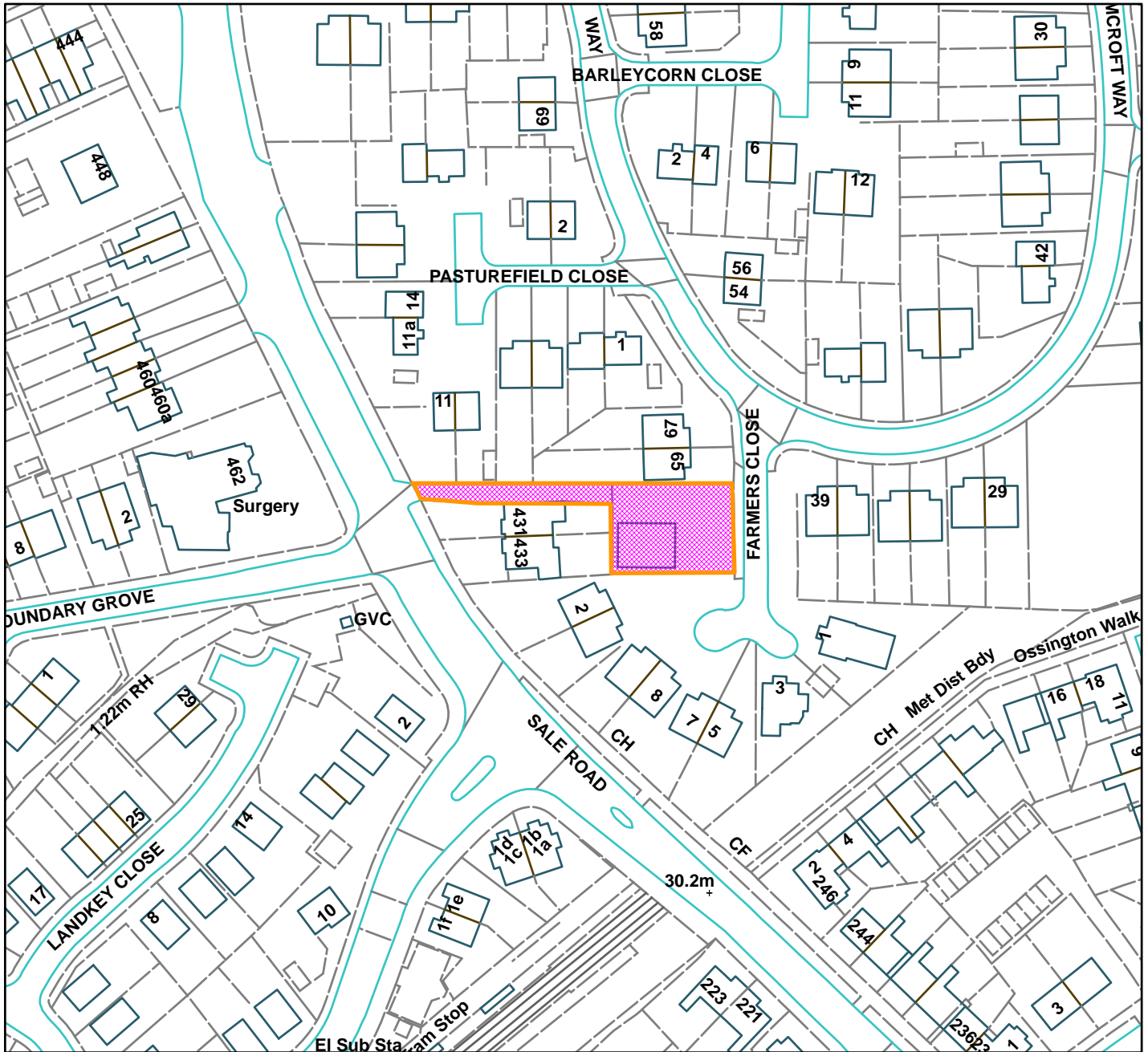
7. Landscaping scheme (including planting of 6 trees also fencing/boundary treatment)
8. Parking spaces to be retained at all times

AC

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Land to the rear of 431-433 Northenden Road, Sale (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

WARD: Urmston

86535/VAR/15

DEPARTURE: No

**Application for variation of condition 2 on planning permission 81258/FULL/2013 (Demolition of existing dwellinghouses and erection of four storey block containing 51 units of extra care accommodation for the elderly, together with associated landscaping, car parking provision and alterations to vehicular access onto Crofts Bank Road.). To amend the approved plans.**

