

SECTION 78 APPEAL BY

McCARTHY & STONE RETIREMENT LIFESTYLES LIMITED

STATEMENT OF COMMON GROUND

SITE AT:

35 OAKFIELD,

SALE,

CHESHIRE,

M33 6NB

THE PLANNING BUREAU LTD

TOWN & COUNTRY PLANNING ACT 1990

STATEMENT OF COMMON GROUND

APPEAL BY McCARTHY & STONE RETIREMENT LIFESTYLES LIMITED AGAINST THE REFUSAL BY TRAFFORD COUNCIL FOR THE DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A PART 3 STOREY PART 4 STOREY BUILDING COMPRISING 25 NO. RETIREMENT FLATS, CLOSURE OF BOTH EXISTING VEHICULAR ACCESSES AND FORMATION OF NEW VEHICULAR ACCESS ONTO OAKFIELD WITH ASSOCIATED LANDSCAPING AND CAR PARKING

SITE AT:

35 OAKFIELD,

SALE,

CHESHIRE,

M33 6NB

LOCAL PLANNING AUTHORITY REFERENCE: 109745/FUL/22

PLANNING INSPECTORATE REFERENCE: APP/Q4245/W/23/3325034

1.0 INTRODUCTION

- 1.1 The purpose of this Statement is to set out as much of the agreed factual information about the proposal as is possible and is agreed by both the Council and the Appellant.
- 1.2 The Inspector's attention is also drawn to the documents that were submitted by the Appellant within the Appeal submission and the Council's along with the questionnaire.
- 1.3 Attached to this Statement at Appendix 1 is a copy of the Statement of Common Ground Viability that was originally submitted to the Planning Inspectorate on 31st October, 2023.

2.0 AREAS OF COMMON GROUND

DESCRIPTION OF DEVELOPMENT

- 2.1 The planning application subject of this Appeal Inquiry comprises the erection of a building up to 4 storeys in height which has been designed for the purposes of retirement living housing accommodation. The proposal would provide a total of 25 age exclusive residential units (Retirement Living units), with a communal lounge, communal gardens, a guest suite, a House Manager and office/reception facility, landscaping and car parking area with 16 spaces. The proposal would provide 14 x one-bed and 11 x two-bed apartments.

DESCRIPTION OF THE SITE AND ITS IMMEDIATE SURROUNDINGS

- 2.2 The site is L shaped in form and covers 0.56 Acres /0.23 Hectares in area, it has a wide frontage to Oakfield thinning in width to the rear of the site. The Oakfield site frontage has a mature tree line, hedges and vegetation with a brick boundary wall which is typical of the street and context. Some trees and vegetation can be found in the rear garden.

- 2.3 The site currently contains a large extended 3 storey Victorian dwelling with basement (now converted into flats) with a two storey apartment block to the south of the site, a coach house to the north of the site and an attached outbuilding, . The main building is primarily rendered with some vertical tiled elements all sat below an overhanging tiled pitched roof. Footings for an outbuilding have been constructed along the northern boundary.
- 2.4 Boundary structures vary between brick walls and fencing with boundary trees and vegetation throughout, the site has 2 vehicular access points onto Oakfield.
- 2.5 Directly to the north of the site is Michael Court, an existing McCarthy Stone Retirement Living development with its car park directly adjacent to the Appeal site. The building varies in height between 4, 3 and 2.5 storeys.
- 2.6 Directly to the south of the site is Forest Park Prep School, in line with the local character this is a large 3 storey Victorian brick building fronting Oakfield. A playground area can be found to the rear of the site. Part of the site also shares a boundary with St Marys Church of England primary school to the south west corner of the site.
- 2.7 To the rear of the appeal site are primarily 2 storey residential properties accessed from Ashlands. Whilst the two closest properties are detached, most dwellings on Ashlands are semi-detached. Opposite the site frontage is Hunters Mews, a row of 2 storey semi-detached dwellings circa 1990's.

THE APPLICATION SUBJECT OF THIS APPEAL

- 2.8 The application subject of this appeal was submitted on the 25th November, 2022 and was validated by the Council on 6th February, 2023. The proposed development was duly assessed by the Case Officer and relevant technical officers. The application was not EIA development.

