



TOWN AND COUNTRY PLANNING ACT 1990

**Appeal by: McCarthy and Stone Retirement Lifestyles
Ltd**

Site: 35 Oakfield M33 6NB

LPA REFERENCE: 109745/FUL/22

PINS REFERENCE: APP/Q4245/W/23/3325034

**PROOF OF EVIDENCE OF SARAH LOWES ON BEHALF
OF THE LOCAL PLANNING AUTHORITY**

My name is Sarah Lowes and I am the Major Planning Projects Manager within the Planning and Development Service of Trafford Council. I have approaching eighteen years' experience in the field of town and country planning in the public sector. I have previously worked at one other UK Local Planning Authority. During the course of my professional career I have been involved in various aspects of town and country planning, including the assessment of planning applications and the handling of appeals. I have been in my present role and employed by Trafford Council since March 2016. I lead and manage the Major Planning Projects Team within the Development Management function.

I hold a Bachelor of Arts honours degree in Human Geography from Leeds Beckett University together with a RTPI accredited Masters Degree in Planning Policy and Practice from London South Bank University.

At this inquiry I am representing Trafford Borough Council. The evidence which I have prepared and provide for this public inquiry in this proof of evidence is true and I confirm that the opinions expressed are my true and professional opinions.

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1. PRELIMINARY MATTERS

- 1.1 This proof of evidence relates to the appeal by McCarthy and Stone Retirement Lifestyles Ltd against the refusal of planning permission by the Local Planning Authority (Trafford Council) of application ref. 109745/FUL/22 which proposes: *Demolition of existing buildings and erection of a part 3 storey part 4 storey building comprising 25no. retirement flats, closure of both existing vehicular accesses and formation of new vehicular access onto Oakfield with associated landscaping and car parking.*
- 1.2 This proof of evidence relates to reasons for refusal 2 (design) & 3 (Landscaping and Trees):
- Reason for Refusal 2 (RFR2):
The proposed development, by virtue of its design, scale, height, massing, siting and layout would result in a building which would be seriously detrimental to and out of keeping with the character of the area. As such the proposal does not represent good design and is contrary to Policy L7 of the Trafford Core Strategy, the NPPF, and the NDG.
 - Reason for Refusal 3 (RFR3):
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.

Scope of Evidence

- 1.3 This proof of evidence deals with issues of design and impact on the character and appearance of the site and wider street scene, including landscaping and loss of trees. This proof directly addresses specific concerns relating to the design of the development, its size and appearance, the loss of trees and the lack of soft landscaping and the impact on the character and visual amenity of the site and wider street scene. I will set out the Council's position on what it considers the context and character of the site and surrounding area to be and provide an assessment of the development against the development plan and other relevant material considerations in respect of these issues.

2. DESCRIPTION OF DEVELOPMENT

- 2.1 The proposed development comprises 25 retirement living apartments within a single, part three and part four storey block of development with communal facilities, car parking for 16 vehicles, and landscaping. The proposed development would be accessed via a new centralised access point from Oakfield.
- 2.2 The appeal is supported by a Design and Access Statement (CD-A7), proposed plans and elevations (CD-A23-40).
- 2.3 The appeal site is an irregular shape. It is broadly rectangular but with a southerly projection to the front of the site facing Oakfield and a small northerly projection towards the rear of the site.
- 2.4 The proposed building would present as four storeys to the front of the site reducing to three storeys to the rear.
- 2.5 The proposed building would have a grey tiled roof and be faced in red brick with render detailing on the upper floors on all elevations and one vertical element of the southern elevation. A soldier brick course detail at first floor level and artificial stone course between the second and third floors is also proposed. Windows and doors are white uPVC and typically have a soldier brick course header detail except where there is render. The full material details for the balconies have not been provided, other than the annotation of 'glass balustrading' on the plans. View 1 in the DAS (CD-A7), indicates that they would be a metal construction with glazed panels.
- 2.6 Additional works include the closure of both existing vehicular accesses and the formation of a new centralised access onto Oakfield with additional formalised car-parking spaces created along the front and south side of the site. It is proposed that this area would be tarmacked, in contrast to the current gravel driveway. The new access is proposed to be 9m wide punctuated by two 1.7m high brick piers. The existing access points and gaps within the boundary treatment are proposed to be in

filled to match the existing. The development would result in the loss of 16 trees which are protected by a Tree Preservation Order (TPO) (CD-F15).