Oakfield Court, 44, 44A, 46 and 48 Crofts Bank Road, Urmston

**APPLICANT:** YourLife Management Services Ltd

**AGENT:** The Planning Bureau Ltd

**RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

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**Councillor Procter has requested that this application be determined at Planning Development Control Committee for reasons set out under the Representations section of this report.**

### **SITE**

The application site relates to an elderly care home that is nearing completion on site following planning approval in April 2014 (Ref:81258/FULL/2013). The building has a 'T' shaped formation with the main block of accommodation extending from the north side of the site to the south side with accommodation over four levels which includes the roof void. An additional block of accommodation extends perpendicular from the rear elevation (east facing elevation) of the main four storey building, this block has accommodation over two levels plus within the roof void.

The site is immediately opposite Urmston town centre and Urmston police station and is located on the eastern side of Crofts Bank Road. The site is surrounded by residential properties to the north, south and east.

### **PROPOSAL**

This application seeks a variation of the approved plans (condition 2 of planning permission 81258/FULL/2013) to allow for a number of amendments to the approved building which are summarised as follows:-

- Erection of external balcony at first floor level to the rear projecting block of accommodation; the balcony extends around this particular section of building on the north, part east and part south elevation.
- Omission of stairwell window at first floor level on the north facing elevation.

- Removal of secondary kitchen window (Apt. 49) on rear elevation of the third floor and repositioned on the side wing facing southward within the site.
- Maintenance access door added to third floor rear elevation to allow for access to roof of three storey block of accommodation.
- Removal of window to third floor study area facing rear (eastern side) of site (Apt. 41)
- Increase in internal floor area to Apt.41 specifically to the shower room, the increase equates to approximately 1.5m<sup>2</sup>.
- Removal of south facing secondary living room window to Apt.44 third floor.
- Removal of south facing secondary living room window to Apt 46 third floor.
- Internal layout of the lobby/foyer/refuse and kitchen/bistro area altered with minor changes to windows and door openings all at ground floor level.
- Realignment of ground floor door and window to Apt.5 front elevation.
- Rear projecting block of accommodation reduced in height from approximately 10m to approximately 9.5m.
- Glazed links set 1.2m below main ridge height, had been 2m on the previous scheme.
- It is also relevant to note that the sequence of apartment numbers has changed – On the approved scheme apartment 13 was not listed so the sequence was 1-52 with no number 13. On the revised plans submitted as part of this application, apartment 13 has been listed so the sequence is 1-51 – The original approval was for 51 apartments.

The development is currently under construction and information has previously been submitted by the applicant to discharge a number of conditions associated with the original grant of consent. Where this information has been agreed and the condition has been discharged / part discharged, the conditions will be amended on this consent to reflect the position accordingly.

## **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 1<sup>st</sup> 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 26<sup>th</sup> 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**

L7 – Design

L8 – Planning Obligations

## **PROPOSALS MAP NOTATION**

None – The site is opposite the boundary to Urmston Town Centre (west side of site)

## **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**

86035/FUL/15 – Erection of fencing to boundaries, front boundary wall and cycle storage out building – Approved 16/10/2015

86036/VAR/15 - Application for variation of condition 2 (approved plans) of planning approval 81258/FULL/2013 (Demolition of existing dwellinghouses and erection of four storey block containing 51 units of extra care accommodation for the elderly, together with associated landscaping, car parking provision and alterations to vehicular access onto Crofts Bank Road.) to allow for amendments to bistro, laundry and refuse area layouts and associated changes to elevations – Withdrawn 02/09/2015

81258/FULL/2013 - Demolition of existing dwellinghouses and erection of four storey block containing 51 units of extra care accommodation for the elderly, together with associated landscaping, car parking provision and alterations to vehicular access onto Crofts Bank Road – Approved 22 April 2014

80352/FULL/2013 – Demolition of existing dwelling houses and erection of 4 storey block containing 51 units of extra care accommodation for the elderly, together with associated landscaping & car parking provision. – Application withdrawn 20/06/2013

## **CONSULTATIONS**

**Local Highway Authority (LHA)** – No objections

**Drainage (Trafford Council)** – Storm water discharge from site to be in accordance with limits as outlined in Trafford Council's Strategic Flood Risk Assessment.

**Greater Manchester Fire & Rescue Service** – No objection, standard informatives regarding access to site; sprinkler systems and fire hydrants.