2.9 The application was refused under the officer's delegated powers on 5th May, 2023. The Council issued a Refusal of Planning Permission in a notice of the same date. The decision was subject to seven reasons for refusal. The reasons for refusal state:

- 1. The proposed development would lead to the total loss of a non-designated heritage asset and its setting (35 Oakfield) which would have an adverse and irreversible impact on its significance and as such its demolition would result in unacceptable harm to the character and appearance to the surrounding area. On balance, the benefits of the scheme would not outweigh the severe harm that would be caused to this non-designated heritage asset, contrary to Policy R1 of the Trafford Core Strategy and paragraph 203 of the National Planning Policy Framework. The application also fails to avoid or minimise the conflict between the asset's conservation and the proposal, contrary to paragraph 195 of the National Planning Policy Framework.*
- 2. The proposal, by reason of its incoherent appearance, form, siting, height and layout, would introduce an uncharacteristic and visually inappropriate development which would cause significant and permanent harm to the character of the application site and to the wider street scene. It is wholly inconsistent with the policy objective of delivering well-designed places and fails to respond to the local context and historic character of the site and surrounding area. It is thus considered contrary to Policy L7 of the Trafford Core Strategy, SPG1: New Residential Development, the National Planning Policy Framework, and the National Design Guide.*
- 3. The proposed new vehicular access, car-parking area and the boundary fence to be sited on the north-east boundary of the site will result in the removal of established trees and soft landscaping which significantly contribute to visual amenity and the character of the site in lieu of hardsurfacing and inappropriate boundary treatment. In addition, due to the extent of the proposed development there are limited areas throughout the site for replacement tree planting and*

soft landscaping. As such the proposed works would be seriously detrimental to the visual amenity of the streetscene and the character of the area contrary to Policy L7 and R3 of the Trafford Core Strategy, the NPPF, and the National Design Guide.

- 4. The proposed development fails to provide appropriate quantity and quality of external amenity space, to the detriment of the living conditions and the health and wellbeing of future residents, resulting in a poor quality of residential accommodation. As such the proposal is contrary to Policy L7 of the Trafford Core Strategy, the NPPF and the National Design Guide.*
- 5. The proposed building by reason of its scale height and massing in close proximity to the common boundary with the adjoining property 41 Ashlands would give rise to undue overlooking from balconies and would have a visually intrusive and unduly overbearing impact to the detriment of the residential amenity that the adjoining occupants could reasonably expect to enjoy. As such the proposal is contrary to Policy L7 of the Trafford Core Strategy, the Council's adopted Supplementary Planning Guidance PG1: New Residential Development and the NPPF.*
- 6. The proposal would fail to provide the required affordable housing, and the submitted financial viability appraisal has not adequately demonstrated that the affordable housing contributions sought would make the scheme undeliverable on viability grounds. The development would not, therefore, contribute to affordable housing needs and would not support the creation of mixed and balanced communities. The proposal would therefore be significantly contrary to policies L2 and L8 of the Trafford Core Strategy (2012), the National Planning Policy Framework (2021), National Planning Practice Guidance and SPD1: Planning Obligations (2014).*
- 7 The applicant has failed to demonstrate that the proposed development can take place without any harm to the status of a protected species, namely Bats, having regard to the advice contained within Circular 06/2005 (Biodiversity and*

Geological Conservation). Bats are protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. In the absence of information to the contrary, the proposed development would conflict with the provisions of Policy R2 of the Trafford Core Strategy and advice contained within the NPPF and Circular 06/2005'.

RELEVANT SITE HISTORY

- 2.10 It is agreed that the site has not been subject to any applications that are relevant to the determination of the current proposal. In the interests of completeness, the site has been the subject of the following planning applications:

H00212 — Change of Use From Residential to Hotel & Erection of 3-Storey Hotel Extension Linked To Existing Building At Ground Floor Level (Total Of 20 Bed Spaces, Applicant's Living Accommodation).

Approved 8th August, 1974.

H10811 — Erection of 2-Storey Extension to Form 5 No. Service Suites, 2 No. Guest Bedrooms and Lounge

Refused 14th February, 1980.

H11922 — Erection of Extension to Form 2-Storey Apartment Suites (6 Units), Ground Floor Lounge and Covered Way

Approved 10th April, 1980.

H/58317 - Demolition of Existing Outbuilding and Erection of a Two Storey Rear Extension (Including Accommodation in a Semi-Basement) to Form 10 Service Apartments. Erection of a Detached Building with First Floor Bridge Link to Form Maintenance and Stores on the Ground Floor with an Office Over. Provision of 10 Additional Car Parking Spaces.

Approved 19th March, 2004.

RELEVANT POLICY GUIDANCE

National Planning Policy and Guidance

2.11 It is agreed that the following are the relevant policy/guidance considerations in respect of this appeal:

- The National Planning Policy Framework (NPPF) was last updated on the 5th September 2023. This document sets out the Government's objectives for the planning system.
- National Planning Practice Guidance (NPPG) (DCLG, as updated).