3.0 PLANNING POLICY OVERVIEW

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is the Government's expression of planning policy and how this should be applied.
- 3.2 This Proof of Evidence will only address policies which are relevant to design, and green infrastructure, trees and landscaping.

The Statutory Development Plan

- 3.3 The Trafford Core Strategy (TCS) is the primary development plan document used to guide development over the plan period to 2026. It sets out the overall planning policy strategy for the area, describing the spatial direction, strategic objectives and core policies that have been adopted.

The Core Policies and Consistency with the NPPF

- 3.4 Policies L7 and R3 of the Trafford Core Strategy is the key policies of relevance to this development.
- 3.5 Policy L7 of the Core Strategy states:

In relation to matters of design, development must: be appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and, make appropriate provision for open space, where appropriate, in accordance with Policy R5 of this Plan.

- 3.6 Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution.
- 3.7 Policy R3 of the Core Strategy relates specifically to Green Infrastructure and seek to protect and enhance the boroughs green infrastructure network.
- 3.8 These policies are considered to be consistent with the NPPF and are considered up to date. Full weight should be afforded to them.

Emerging Places for Everyone Plan

- 3.9 The status of the Places for Everyone Plan is detailed within the proofs of evidence of Mr Cormac McGowan. The following policies are relevant to design, landscaping and trees and are considered to have substantial weight:
- Policy JP-H3: Type, Size and Design of New Housing.
 - Policy JP-H4: Density of New Housing
 - Policy JP-G2: Green Infrastructure Network
 - Policy JP-G7: Trees and Woodland
 - Policy JP-P1: Sustainable Places

National Planning Policy

- 3.10 NPPF, NPPG, the National Design Guide (NDG) and the National Model Design Code (NMDC) set out the Government's planning policies and guidance on matters of design. The NPPF at paragraph 126 makes clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The NDG and NMDC is considered to be a material consideration in the determination of planning applications and should be attributed significant weight.

4.0 THE NEW DESIGN AGENDA

The Government's Approach

- 4.1 The NPPF (CD-C1), since its introduction in 2012, has referred to the Government attaching great importance to the design of the built environment. However, in recent years – as the Government has sought to introduce reforms to the planning system – there has been a re-focussing on design quality.
- 4.2 In October 2019 the Government launched a National Design Guide (NDG) (CD-C3) along with an update to the PPG (CD-C2) in relation to design. This was the first national update to design guidance in nearly a decade. Then, in August 2020, the Government published its 'Planning for the Future' White Paper (CD-F18) which proposed a series of reforms to streamline and modernise the planning process, including bringing a new focus to design. These proposals followed the establishment of the Building Better, Building Beautiful Commission whose final report (Living with Beauty) (CD-F19) was published in January 2020. In his forward to the White Paper, the Secretary of State says: 'Our reformed system places a higher regard on quality, design and local vernacular than ever before'.
- 4.3 In July 2021 the Government announced further measures on design. It published a revised NPPF which, through text amendments, gives a clear indication of the Government's drive towards 'beauty' and improved design. It also provides strengthened wording to enable LPAs to reject poorly-designed developments. A National Model Design Code (CD-C4) was also published which contains detailed guidance on the production of design codes, design guides and policies to promote successful design. The document explains that a design code is a set of simple, concise and illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area. The Levelling up and Regeneration Act, which received Royal Assent on 27 October 2023, requires all Local Planning Authorities to produce a design code for their area.