## **REPRESENTATIONS**

**Councillor Procter** has requested that this application be determined at Planning and Development Control Committee and has indicated that local residents have raised concerns about being overlooked from the balcony areas.

**Neighbours:-** Letters of objection have been received from five addresses, citing the following concerns:-

- Difficulty in accessing plans on the Council website
- Proposal will result in excessive noise
- Not aware that an extra storey of accommodation was added and no response from Trafford Council (Department unspecified) about why workmen allowed to start at 6.45am on Saturdays and Sundays.
- The development is clearly four stories in height
- Balconies result in serious invasion of privacy
- Light from stairwell window (rear elevation) continually left on
- Balconies should have a solid wall at their ends to prevent overlooking
- The development is overbearing
- The developer has had total disregard for the planning process
- Concern that sufficient space be left around the scooter store for planting
- Concern that landscaping and parking may have altered and this could result in rainwater run-off to neighbouring garden areas.
- Obscured Glazing not been undertaken

## **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. There have been no significant changes to the site or surrounding area since planning permission was granted, save for the implementation of the permission. The application was determined previously in accordance with the Core Strategy, the saved policies of the Revised Trafford Unitary Development Plan, relevant

supplementary planning documents, all of which are still part of the Development Plan for the Borough and the National Planning Policy Framework.

3. The main planning issues considered under the original application were:-
  - Principle of development
  - The use class of the proposed “extra care” accommodation
  - Layout, scale of development and visual amenity
  - Impact to residential amenity
  - Landscaping
  - Highways
  - Developer contributions
4. No further information has been submitted in support of the planning application, save for the submission of revised plans and drawings. Information submitted in support of planning application 81258/FULL/2013 remains relevant to the determination of this application.
5. The matters listed above were considered by Members in the determination of the original application. There is no requirement to revisit these issues through the determination of this application other than where they are affected by the proposed variation. The main change proposed under this application is the retrospective approval of the external balcony areas located on the rear projecting section of the building. The key issues in the determination of this application relate to the following matters are discussed below

#### IMPACT ON RESIDENTIAL AMENITY

6. On the first floor north facing section of elevation the balcony area will serve apartments 13 and 14. The balconies have a relatively small floor areas; the balcony to apartment 14 measures approximately 1.3m x 5.5m (7m<sup>2</sup>) and apartment 13 measures approximately 1.3m x 3m (4m<sup>2</sup>). A clear glazed safety balustrade has been erected along the entire length of the balconies serving both of these apartments, the balustrade measures approximately 0.9m in height. On the end section of balcony serving apartment 14 a larger section of clear glazed screen has been installed this measures approximately 1.5m at the highest point but has a splayed design and reduces down to 0.9m, this section faces the eastern side of the site (rear boundary).
7. This particular section of balcony provides views directly across the site towards the northern boundary; a distance of approximately 27m is retained to the northern boundary from the balcony. An angled view towards the eastern boundary of the site towards the shared boundary with 6 Ellaston Drive retains a distance of approximately 17m. The larger side panel of glazing on the end (east facing) section is clear glazed so does not prevent views across to the eastern boundary. The balcony retains a distance of approximately 14.5m at the nearest



point to the rear boundary with 6 & 7 Ellaston Drive, this distance complies with Trafford Council's privacy distances which are outlined with the Supplementary Planning Guidance (SPG) document: New Residential Development. The document details that a distance of 10.5m is the minimum distance required from a first floor habitable room window to a neighbouring boundary.