2.12 The following national guidance documents:

- National Design Guide
- National Model Design Code (2021)

LOCAL PLANNING POLICY AND GUIDANCE

Adopted

2.13 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan comprises the Trafford Local Plan: Core Strategy adopted January 2012 and the saved policies of the Revised Trafford Unitary Development Plan 2006. The site is not designated by any specific policies or allocations within the existing planning policy framework. Most of the UDP's policies are no longer operational and have been superseded by, amongst others, the Core Strategy.

Trafford Local Plan: Core Strategy

2.14 The following policies are agreed as relevant to the Appeal. The reasons for refusal identify all the policies where the Council allege there is conflict.

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

2.15 The following local guidance documents:

- Revised SPD1: Planning Obligations (2014)
- SPD3: Parking Standards and Design (2012)
- PG1: New Residential Development (2004)
- PG4: Residential care Homes and Nursing Homes for the Elderly (1991)
- Trafford Community Infrastructure Levy: Charging Schedule (2014)
- Trafford Housing Needs Assessment (2019)

Emerging

2.16 Emerging policy includes 'Places for Everyone'. This is a long-term joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once

adopted it will set out the sub-Regional Strategy that will set the policy framework for the preparation of the individual district local plans. The plan was submitted for examination on 14 February 2022. Independent Inspectors were appointed and examination hearings were held between 1 November 2022 and 5 July 2023. The Inspector's Main Modifications and additional modifications have been issued for consultation between 11 October 2023 and 6 December 2023.

2.17 Emerging guidance includes:

- Trafford Design Code – Consultation Draft

THIRD PARTY REPRESENTATIONS

2.18 A total of 6 representations (from 5 addresses) from 3rd parties were received by the Council setting out objections in response to the planning application. One letter was received from a resident referencing the loss of an old property, has no objection to improving the site but asks that the front boundary can be retained and any new building to be at the rear of the site. Comments of objection were also received from the Sale Civic Society.

ISSUES TO BE ADDRESSED

2.19 As set out in the Inspector's Case Management Conference note, the following issues need to be addressed:

- (i) The heritage value of 35 Oakfield and the effect of its demolition.
- (ii) The character and appearance of the area, including the scale and design of the proposed building and its effect on trees and landscaping.

- (iii) The living conditions of future occupants with regard to external amenity space.
- (iv) The living conditions of neighbouring occupants at 41 Ashlands with regard to privacy and visual dominance.
- (v) The viability of providing affordable housing.

AGREED DRAWING NUMBERS

2.20 The following drawings were those considered by the Council when it considered the application:

Drawing Reference	Drawing Name
NO-2860-3-AC-1001	Site Location Plan
NO-2860-3-AC-1002 Rev A	Site Plan
NO-2860-3-AC-1003	Site Plan with Roof
NO-2860-3-AC-1004	Floor Plans
NO-2860-3-AC-1005 Rev A	Elevations 1 of 2
NO-2860-3-AC-1006 Rev A	Elevations 2 of 2
NO-2860-3-AC-1007	Site Boundary Treatment
NO-2860--3-AC-1010	Shadow Study 01
NO-2860--3-AC-1011	Shadow Study 02
4268 101	Landscape Layout
4268 201	Planting Design
2000-KC-XX-YTREE-TCP01 RevA	Tree Constraints Plan
2000-KC-XX-YTREE-TPP01 Rev0	Tree Protection Plan
McC&S-OR-S-DEV-100-004 Rev C	Proposed Drainage Layout
NO-2860-3-AC-1002 Rev A	Site Plan
NO-2860-3-AC-1005 Rev A	Elevations 1 of 2
NO-2860-3-AC-1006 Rev A	Elevations 2 of 2
NE-2860-3-AC-400	Typical Sections
NO-2860-3-AC-0201	Existing Building, Basement Floor

NO-2860-3-AC-0202	Existing Building, Ground Floor
NO-2860-3-AC-0203	Existing Building, First Floor Plan
NO-2860-3-AC-0204	Existing Building, Second Floor Plan
NO-2860-3-AC-200	Existing Buildings - Site Images
270522JC-01	35 Oakfield, Sale - Site Survey
4400 Rev P2	Drainage Strategy General Arrangement
4000 Rev P1	Areas Plan General Arrangement
SK001 Rev P1	Existing Flow Routes