- 4.4 The Government's wish for reform reflects wider concerns about the overall standard of design in new developments, including in relation to housebuilding. Research undertaken on behalf of the then Ministry for Housing, Communities and Local Government had identified declining design standards and low levels of satisfaction amongst new residents. Places Alliance (CD-F20), in its Housing Design Audit for England (January 2020), evaluated the design of 142 large-scale housing-led development projects across England against seventeen design considerations. Overwhelmingly the conclusions were that the design of new housing environments is 'mediocre' or 'poor.' The published report argued that the root cause of poor design resulted from the main stakeholders failing to prioritise the need for well-designed environments that maximise place-value.
- 4.5 Evidence indicates that the Government's emphasis on design is serving to increase the weight to be attached to design in planning decision-taking. Research released in April 2022, by the Bartlett School of Planning at University College London, found that councils were now three times more likely to successfully defend design refusals following the step change in national planning policy on the issue. Indeed, in Trafford, in a recent dismissed appeal decision (CD-F21) for a mixed use scheme involving 332 apartments, the appointed Inspector, attached 'substantial weight' to the harm caused by the proposed development conflicting with paragraphs 126 and 130 of the NPPF and the NDG. Paragraph 36 of the appeal decision (PINS ref. APP/Q4245/W/20/3258552) states that 'the development would not create a high quality, beautiful place that would function well, be visually attractive, sympathetic to local character, and add to the overall quality of the area over the development's lifetime.' A further appeal decision (CD-F22) for a development of 37 homes was dismissed on design grounds alone. In dismissing the appeal (written reps), the Inspector agreed at paragraph 20 (PINS ref. APP/Q4245/W/22/3293093) that the scheme constituted poor design and was harmful to the character and appearance of the area to which she afforded 'very substantial weight'.

The Trafford Approach

- 4.8 Consistent with the Government's agenda, high quality design has become paramount to planning decision-taking and plan-making in Trafford. It has been recognised that designing well, particularly in relation to housebuilding, creates better economic (as well as social and environmental) outcomes and that it should not be perceived as a barrier to investment. Design training has been provided to officers and Members (including monitoring/outcome tours), the Council's validation checklist for planning applications has been revised to request a much greater level of detail regarding each design proposed, scrutiny on matters of design is given at all stages of the planning process (including at pre-application stage), conditions and legal agreements have been used (where appropriate) to ensure that the original design intent of a scheme is maintained, and in certain cases applicants have been encouraged to seek scheme review by independent design panels.
- 4.9 The NPPF says local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide (CD-C3) and National Model Design Code (CD-C4), and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.
- 4.10 In September 2021 the Council made an application to the Government's Design Code Pathfinder Programme in order to receive a share of £3m funding to establish its own design code. In March 2022 it was confirmed that Trafford was one of 25 successful applicants; £160,000 was awarded to support the preparation of a design code. Over the last 18 months an in house team has worked closely with DLUHC to write and produce a borough wide design code for Trafford. This has culminated in the consultation draft Trafford Design Code (CD-D11). Trafford has been invited to remain on the now extended Pathfinder programme and is expected to receive a further £25,000 of DLUHC funding to assist with implementation of the Trafford Design Code.
- 4.11 The Code is intended as a further element of the Council's toolkit to successfully influence planning proposals in order to achieve design quality and has been written

to be consistent with the National Design Guide, and following the principles in the National Model Design Code (albeit it is acknowledged that the NMDC offers less in the way of guidance for coding at a Borough wide scale). The Code is written principally around delivering local context and landscape-led development. The Code acknowledges that many lessons can be learned from developments delivered in the Borough in the past, and therefore seeks to ensure that commonly recognised design concerns are not repeated. Typical concerns relate to maximising the development potential of a site to the point that a development appears cramped and out of character with the area. Insufficient regard is often paid to building footprint relative to site area, urban grain, landscape, car parking, amenity space, and outlook for occupiers. Applicants are expected to demonstrate how their design approach has been influenced by the surrounding context, including landscape, buildings, spaces, heritage and culture. The Code includes a guide for helping applicants to analyse and understand context appropriately with reference to: heritage, urban grain, siting, built form and profile, local architectural style, streetscape patterns, façade composition and roofscape, elevation and proportion, and landscape setting. It is about optimising the amount of development on the site, relative to its context, rather than maximising the quantum of development, with little respect for its surroundings.

- 4.12 An extensive public consultation exercise has been undertaken throughout the coding process, with feedback being generally supportive. Consultation on the draft Trafford Design Code (TDC) (CD-D11) closed on 25 September 2023. There were only 28 representations made. The Code is now considered to carry moderate weight in the determination of planning applications.
- 4.13 Trafford's Design Code is being held up as an exemplar of design coding. Trafford have (by invitation) participated in the first round of the Office for Place Pathfinder Masterclasses presenting the Code to over 100 Local Planning Authorities. Another round of Masterclasses will take place in November 2023. In addition the Council has also been invited to take part in Royal Town Planning Institute North West and West Midlands training events, and to contribute to Planning Advisory Service and DLUHC round table discussions. The Design Council also use the Trafford Design Code as a best practice case study on their website, including selecting Trafford to be one of just

three Pathfinder authorities featuring in a short film promoting best practice in design coding.