8. Whilst the balcony at the nearest point to the eastern boundary with the properties on Ellaston Drive meets the Council's required privacy distances, it is considered appropriate to include a condition seeking the installation of an end screen no lower than 1.8m in height of a solid construction or obscured glazing (of appropriate obscurity). This is considered appropriate as the properties at Ellaston Drive have small rear garden areas and therefore they have limited private amenity space and also the balconies offer a wider sphere of visibility than views through a traditional window opening.
9. On the rear elevation of the projecting arm of the building a section of external balcony area has been erected with a clear glazed screen balustrade at 0.9m in height erected. This balcony area does not serve any of the apartments and is for maintenance access only. A floor to ceiling height window is the only access point from within the building to access this area. This window is for emergency escape measures and is secured closed at all other times. One of the glazed panels on the rear elevation has hinges to allow it to open to allow for a ladder to be positioned from ground level to gain access up to the balcony area and as a means of escape. It is appropriate to condition the use of this area for maintenance access and means of emergency escape only and not to be used for any other purpose.
10. On the southern elevation of the three storey block of accommodation the balcony area will serve apartments 15 and 16. The balcony area serving apartment 15 will measure approximately 1.3m x 5.7m (7m<sup>2</sup>) and the balcony serving apartment 16 will measure approximately 1.3m x 3m (4m<sup>2</sup>). The balcony offers a view towards the southern boundary of the site, beyond which is the rear garden area of 42 Crofts Bank Rd. A distance of approximately 16.5m is retained from the balcony area to the shared boundary with 42 Crofts Bank Road. This distance complies with the advice within the New Residential Development SPG with regards to acceptable privacy distances.
11. The balconies to both apartments also have a balustrade measuring approximately 0.9m on the south facing elevation, with the end section on the east (rear facing) having a higher section. This end section is also a clear glazed panel and from this point to the eastern boundary with 7 Ellaston Drive a distance of approximately 14.5m is retained. For the same reason as indicated above, it is considered appropriate to include a condition seeking an appropriate screen to prevent views towards the shared rear boundary of the site.

12. The roof light installed for Apartment 48 is marginally lower than previously approved. The internal height is 1.4m from floor level and the required internal height to prevent overlooking is recognised as 1.7m, therefore it is recommended that this rooflight is obscurely glazed the details of which will be secured by condition. There are no side facing windows located to what is now Apartments 41 and 42 on the south facing elevation (previously apartments 42 and 43). It is not considered necessary to incorporate obscured glazing to these two apartments.
13. The remaining changes detailed earlier in this report raise no issues with regards to adversely impacting on residential amenity.
14. One of the representations received from a local resident included a comment that Trafford Council had failed to advise them of an additional floor of accommodation on the original scheme. It should be noted that the original planning approval related to a scheme of four levels of accommodation (and three to the rear projecting block) that level of accommodation never changed at any stage during the determination of the original application (Ref:81258/FULL/2013) and was clearly indicated on all plans and was referred to in the description of the planning application. The same level of accommodation is proposed as part of this application.
15. In addition the parking layout is as approved and the drainage system will not result in any surface water running into neighbouring residential sites (as the system is designed to ensure run off is contained within the site), following concerns raised by a neighbour in their representations. Following receipt of the planning application the planning officer visited the site and it was observed that three windows at first floor level, one on the north elevation and two on the south facing elevation, had not been obscurely glazed as required by a previously imposed condition on the original approval. These windows have been highlighted with the applicant who has advised that they will ensure that the necessary obscured glazing will be installed; this will be monitored by the Planning Department to ensure compliance. Members are advised that all other windows required to be obscurely glazed have been completed accordingly.

## IMPACT ON STREETSCENE

16. All proposed amendments are considered to be minor alterations to the previously approved scheme and which do not impact adversely on visual amenity or the wider streetscene.

## DEVELOPER CONTRIBUTIONS

17. The original planning approval was subject to contributions required from the applicant under the provisions of supplementary planning document SPD1: Planning Obligations and secured through a S106 agreement which

included £93,493.00 split between: £9,992.00 towards Highway and Active Travel infrastructure; £34,831.00 towards Public Transport Scheme and £48,670.00 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme). To date the Council have received £10,641.48 towards Highways and £37,095.02 towards Public Transport, these figures having been subject to indexation. The applicant has yet to complete the landscaping/tree works and following the completion of those works the level of tree planting undertaken will reflect any monies due for the Specific Green Infrastructure element of the contribution. The S106 also included a section to secure agreement that the development is managed by a domiciliary care provider (registered by the Care Quality Commission).

18. It will be necessary to obtain a deed of variation of the original S106 agreement which will ensure the requirements of the original S106 are carried forward on any new planning approval. The conditions on the original planning approval would be carried forward onto any new grant of permission where they remain relevant to the scheme. The proposed conditions would be reworded accordingly to facilitate details submitted and approved as part of the discharge of conditions process relating to conditions attached to planning approval 81258/FULL/2013.

### **RECOMMENDATION: MINDED TO GRANT SUBJECT TO LEGAL AGREEMENT**

- (A) (i) 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 £93,493.00 split between: £9,992.00 towards Highway and Active Travel infrastructure; £34,831.00 towards Public Transport Schemes; £48,670.00 towards Specific Green Infrastructure (to be reduced by £310 per tree planted on site in accordance with an approved landscaping scheme); and
- (ii) To secure agreement that the development is managed by a domiciliary care provider (registered by the Care Quality Commission)

- (B) In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of this resolution, the final determination of the application shall be delegated to the Head of Planning Services.