2.21 In addition, the following documents were also submitted in support of the application:

Document Name	Author	Date Submitted
Planning Statement	The Planning Bureau Ltd	25 th November, 2022
Design and Access Statement	Box Architects	25 th November, 2022
Method Statement for the Construction of the Proposed Site on Land at 35 Oakfield, Sale, Manchester, M33 6NB	McCarthy Stone	25 th November, 2022
Assessment of demand for a Retirement Living scheme of c25 units at 35 Oakfield Sale, Manchester, M33 6NB	Three Dragons	25 th November, 2022
Transport Statement	Transport Planning (York) Ltd	25 th November, 2022

Tree Survey and Impact Assessment	Keen Consultants	25th November, 2022
Tree Survey (updated)	Keen Consultants	29 th March, 2023
Preliminary Ecological Appraisal and Preliminary Roost Assessment Report	RSK Biocensus	25th November, 2022
Energy Statement	Focus Consultants	25th November, 2022
Financial Viability Assessment	Alder King	23 rd December, 2022
Phase 1 Geo-Environmental Site Assessment	e3P	25 th November, 2022
Phase II Site Investigation Report for a Proposed New Care Home at 35 Oakfield Road, Sale M33 6NB	Clancy Consulting Limited	23 rd March, 2023
Statement of Community Involvement	BECG	25 th November, 2022
Model Conditions Report	The Planning Bureau Ltd	25th November, 2022
Accommodation Schedule	The Planning Bureau Ltd	23rd December, 2022
Crime Impact Statement	Greater Manchester Police	23rd December, 2022
Statement of Heritage Significance	Beardmore Urban	2 nd March, 2023

<i>“Sustainable Living”</i> - How the ‘downsizing dividend’ can deliver a greener housing future	WPI Strategy	25th November, 2022
<i>“Healthier and Happier”</i> - An analysis of the fiscal and wellbeing benefits of building more homes for later living	WPI Strategy	25th November, 2022
<i>“Chain Reaction”</i> - The positive impact of specialist retirement housing on the generational divide and first time buyers	WPI Strategy	25th November, 2022
<i>“Silver Saviours for the High Street”</i> - How new Retirement properties create more local economic value and more local jobs than any other type of residential housing	WPI Strategy	25th November, 2022
Existing Run Off Rates (The Wallingford Procedure) 1 in 1 Year	Clancy Consulting	30 th January, 2023
Existing Run Off Rates (The Wallingford Procedure) 1 in 30 Year	Clancy Consulting	30 th January, 2023
Existing Run Off Rates (The Wallingford Procedure) 1 in 100 Year	Clancy Consulting	30 th January, 2023
Greenfield Runoff Rate Estimation for Sites	HR Wallingford	30 th January, 2023
Plane Infiltration System Design	Clancy Consulting	30 th January, 2023
Soakaway Maintenance Regime and Permeable Paving Maintenance Regime	Clancy Consulting	23 rd March, 2023
Surface Water Model Flow Calculations	Causeway/Clancy Consulting Ltd	30 th January, 2023
North West SuDS Pro-Forma	Completed by Clancy Consulting	6 th February, 2023

CONDITIONS

2.22 Attached to this Statement at Appendix 2 is a schedule of conditions in the event that the appeal is allowed. The schedule sets out the Council's proposed conditions together with the Appellant's comments upon them.

AGREED MATTERS

2.23 The following matters are agreed between the parties:-

1. It is agreed that the Appeal Site lies within a sustainable location given its proximity to shops, services and public transport opportunities. It is agreed that the proposals are locationally appropriate for the use proposed.
2. The Council cannot demonstrate a five year land supply of deliverable housing sites. The Council can only demonstrate 3.85 years supply of housing.
3. There is no dispute as to the existing and growing need for specialised housing for the elderly as noted in the PPG.
4. The occupancy of the proposed development could be appropriately controlled by means of a planning condition, to ensure its continued use as retirement housing for older people.
5. It is agreed that none of the appeal site buildings are listed nor is the site within a Conservation Area.
6. The appeal site does not contribute to the setting or significance of any designated heritage assets (listed buildings or conservation areas).
7. Trafford is included in the Greater Manchester Local Heritage List for The Local List Campaign funded by the Ministry of Housing, Communities & Local Government (MHCLG); the project is also supported by Historic England and managed by GMAAS & University of Salford.