- 4.14 The TDC for Trafford seeks to push up design quality across the borough in accordance with the national agenda as detailed above. Development which does not meet these high design standards will no longer be acceptable and we have seen this is supported in numerous appeal decisions (CD-F 21-24) where poor design has been considered to attract significant weight and the appeal dismissed on design grounds. This is the context for all new development coming forward in the borough.

5.0 CONSIDERATION OF SITE CONTEXT AND CHARACTER

Introduction

- 5.1 NPF paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.
- 5.2 The Trafford Core Strategy sets out in Policy L7 that in relation to matters of design, development must: be appropriate in its context, and make best use of opportunities to improve the character and quality of an area. Policy JP-P1 of PFE sets the overarching design policy for Greater Manchester with the aim of becoming one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places.
- 5.3 The NDG sets out 10 characteristics of well-designed places, with context being the first of these. The NDG defines context as the location of the development and the attributes of its immediate, local and regional surroundings. It defines context as: 'the location of the development and the attributes of its immediate, local and regional surroundings.' A successful development responds positively to the features of the site itself and also beyond its boundaries.
- 5.4 Paragraphs 41 - 43 of the NDG (CD-C3) says that well-designed new development should understand and relate well to the site, its context, and respond well to the features of the site itself and the surrounding context beyond the site boundary. It should enhance positive qualities and improve negative ones. Those features include the existing built development, including its layout, form, scale, appearance, details, and materials, local character, and views inwards and outwards.

- 5.5 Paragraph 53 of the NDG says that well-designed new development is influenced by an appreciation and understanding of vernacular, including existing built form; the characteristics of the existing built form; the elements of a place or local places that make it distinctive; and other features of the context that are particular to the area. This includes: the height, scale, massing and relationships between buildings, views, vistas and landmarks, roofscapes; and the scale and proportions of buildings; façade design, such as the degree of symmetry, variety, the pattern and proportions of windows and doors, and their details; soft landscape, landscape setting and backdrop; light, shade, sunshine and shadows.
- 5.6 One of the 8 strategic design principles of the TDC (Consultation Draft) (CD-D11) is to 'Respond to Place' – this requires development proposals to demonstrate how the context of the site has informed and influenced the layout and appearance of the development. Another strategic principle 'Design with Character and Beauty' sets out that great design should always strive to improve the existing context. Trafford has a rich and varied architectural character which is particularly evident in this part of Sale.
- 5.7 The consultation draft TDC emphasises the requirements for developments to be landscape led with housing quantum being the output of a context appropriate layout. Applicants must demonstrate, based upon an understanding of the local context, that the development has a positive and coherent identity and can be positively integrated into its surroundings, reflecting and reinforcing the character of the area.
- 5.8 I will first set out what I consider to be the context and character of the area to be, drawing on the context of Oakfield, and immediate neighbours on Ashlands. My proof will then critically analyse the development in respect of this character and context, with regard to the national design policies. I will then turn to local policies, both adopted and emerging and with reference to the consultation draft of the TDC.

Review and assessment of character and context of the appeal site

5.9 This historic development of the site and surroundings will be discussed within the proof of evidence of Ms Elisabeth Lewis. This will set the historic context for the discussion within this proof.

The built form

5.10 The site is occupied by a substantial mid-19th century Victorian villa designed in a Domestic Revival style. The building comprises three storeys with partial cellar. The original plan form is regular with the principal (north) elevation fronting Oakfield and dominated by two gables which run north to south.

5.11 Villas and detached houses are a distinctive element of Trafford's historic environment and make a significant contribution to the Borough's character and sense of place. This is particularly evident in Sale, and the western side of Oakfield was historically lined with Victorian villas which were sited within spacious, well landscaped plots, as part of the formation of the original suburbs of Manchester. A number of these original villas remain including the application site.