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

1. Approved Plans
2. The development hereby permitted shall only be used for the purposes specified in the application and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any

provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order.

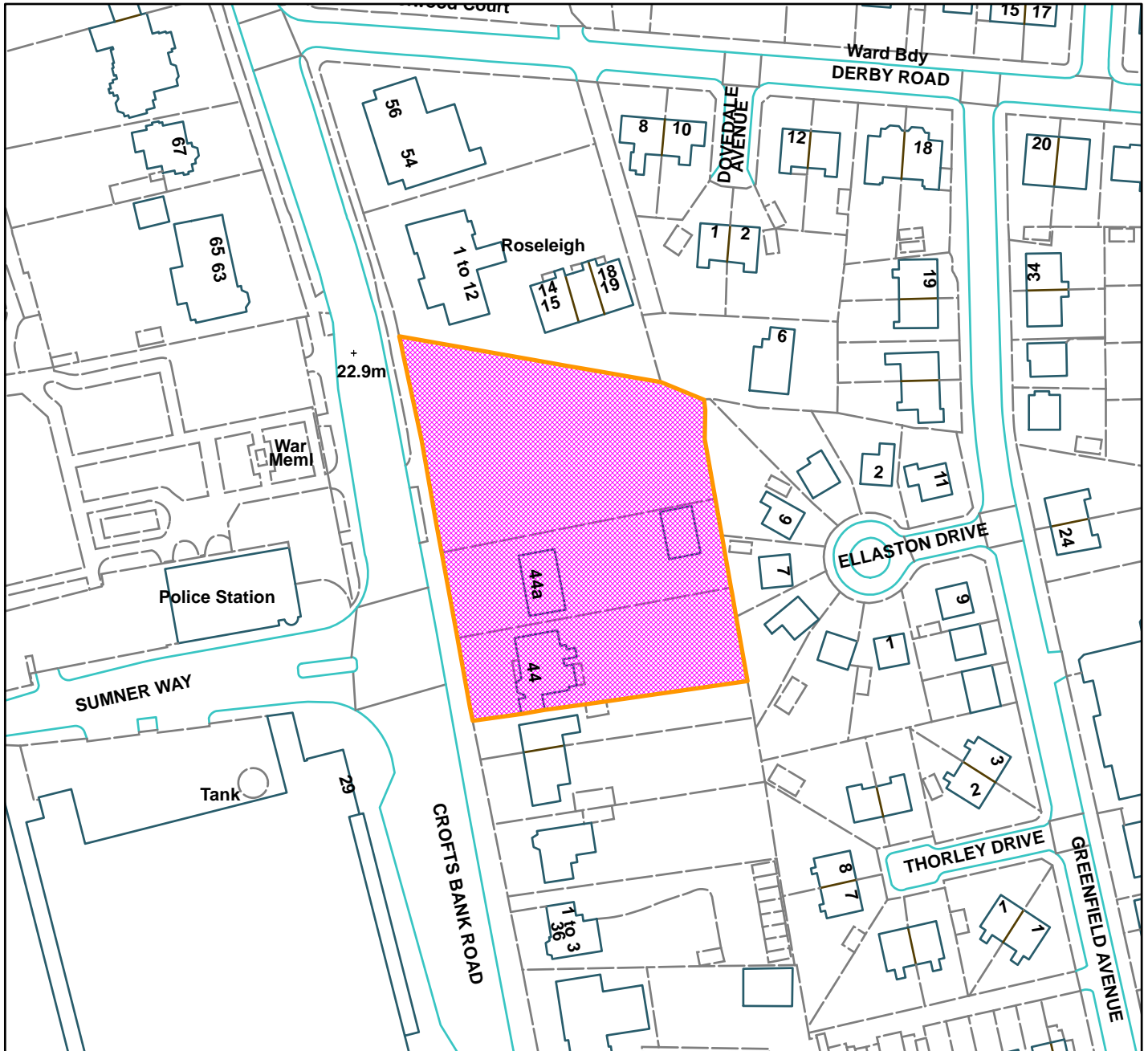
3. Landscaping as approved
4. Landscaping maintenance as approved
5. Tree Protection as approved
6. Arboricultural Method statement regarding works to form car-park as approved
7. Secure cycle and motor cycle parking as approved
8. Bin storage as approved
9. Surface water drainage scheme as approved
10. Construction Method Statement as approved
11. Provision & Retention of parking
12. Obscure glazing to south facing upper floor windows to Apt 17, 18, 30, 31 and to north facing upper floor windows to Apt. 24, 37 and roof light to Apt. 48.
13. External lighting plan as approved
14. Permeable surfacing/water run off for car-park as approved
15. Operational Management Plan as approved
16. Notwithstanding details on approved plans, within 28 days from the date of this approval, details of balcony screens on the east elevation serving apartments 14 and 15 shall be submitted to an approved in writing by the Local Planning Authority, the approved screens shall be installed no later than 28 days from the date the Local Planning Authority provide written confirmation of the submitted details.
17. Notwithstanding the details on the approved plans, the area of first floor balcony on the eastern elevation shall be used for maintenance access only and for no other purpose.
18. Keep clear advisory markings to be introduced outside access point to Crofts Bank Road in accordance with previously approved details.