8. There are no adverse highway issues arising from the proposal, the Local Highway Authority have not objected to the new vehicular access or the quantum of parking provision. The level of traffic likely to be generated from the proposal is not considered to be significant.
9. The site lies within Flood Zone 1 and it is accepted that there is unlikely to be any adverse impacts in terms of drainage arising from the development.
10. Following the receipt of the Bat Emergence Survey (July 2023) Greater Manchester Ecology Unit (GMEU) have considered the findings of the report on behalf of the Council and have raised no objections to the findings of the report including mitigation and compensation measures. Refusal Reason No.7 of planning ref:109745/FUL/22 would therefore not be defended by the Council on the basis of the findings of the updated report.
11. It is agreed in terms of residential amenity that the distances between and window relationships between the proposed building and Michael Court to the north are acceptable and do not have any undue impact upon the occupiers of either building.
12. It is agreed in terms of residential amenity that the distances between and window relationships between the proposed building and Number 1 Hunters Mews are acceptable and would not have any undue impact upon the residential amenity of the occupiers of 1 Hunters Mews.
13. It is agreed that there is a 2m high close boarded fence along the shared boundary between the 41 Ashlands and the appeal site.
14. It is agreed that the brick gable of 41 Ashlands has no windows directly overlooking the appeal site.
15. It is agreed that the integral balcony to unit number 22 at the 3rd floor provides sufficient distance to the shared boundary of 41 Ashlands to meet PG1 and is identified on the proposed floor plans.
16. It is agreed that a suitable privacy screen could be provided to the balcony of

unit number 16 to prevent a direct line of sight to the rear garden of no 41 Ashlands. It is also agreed that any future occupant would have to lean out around the screen to gain any view of the rear garden of no 41 Ashlands.

17. It is agreed that a suitable privacy screen could be provided to the balcony of units numbered 9 and 17 to prevent a direct line of sight to the front garden of no 41 Ashlands and it is agreed that any future occupant would have to lean out around the screen to gain any direct view of the front garden and driveway of no 41 Ashlands.

Signed



Chris Butt on behalf of McCarthy and Stone Retirement Lifestyles Ltd

Date: 17th November, 2023

Signed



Cormac McGowan on behalf of Trafford Council

Date: 17th November, 2023

APPENDIX 1

**STATEMENT OF COMMON GROUND
VIABILITY**

**35 Oakfield
SALE
M33 6NB**

PLANNING INSPECTORATE REFERENCE: APP/Q4245/W/23/3325034

LOCAL PLANNING AUTHORITY: TRAFFOR COUNCIL

PLANNING REFERENCE: 109745/FUL/22

30th OCTOBER 2023

1.0 INTRODUCTION

1.1 This document represents a Statement of Common Ground on viability matters relating to the planning inquiry to be held from 21 November (APP/Q4245/W/23/3325034) pursuant to proposals by McCarthy Stone (the 'Appellant') to redevelop 35 Oakfield Road, Sale M33 6ND ("the Site").

1.2 The sixth reason for refusal identified by Trafford Council is the failure to provide the required affordable housing:

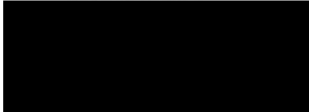
The proposal would fail to provide the required affordable housing, and the submitted financial viability appraisal has not adequately demonstrated that the affordable housing contributions sought would make the scheme undeliverable on viability grounds. The development would not, therefore, contribute to affordable housing needs and would not support the creation of mixed and balanced communities. The proposal would therefore be significantly contrary to policies L2 and L8 of the Trafford Core Strategy (2012), the National Planning Policy Framework (2021), National Planning Practice Guidance and SPD1: Planning Obligations (2014).

1.3 The purpose of this SoCG is to narrow the areas of disagreement between the parties on viability matters that make up the residual approach to the assessment. Where agreement has been reached the table below documents this in **bold**. Where matters are not agreed the table documents these items in **red**.

Input	Alder King (AK)	Continuum (C)	Agreed - Disputed
1. Gross Development Value			
1 Bed RL Apartment	£350,000	£350,000	Agreed
2 Bed RL Apartment	£480,000	£480,000	Agreed
1 Bed Affordable RL Apartment	n/a	£210,000	
2 Bed Affordable RL Apartment	n/a	£288,000	
Total GDV	£10,180,000	£8,520,000 (40% onsite scenario)	Disputed
2. Development Costs			
Core Build Cost	£3,889,904 (£1,671 per m ²)	£3,889,904 (£1,671 per m ²)	Agreed
Demolition	£98,670	£98,670	Agreed
External Costs	8% of Core Build Cost	8% of Core Build Cost	Agreed
Part L Uplift	£62,500	£62,500	Agreed
Contingency	3%	3%	Agreed
Professional Fees	8%	8%	Agreed
Sales & Marketing	5%	3%	Disputed
Legal Fee	£650 per unit	£650 per unit	Agreed
Empty Property Costs	£59,119	£Nil	Disputed
Pre-Construction:	4 Months	4 Months	Agreed
Construction:	12 Months	12 Months	Agreed
Sales Period:	18 Months	3 Months (40% onsite scenario)	Disputed
Finance Rate	7% Debit / 1% Credit	7% Debit / 1% Credit	Agreed
Finance Cost	£581,329	£249,411	
Development Market Profit	20% on GDV	18.5% on GDV	Disputed
Development Affordable Profit	n/a	6% on GDV	
3. Benchmark Land Value			
Existing Use Value	£1,500,000	£600,000 to £1,000,000 dependent on property's condition	Disputed
Premium (EUV+)	20%	NIL	Disputed
EUV+	£1,800,000	£600,000 to £1,000,000 dependent on property's condition	Disputed