5.12 To the south of the appeal site is Forest Park Preparatory School, which maintains its original building form. The building has been extended to accommodate the existing school use.

5.13 The eastern side of Oakfield was historically less developed with plans from 1908 (Appendix E fig.9 of Ms E Lewis proof of evidence) showing that the sites of the Salvation Army site, Guardian Court, Hunters Mews and 2 – 26 Oakfield were open land and undeveloped until their construction.

5.14 It is clear from a review of the site and wider area that existing developments are well sited within their plots (retaining space around the buildings and addressing the site frontage), which are well landscaped and retain a sense of spaciousness. It is

particularly noticeable that site frontages are dominated by robust landscape treatments and historic boundary treatment.

- 5.15 Victorian villas which remain in the vicinity of the site maintain a similar siting, height, scale and massing as No. 35 Oakfield at three storeys in height. Nos. 40, 50, 67 and 59-61 Oakfield are Victorian villas which remain (many have been extended and altered). 63-65 Oakfield appears to have been constructed in the late 1930s having been open land until this point. Redeveloped sites along Oakfield are generally three storeys in height, except for the adjacent Michael Court which ranges from three to a maximum of four storeys in height.
- 5.16 A number of plots on Oakfield have been developed or redeveloped, largely since the 1970s. None of them are considered to contribute to the character of the streetscene or the wider area in a positive way. That said, with the exception of Michael Court, all are a maximum of three storeys in height. I consider the developments at Millbrooke Court, Guardian Court, Rusland Court, and Michael Court to be insensitive to their context and setting, with unsympathetic and uninteresting building forms and associated surface car parks which dominate their sites to an excessive degree. In their defence, Millbrooke Court and Rusland Court do also provide dual aspect accommodation for their residents, and therefore allow for a slimmer footprint, which even with their not inconsiderable length / width results in buildings of far less bulk and a much reduced massing than the appeal building. Like Michael Court, and Guardian Court the appeal proposal would be 'double loaded', in that apartments are provided either side of a central internal corridor.
- 5.17 The adjacent Michael Court development directly adjoins the site and accommodates an existing McCarthy and Stone scheme. The building is large, with a maximum height of 4 storeys with development extending the full depth of the plot.
- 5.18 The appeal site backs on to 41 Ashlands, a two storey mid-20th century dwelling. Ashland runs parallel to the west of Oakfield. The eastern side elevation of 41 Ashlands faces the rear of the appeal site and is sited approx. 5.5m off the appeal site boundary.

5.19 Materials in the area are traditionally red brick with slate roofs. Detailing varies across properties but includes examples of planted timber, stone window surrounds, keystone and soldier brick detailing.

The urban grain

5.20 The application site and wider area is characterised by a pattern of development which has been defined by the historic context. The plots are clearly defined, and in some cases irregular. The built form (excluding later 20th and 21st century development) is set harmoniously within spacious surrounds with garden areas (front and rear), and mature and landscaped boundaries which create a verdant setting within the area.

5.21 A series of figure ground plans and aerial views are provided within Appendices 1-5. These show the immediate surrounding area, with the plots and built form outlined, to provide an overall understanding of the context and plan form of the application site and its surrounding context.

5.22 The neighbouring development Michael Court, stands apart from the surrounding development. Its built form dominates the plot, leaving little space for landscaping and garden areas and appears as an over development of the site. The unbroken form of development which extends the depth of the site is uncharacteristic of the local area.

5.23 Some of the other late-20th century developments are also out of keeping with the traditional context of the site and do not contribute positively towards the character of the area. This is generally as a result of their external appearance, larger and irregular building footprints, and the introduction of associated infrastructure such as car parks and substations. However, these redeveloped sites do benefit from some redeeming features such as their siting within their plots that retain a reasonable level of open space around the buildings and good landscaping, particularly to the front which screens buildings, and car parking, where applicable.

Landscaping and boundary treatment.