CM

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Oakfield Court 44, 44A, 46 & 48 Crofts Bank Road, Urmston (site hatched on plan)



Scale: 1:1,250

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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
MSA Number	100023172 (2012)

**WARD: St Marys**

**86690/HHA/15**

**DEPARTURE: NO**

**Demolition of existing single storey rear extension, erection of two storey rear extension with other external alterations.**

318 Washway Road, Sale, M33 4RT

**APPLICANT:** Ms Gemma Ives

**AGENT:**

**RECOMMENDATION: GRANT**

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### **SITE**

This application relates to a detached residential dwelling house located on the western side of Washway Road in Sale. There is a gated vehicular access out onto Washway Road together with a driveway that runs along the side of the house up to a detached garage located to the rear of the property. The remainder of the property frontage is landscaped garden area bounded by a short brick built wall. The rear of the property is bounded by wooden panelled fencing which is approximately 1.8m in height. The shared northern boundary edge to the rear of the property has several large conifer trees on the neighbouring property's land that provide a screening effect and along the southern boundary of the site there is a Magnolia tree located on the neighbouring land.

The applicant's property has already been extended by single storey (5m) extension to the rear.

### **PROPOSAL**

Planning permission is sought for the demolition of the existing single storey rear extension and the erection of a two storey rear extension together with other external alterations.

The two storey extension would be set in from the side elevations and would be set down from the main roof ridge with a dual projecting hipped roof. The extension would provide a large kitchen/diner at the rear of the property with bi-folding doors into the rear garden, together with a utility room and a W.C at ground floor. The first floor would provide four bedrooms (two with en suites) and a main bathroom. The proposed extension would introduce windows to the side and to the rear of the property.

Windows are proposed to be introduced on the side elevations of the existing house. The north facing elevation would remove an existing high level window and introduce two windows for the W.C and utility room, and the southern facing elevation would introduce one window at first floor for the family bathroom.

### **Amended Plans (received 27.10.2015)**

The amended plans reduce the length of the extension by 1m, taking the overall projection to 4.2m.

## **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.
- The **Greater Manchester Joint Waste Plan**, adopted 01 April 2012. On 25<sup>th</sup> 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

## **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**

H27377 – Erection of rear extension to form kitchen. (*Approved 06.07.1988*)

## **APPLICANT'S SUBMISSION**

The applicant has submitted relevant plans and drawings in support of the planning application

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Three letters of objection have been received from separate addresses as a consequence of the planning application publicity. The comments are as follows;

- The extension would dominate the skyline
- The proposal is not in keeping with the character or style of the area and is poorly designed
- Development would increase in size by approximately 72%
- Overdevelopment of the plot
- Loss of privacy by virtue of overlooking
- Lack of detail contained on submitted drawings to adequately describe the proposals
- The application does not acknowledge a tree sited close to the proposed extension
- Development would set a precedent for further two storey extensions

Councillor Chilton has requested that the application be determined by the Planning Development Control Committee for the reasons set out below;

- Concern over the size of the extension, whether it is in keeping with the character of the area, and the proximity to and the potential impact it could cause to the neighbouring properties.

## **OBSERVATIONS**

1. The main planning issues relevant to the determination of this application relate to:-
  - Design and street scene
  - Residential amenity
    - Impact of the development on existing, surrounding residents
    - Level of amenity afforded to prospective residents of the development
  - Access, highways and parking
  - Trees

## **DESIGN AND STREETSCENE**

2. The proposed development would not be readily visible within the street scene. The extension is located to the rear of the property and does not



project beyond the side elevations of the main house. The proposed extension, due to its location would however be visible from the properties and gardens of the neighbouring properties at the rear.