2.0 Signatures

Signed on behalf of the Appellant ... 
29/10/2023

Signed on behalf of Trafford Council 
27/10/2023

APPENDIX 2

	Description	Condition wording	Appellant	LPA
1	Time Limit	The development must be begun not later than three years beginning with the date of this permission. The development must be begun not later than three years beginning with the date of this permission.	Agreed	
2	Approved Plans	The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, drawing numbers: - Drwg No: NO-2860-3-AC-1001 – Site Location Plan - Drwg No: NO-2860-3-AC-1002 Rev.A – Site Plan - Drwg No: NO-2860-3-AC-1003 – Site Plan with Roof - Drwg No: NO-2860-3-AC-1004 – Floor Plans - Drwg No: NO-2860-3-AC-1007 – Site Boundary Treatment - Drwg No: NO-2860-3-AC-1005 Rev.A – Elevations Sheet 1 of 2 - Drwg No: NO-2860-3-AC-1006 Rev A – Elevations Sheet 2 of 2	Agreed	
3	External Materials	Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and the building of sample panels on site. Development shall be carried out in accordance with the approved details.	Agreed	
4	Façade details	No above-ground construction works shall take place unless and until a detailed façade schedule for all elevations of the buildings (including sections and details at 1:20) has first been submitted to and approved in writing by the Local Planning Authority. The schedule shall be provided in tabulated form with cross referencing to submitted drawings, include the provision of further additional drawings and the building of sample panels on site as necessary and shall include: (i) Location of materials and brick detailing (ii) All fenestration details including recesses/window reveals (iii) All entrances into the buildings including doors and canopies	Not agreed – this condition is unnecessary and should be deleted	Detail required for stated external features not shown on plans

		<p>(iv) The means of dealing with rainwater and any necessary rainwater goods that may be visible on the external façade of the buildings</p> <p>(v) The position and type/design of any necessary soil and vent pipes that may be visible on the external façade of the buildings</p> <p>(vi) External balconies</p> <p>(vii) The siting of any external façade structures such as meter boxes</p> <p>(viii) Elevation details of lift overruns and plant enclosure</p> <p>(ix) Plans detailing the siting and design of the photovoltaic panels on the buildings</p> <p>(x) The siting and design of any fixed plant</p> <p>(xi) The siting, design and material/finish of any vents for mechanical ventilation</p> <p>Development shall proceed in accordance with the approved detailed façade schedule.</p>		
5	Tree Protection	<p>No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been protected in accordance with the tree protection measures set out in the KEEN Consultants Drawing Ref:2000-KC-XX-YTREE-TPP01 Rev.0 'Tree Protection Plan'. The protection measures shall be retained throughout the period of construction and no activity prohibited by the method statement shall take place within the exclusion zones / root protection areas identified on the 'Tree Protection Plan'.</p>	Agreed	
	Landscaping	<p>a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained, a scheme for the timing / phasing of implementation works, and details of the proposed pavilion and seating indicated on the approved drawings and any other structures proposed within the communal and private areas .</p>	<p>Parts (a) and (b) should be deleted and replaced with 'The hard and soft landscaping scheme shown on approved drawings 4268 101 and 4268 201 shall be implemented within the first planting</p>	<p>No details provided of timing/phasing No details of structures</p>