- 5.24 A blanket TPO covers the whole of the western side of Oakfield and part of Ashlands including No. 41 Ashlands to the rear of the appeal site. These mature trees form an integral part of the character and context of the streetscene. The area is largely green and verdant, and can be appreciated as having a character of buildings set back into the site, with glimpsed views of the built form behind the trees and landscaped and traditional boundary treatments.
- 5.25 The boundary treatments along the western side of Oakfield are, with the exception of 35 Oakfield and Michael Court, historic low level stone walls with planting behind. The eastern side of Oakfield is also dominated by a low stone wall boundary, between Washway Road and Hunters Mews. Between Hunters Mews and Ashton Lane, boundary treatments are typically just planted.
- 5.26 The boundary treatments of 35 Oakfield and the adjacent Michael Court are constructed from brick. The majority of the boundary treatment to 35 Oakfield, which includes stone copings, appears to be original except for the interventions to either end of the site to accommodate new / wider vehicular access points. These interventions, particularly the curved wall entrance feature to the north of are not typical of the character and appearance of the site or wider area. The boundary treatment to Michael Court is modern in appearance, with railing and piers (again not typical) and is a poor design response to the context of the site. Overall, it is considered that modern interventions to 35 Oakfield and all the boundary treatment at Michael Court detracts from the quality of the street scene of Oakfield.
- 5.27 Car parking is accommodated in a number of ways across the immediate area (along Oakfield). Where plots are occupied by single dwellings, small areas of hard landscaping are provided to the front of the plot. The larger developments such as the adjacent Michael Court, Rusland Court and Millbrooke Court, provide vehicle parking to the rear. Guardian Court does provide a large parking courtyard to the front of the site, however this is screened by a substantial landscaping buffer which varies in depth, and the provision of one access point to the southern end of the site further

aids the screening of vehicle parking on this site frontage. Overall the character of car parking within the immediate locality is, if located to the front of the site, hidden by extensive landscaping and mature planting, and boundary treatment or is to the rear and is not highly visible within the street scene.

- 5.28 The character and context of the site and its surrounds is that of large buildings set within spacious well landscaped plots and this is not disputed by the appellant. Buildings are generally 2 or 3 storeys, set well into the site and screened by extensive mature planting and trees forming substantial boundary treatments along the street frontage. The experience of Oakfield from the street is one of a leafy verdant suburb, offering glimpsed views of the buildings through the substantive green boundary treatments. A number of historic plots have been redeveloped, whilst these do not always respond positively to the context and character of the area, with the exception of Michael Court and to some extent Rusland Court, they sit well within the plots and follow the general pattern of development and retain a degree of spaciousness. They retain mature and extensive planted boundary treatment to the frontage.

The appellant's context review

- 5.29 Before I examine the appellant's approach to context, I would like to draw attention to what the NDG has to say on this matter: *'Well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance and details of the proposed development. It may draw its inspiration from the site, its surroundings or a wider context. It may also introduce new approaches to contrast with, or complement, its context. This 'story' will inform and address all ten characteristics. It is set out in a Design and Access Statement that accompanies a planning application'*. (NDG para 19)
- 5.30 The appellant's Design and Access Statement (DAS) includes review of context and an assessment of amenities within the wider surrounding area. Page 9 of the DAS outlines that the site is located near to a range of amenities including public transport links, a range of shops and leisure amenities. This includes a range of images of

buildings from the surrounding area. Page 10 then identifies the site as being located in a *'transition zone between commercial and residential areas'* and outlining that the site is set within a residential context where there is a varied mix of residential character before concluding (on page 14) that *'the overwhelming character of the site is one of substantial Victorian dwellings sat behind a tree lined street with brick boundary walls and railings prevailing.'* With the exception of the reference to railings, which are not part of the prevailing character of the area, I would agree that this is the defining character of the site and the wider street scene.

- 5.31 The appellant's main assessment of the site's character and context is included on pages 12 to 16 of the appellants DAS (CD-A7). This assessment provides a basic description of buildings and boundary treatments on surrounding sites.
- 5.32 In reference to paragraph 19 of the NDG, the appellant's Design and Access statement fails to express the 'story' for the design concept and how it has evolved following the context analysis. There is no explanation of how the design of the development has been arrived at or how the historic context of the site has influenced the proposals. Lip service is paid to the idea of a context analysis however this does not develop into anything further than a basic review of the site. The design concept is not expanded on nor is the 'story' told within any of drawings or supporting documentation.