3. The extension has been designed to be subordinate to the main dwelling. It is acknowledged that the extension is large in size, however the ridge line has been set down from the main roof and the extension does not project beyond the original dwelling.
4. The dwelling as a whole, would be in keeping with the character of this section of Washway Road which is characterised by large detached dwellings. It is not considered that the proposal would constitute overdevelopment of the site as there is sufficient space to the rear of the property to provide the occupiers with private amenity space, whilst the extension does not have a detrimental impact upon spaciousness. The uptake of building floor space ratio to the overall plot size is not seen to be disproportionate.
5. The materials are stated to match the existing house which will ensure for coherence and an overall attractive appearance.

## **RESIDENTIAL AMENITY**

6. Paragraph 3.4.3 of SPD4: A Guide for Designing House Extensions and Alterations states that two storey rear extension should normally not project more than 1.5m when built close to a shared boundary. It states further that if the extension is set away from the common boundary by more than 15cm, this projection can be increased by an amount equal to the extra distance from the side boundary. The proposed extension would project 4.2m when measured from the rear elevation of the house. The proposed two storey rear extension would be set in 3.8m from the common boundary with no. 316 Washway Road (1.5m+3.8m) and therefore, the proposed extension is deemed to be in accordance with paragraph 3.4.3.
7. The proposed extension would be set in 1m from the shared common boundary with no. 320 Washway Road, therefore it does not comply with the SPD requirements. However, the rear elevation of no. 320 projects circa 3.2m beyond the applicant's rear elevation. There are no windows on the side elevation of no. 320, therefore, it is considered that the impact of the proposed projection can be measured from the rear elevation of no. 320. The proposed extension extends 1m beyond the rear elevation of no. 320 (1.5m+1m) therefore, the extension is in accordance with section 3.4.3 of the SPD4 and is not deemed to have an overbearing impact on no. 320.
8. The proposal seeks to remove a high level window on the existing house and would introduce two windows for a W.C and utility room on the northern elevation at ground floor. These windows would be conditioned to be obscurely glazed to ensure that there is no unacceptable overlooking to the neighbouring property.

9. The scheme includes the introduction of a bathroom window and an en suite window at first floor of the existing dwelling. Both windows would be conditioned to be obscurely glazed to ensure that no unacceptable overlooking would occur.
10. Paragraph 3.4.9 of SPD4 states that extensions which reduce the distance between facing habitable room windows to less than 21 m are unlikely to be acceptable as this would result in the loss of privacy to both the occupiers of the proposed development and the neighbouring properties. The proposed extension would retain a distance circa 30m to the closest habitable room window of properties on Rudyard Grove and therefore it is concluded that the proposed development is in accordance with the SPD4.
11. Paragraph 2.15.2 indicates that windows of habitable rooms must be sited no less than 10.5m from the site boundary, unless there is adequate screening or intervening buildings. The proposed extension would retain a distance of 12m's to the rear common boundary and as such the development is policy compliant.

## **HIGHWAYS AND PARKING**

12. The proposed development would be sited so that it would not harm the existing parking arrangements, however, the extension would introduce an additional bedroom. The 'Parking Standards and Design' Supplementary Planning Document (SPD3) requires dwellings of this size to provide sufficient parking provision for at least three vehicles. The proposed development would not impact upon the existing parking provision and the driveway would continue to accommodate at least three cars, therefore, the proposal complies with SPD3.

## **TREES**

13. There is a tree sited on the neighbouring properties land no. 320, close to the common boundary and the siting of the proposed extension. The tree currently overhangs the applicants land. The tree has been identified as a Goat Willow (*Salix Caprea*); Goat Willows are extremely robust trees. The Council's Arboriculturist has indicated that as the tree is a 'third party tree' on neighbouring land, the applicant has the right to maintain or cut back the overhanging branches on their land. He has indicated that in view of the trees robustness, it is not considered necessary to apply a condition requiring protection measures.

## **CONCLUSIONS / SUMMARY**

14. It is considered that the proposed extension is in keeping with the character of the area. The proposed extension is subordinate to the main dwelling and as a whole is proportionate to the property plot size. The proposed extension is not considered to have an unacceptable overbearing impact on the neighbouring properties nor would it cause a detrimental loss of light. The proposed development would not have an unacceptable impact on the

amenity of neighbouring properties in terms of loss of privacy and overlooking and is compliant with the provisions of SPD3. It is therefore concluded that the proposed extension acceptable.