		<p>(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.</p> <p>(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.</p>	<p>season following occupation of the development'</p>	
7	Landscape Maintenance	<p>The development hereby approved shall not be occupied until a schedule of landscape maintenance for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.</p>	<p>Agreed</p>	
8	Boundary Treatment	<p>Notwithstanding the details on the approved plans, no part of the development shall be occupied until details of the type, siting, design and materials to be used in the construction of boundaries have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.</p>	<p>This should be deleted and replaced with "The boundary treatment shall be implemented in accordance with the details shown on drawing referenced NO-2860-3-AC-1007. The boundary treatment shall be completed prior to first occupation of the apartments hereby approved. The</p>	<p>Elements of boundary treatment not acceptable (i.e. high level fence extending to Oakfield boundary)</p> <p>Keep condition</p>

			development shall be carried out in accordance with the approved details and shall thereafter be retained”.	
9	Bird Nesting/vegetation clearance	No demolition shall occur at any time or vegetation clearance occur between the 1st March and 31st August in any year, unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to demolition and/or vegetation clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority, unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the Local Planning Authority. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.	Agreed	
10	CEMP	No development shall take place, including any works of demolition, until a Construction and Pre-Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the demolition/construction period. The CEMP shall address, but not be limited to, the following matters: a. Suitable hours of construction and pre-construction (including demolition) activity (see below) b. the parking of vehicles of site operatives and visitors (all within the site), c. loading and unloading of plant and materials (all within the site), including times of access/egress d. storage of plant and materials used in constructing the development e. the erection and maintenance of security hoardings f. wheel washing facilities	Agreed but query if (b) needs to state 'all within the site' given proximity of nearby public car parks.	Construction parking provision to be on site, no public car park nearby, workers would have to carry tools and pay for parking which is unlikely to appeal to them Keep condition

		<p>g. measures to control the emission of dust and dirt during demolition and construction and procedures to be adopted in response to complaints of fugitive dust emissions</p> <p>h. a scheme for recycling/disposing of waste resulting from demolition and construction works (prohibiting fires on site)</p> <p>i. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity (refer to BS5228)</p> <p>j. information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors</p> <p>k. information to be made available for members of the public</p> <p>l. nuisance complaints procedure</p> <p>The development shall be implemented in accordance with the approved CEMP.</p> <p>Acceptable site working hours are as follows:</p> <ul style="list-style-type: none"> • Monday - Friday: Start 7:30am (with a restriction on the hours of operation heavy plant and machinery and major demolition and construction works until 8:00am) and finish at 6pm. • Saturday: Start 9am and Finish at 1pm. • Sundays and Bank Holidays: No work permitted. 		
11	Drainage	<p>The drainage for the development hereby permitted shall only be carried out in accordance with the following plans and supporting information:-</p> <ul style="list-style-type: none"> • Drainage Strategy General Arrangement (Drwg No:4400 Rev.P2) • Drainage Calculations (Clancy Consulting Ltd 27/01/2023) • Phase II Site Investigation Report (Clancy Consulting December 2022 – Ref:10/2155/001 Rev.00) 	Agreed	
12	Drainage Maintenance and Management	<p>No above ground construction works shall take place until a Drainage Management and Maintenance Plan for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The Drainage Management and Maintenance Plan shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and</p>	Agreed	

		<p>maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved details.</p>		
13	Redundant vehicular crossovers	<p>Before the development hereby approved is first brought into use the two existing redundant vehicular crossovers to Oakfield shall be removed and the footway fully reinstated in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the provision of standard height footway kerbs and pedestrian dropped kerb tactile paving crossing on both sides of each of the proposed accesses. The new footway shall tie-in to the footway/crossover provision for the neighbouring properties, and any existing tactile crossings also reinstated. Development shall be carried out in accordance with the approved details and thereafter retained.</p>	Agreed	
14	Means of Access	<p>The development hereby permitted shall not be brought into use until the means of access and the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans hereby approved and the hard surface materials approved under Condition 6 of this permission, and shall be retained thereafter for their intended purpose.</p>	Agreed	
15	Cycle Parking	<p>No occupation or use of the building hereby permitted shall take place until such time as full details of the cycle parking and storage arrangements for the building, including the specification of stands/racks, have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be made fully available prior to the building being first brought into use and shall be retained thereafter for their intended purpose.</p>	Agreed	
16	Contamination	<p>Other than demolition of buildings and structures down to ground level and site clearance works, including tree felling, no development shall take place until an investigation and risk assessment in relation to</p>	Agreed	