6.0 DETAILED DESIGN ANALYSIS OF APPEAL SCHEME

- 6.1 The site is characterised by an existing Victorian villa set within spacious grounds. Extensive mature planting and trees are located within the site and form the boundary treatments along the street frontage, creating a verdant setting. I consider that the appeal scheme fails to respond to this character and results in harm to the visual amenity of site and wider street scene. The scheme, does not constitute a well-designed development which has been positively shaped by a commitment to 'context'. It is too big, in terms of footprint, height and scale, with an incoherent appearance and would appear out of keeping and over dominant within the street scene (RFR2). Consequently, the lack of space around the building, results in limited opportunities to provide soft landscaping and maintain the spacious nature of the site, failing to protect and enhance existing green infrastructure. The works to the access point and boundary treatment, including the loss of trees are considered to exacerbate this impact of this development (RFR3).
- 6.2 The overriding design philosophy of this development remains a typical design solution adopted by the appellant on many development sites across the country. There has been little indication of preparedness to depart from the standard model in order to create something distinctive for this location which responds appropriately to the character and context of the application site.
- 6.3 It is my view that the proposal is poorly designed and is a generic response to development by the appellant. The development is not context led, or developed following a detailed character analysis of the site, and is a simple exercise in maximising development on the site. Quantum should be an output of the design process, not an input. The development is as a consequence just too big with all the attendant harms that brings and is thus not an appropriate response to the site or its wider character and context, contrary to Core Strategy Policies L7 and R3, and emerging PfE policies and the NPPF, NDG and the TDC.

Pre-application engagement

- 6.4 The National Planning Practice Guidance (CD-C2) (para ID: 26-009-20191001) identifies the importance of pre-application advice in achieving well-designed places, whilst paragraph 20-001-20190315 outlines the benefits of pre-application engagement to applicants.
- 6.5 Section 7 of the appellant's Planning Statement (CD- A15) references pre-application discussions with the appellant compiling advice and consulting with the local community and interested bodies. The appellant did not at any time engaged with the Local Planning Authority to discuss the redevelopment of the appeal site. It is acknowledged that a pre-application request was submitted by the appellant and that this was unfortunately lost in the system due to an administrative error, however this was not followed up and the appellant submitted the planning application.
- 6.6 Officers on receipt of the application suggested that pre-application discussions take place, acknowledging the loss of the pre-application request. This was not taken up by the appellant. Following the refusal of the application and the receipt of the appeal, officers again offered to meet with the appellant to discuss the proposal however again this was not taken up by the appellant.

Design Response (RFR2)

Siting and Layout of the Development

- 6.7 The NDG paragraph 39 sets out that 'An understanding of the context, history and the cultural characteristics of a site, neighbourhood and region influences the location, siting and design of new developments. It means they are well grounded in their locality and more likely to be acceptable to existing communities.' Emphasis added

Siting

- 6.8 The appellant states within the application that the appeal site is previously developed land. The rear part of the appeal site is the private rear garden of the existing property

(35 Oakfield) and remains undeveloped. Private rear gardens as defined within the NPPF do not fall within the definition of previously developed land. It is important to make this distinction, and identify that the site is partly previously developed land and partly Greenfield land. This assists in an understanding the existing character of the site and its context.

- 6.9 The proposal would almost completely subsume the site including the existing rear garden area, resulting in the removal of all of the buildings on site and existing trees and established landscaping. The siting of the proposed building, extending 40m into the site and sited approx. 7m from the rear boundary of the site, has not been designed to reflect the existing open and greenfield character of this part of the site.
- 6.10 The appellant in their DAS (P17) (CD-A7), includes a site constraints plan following an analysis of the context of the site. The DAS states this analysis has informed the design of the scheme, including the siting, layout, scale, and height of the development. The plan shows the location of neighbouring properties and their uses, existing trees and root protection areas (RPA), the footprint of the existing building highlighting the constraints of the site. However this fails to identify that all trees within the site are protected by a TPO.
- 6.11 The D&A then includes an opportunities diagram (P18), which appears to ignore the highlighted constraints and the context analysis and suggests that the full extent of the site has potential for development. This is considered to demonstrate that little account has been taken of the existing context and character of the site and that the proposal seeks to maximise development opportunities on the site.
- 6.12 The submitted drawings show the front corner of proposed building sited 1.5m from the front north eastern boundary of the site. This allows barely enough room for a path along the side of the building, and insufficient room to allow for the retention of the oak tree (no.T18) which lies outside the site within Michael Court (the owner of the site is also the appellant) and is proposed to be removed. Further back within the site the separation distance between the boundary with Michael Court and the appeal scheme would increase slightly as the site widens along its northern boundary to a maximum of 8.2m at the north western corner. The rear of the building would sit between 6.5