**RECOMMENDATION:**

**GRANT subject to the following conditions:-**

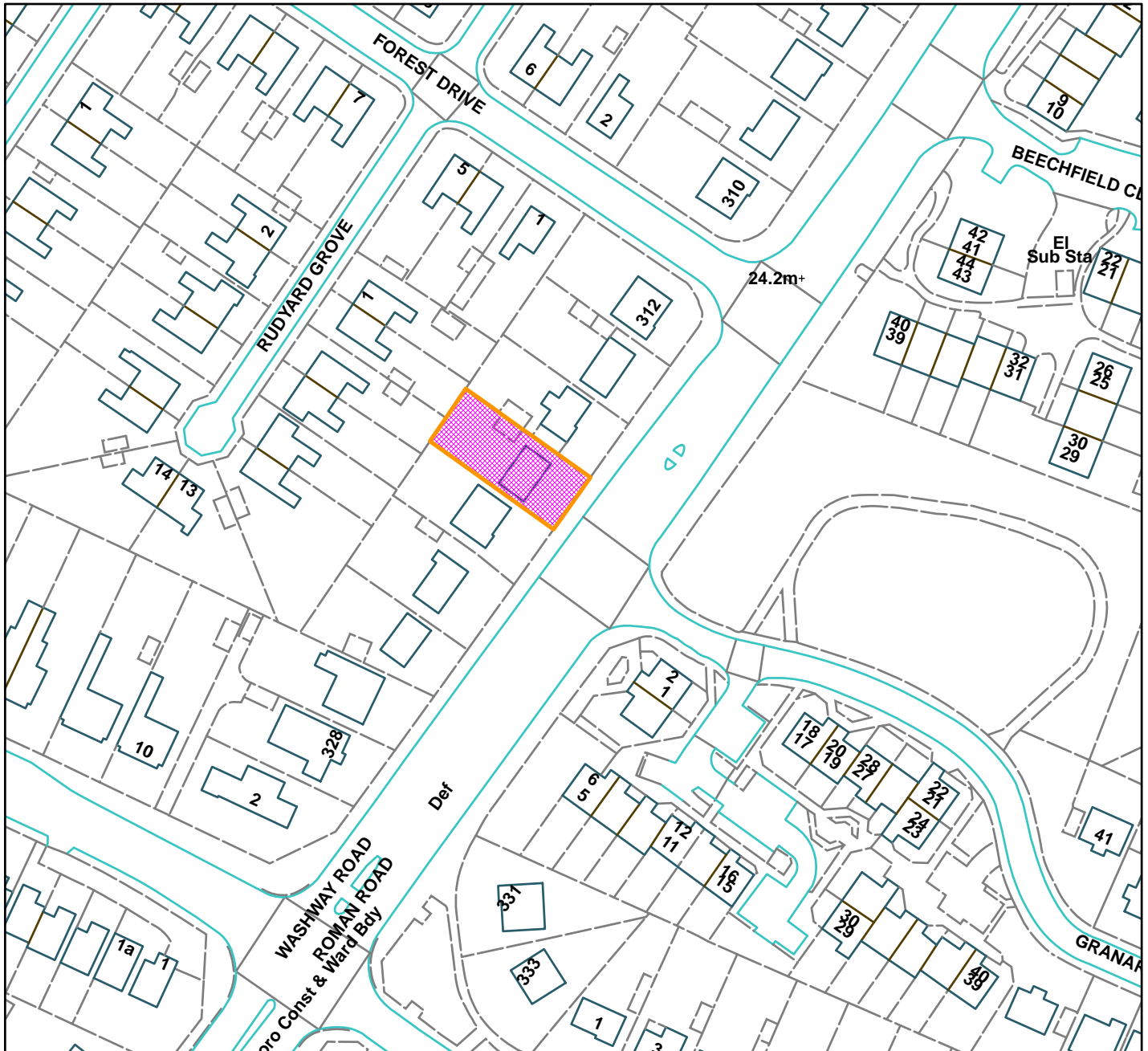
1. Standard time
2. Approved Plans
3. Matching Materials
4. Obscuring of two side windows at ground floor and a window at first floor

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KP



318 Washway Road, Sale (site hatched on plan)



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Organisation	Trafford Council
Department	Planning Service
Comments	Committee Date: 12/11/2015
Date	27/10/2015
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