		<p>contamination on site (in addition to the assessment provided with the planning application) has been submitted to and approved in writing by Local Planning Authority. The assessment shall investigate the nature and extent of any contamination across the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place other than the excluded works listed above. The submitted report shall include:</p> <ul style="list-style-type: none"> i) a survey of the extent, scale and nature of contamination; ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site; iv) a remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and v) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. <p>The development shall thereafter be carried out in full accordance with the approved remediation strategy and verification report before the first occupation of the development hereby approved.</p>		
17	Contamination Verification	<p>The development hereby approved shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall</p>	Agreed	

		also include any plan, where required (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.		
18	Fixed Plant Noise Levels	The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall be selected and/or acoustically treated to achieve a rating level of 5dB (LAeq) below the typical background (LA90) at the nearest noise sensitive location. Noise measurements and assessments shall be carried out in accordance with the latest published edition of BS 4142 ‘Rating industrial noise affecting mixed residential and industrial areas	Agreed	
19	Ventilation Strategy	No above ground development shall take place until a scheme detailing a ventilation strategy/mitigation schedule for the approved units of accommodation is submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter retained.	Agreed	
20	External Plant	Notwithstanding the details shown on the approved drawings, no external plant or machinery, lift overruns, extraction flues (including those for filtration of cooking odours), central heating vents, air conditioning units, other vents or other mechanical or engineering equipment shall be erected / installed on the building or within the site, unless a scheme has first been submitted to and approved in writing by the Local Planning Authority. The schemes shall include full details of the appearance of any equipment, manufacturer's operating instructions and a programme of equipment servicing and maintenance. Thereafter development shall proceed in accordance with the approved scheme and shall remain operational thereafter.	Agreed	
21	External Lighting	No external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting has first been submitted to and	Agreed	

		approved in writing by the Local Planning Authority. Thereafter the site shall only be lit in accordance with the approved scheme.		
22	Crime Impact Statement	The development hereby approved shall be designed and constructed in accordance with the recommendations and specification set out in sections 3 and 4 of the submitted Crime Impact Statement dated 07 December 2022, ref. 2022/0527/CIS/01, other than where this would conflict with any details shown on the approved drawings listed at Condition 2 of this permission, and the measures retained and maintained thereafter.	Agreed	
23	Waste Management Strategy	No above ground works shall take place until a Waste Management Strategy has first been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include full details of the bin storage areas, including the number, size and type of bins to be provided, and shall include accommodation for separate recycling receptacles for paper, glass, and cans in addition to other household waste, and shall detail how the refuse and recycling bins will be made available for collection on bin day and returned to their approved storage area thereafter. The approved bin stores shall be completed and made available for use prior to the first occupation of the development and shall be retained thereafter. The approved strategy shall be implemented and adhered to for the lifetime of the development.	Agreed	
24	EV Charge points	The development hereby approved shall not be occupied or brought into use until full details of the provision of (EV) charging points and other passive infrastructure for future use, have been submitted to and approved in writing by the Local Planning Authority. The EV charging facilities shall thereafter be installed in accordance with the approved details before the development is first occupied or brought into use and retained thereafter in working order.	Agreed	
25	Biodiversity Enhancement Measures	No above ground construction works shall take place unless a scheme of biodiversity enhancement measures as detailed at section 5.4 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment Report (RSK biocensus Project Ref:2484263 Rev 00	Agreed	

		October 2022) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) and shall be retained thereafter		
26	Low Carbon	No above ground construction works shall take place until a strategy for energy efficiency and low/zero carbon technologies for the development has been submitted to and approved in writing by the Local Planning Authority. This strategy shall demonstrate how carbon emissions shall be reduced having regard to the requirements of the Building Regulations Approved Document Part L. The approved strategy shall be implemented in full prior to first occupation of the development hereby permitted or in accordance with a phased approach that has first been submitted to and agreed in writing by the Local Planning Authority and shall be retained thereafter.	Agreed	
27	Balcony Screen Details	Prior to the first occupation of the development hereby approved details of a balcony screen (no higher than 1.8m) on the return flank section (south-west side) to the second floor apartment RL21SB 16 as detailed on Drawing ref: NO-2860-3-AC-1004 Floor Plans shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained.	Agreed	
28	Photographic Record	No development or works of site preparation, including demolition, shall take place until a detailed survey and photographic record in accordance with Level 4 of Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (2016) of the site's historic features, has been submitted to and agreed in writing by the Local Planning Authority, unless those works are required to give access to those features. A copy of the report shall also be deposited with the Greater Manchester Historic Environment Record and Trafford Local Studies Library.	Agreed	

29	Bats	Prior to demolition of building 1 as identified in the Bat Emergence Survey (July 2023) details of a Licence issued by Natural England authorising the demolition of building 1, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.	Agreed	
30	Age Occupancy Control	At no time shall the development hereby approved, be occupied by persons other than: i) a person aged 60 years or over; ii) a person aged 55 years or older living as part of a single household with a person identified in i); or iii) a person aged 55 years or older who were living as part of a single household with the person identified in i) who has since died.	Agreed	