and 7 metres from the western boundary of the site, facing the eastern elevation of 41 Ashlands. The existing building retains approximately 30m distance from the boundary with this residential property. The proposed building would sit 2.3m from the southern boundary at the rear corner of the building, increasing to 4m before the site opens out to the south where the community garden is proposed. At the front, the building retains a generous distance to the southern boundary, albeit this space is proposed to be dominated by the proposed car parking and hard surfacing.

- 6.13 The proposed development would comprise one single building, with an overall depth of approx. 40m (42m with balconies) and width ranging between 19 to 21 metres. The appeal proposal would have a footprint of 744m² (including balconies). This compares to the existing building's depth of 11.4m, extending to 19.7m with the outrigger, and a width of 12.2m to the main building and 7m for the outrigger. The combined footprint of the existing development on site is approx. 400m². The proposed development would result in an approximately 70% increase in site coverage. The proposed building can therefore be said to be more than twice the depth of the existing building and more than two thirds wider at the front, and over two and a half times as wide at the back as the existing building.

	Existing Building	Proposed Development
Depth	19.7m	40m
Width	7-12.2m	19-21m
Height	2 and 3 storey	3 and 4 storey
Footprint	400m ²	744m ²

Table 1: Dimensions - existing building vs proposed development

- 6.14 The existing building is large but sits comfortably in its plot with a generous garden, characteristic of other properties on the northern half of Oakfield and Ashlands (with the notable exception of Michael Court). I consider that the appeal scheme in terms of footprint and siting will dominate the application site and appear out of character with other properties in the immediate area, again with the notable exception of Michael Court.

Layout

- 6.15 The layout of the site results in the appeal scheme sitting within the centre of the site and occupying a large proportion of the plot with built development in terms of its footprint and site area coverage in stark contrast to the surrounding sites.
- 6.16 An analysis of the figure ground plans included at Appendix 1-5 demonstrate that the footprint of Michael Court at 30% plot coverage of built form (excluding hard surfacing and car parking) is at odds with the urban grain and prevailing pattern of development within the immediate area. A review of other large building forms along Oakfield (see table 2) demonstrates that the existing developments along Oakfield do typically have much lower plots coverage than Michael Court and the appeal development (34.4% plot coverage) :

Site (including outbuildings)	Building footprint	Site area	Plot coverage
Appeal site proposed	729	2156	34%
Michael Court	1040	3455	30%
Forest Park Preparatory School	553	2119	26%
Guardian Court	818	3540	23%
Appeal site existing	411	2170	19%
Rusland Court	344	2149	16%
No. 50 Oakfield	184	1358	13.5%
No. 67 Oakfield	198	1662	12%

Table 2: Plot coverage

- 6.17 Looking at the urban grain it is clear that the appeal scheme does not provide a contextually appropriate response. The proposed development would occupy 34.4% of the plot, in contrast with existing development ranging between 12 and 23%, excluding Michael Court which is not considered to be contextually appropriate. The established character and spacious nature of development plots with buildings set within landscape grounds would be compromised by the appeal scheme. The appeal proposals are an overdevelopment of the site to the detriment of the character of the existing site and wider area.

- 6.18 The location of the proposed building and the communal garden area appear to stem from the desire to maximise the amount of built form on the site and to meet the functional requirement of the appellant. The amenity spaces and gardens appear as the areas left over outside the footprint of the development, rather than well-designed garden and amenity areas for future occupiers...
- 6.19 One of the 8 strategic principles of the TDC is 'Leading with Landscape'. This approach requires development not to be quantum led but informed by landscape led placemaking principles i.e. consider the space and places where buildings could sit and then design a building to sit well within those spaces. The appeal scheme has not been designed using this approach. The proposal appear to maximise the amount of building form within the site, with the resultant development appearing over dominant and cramped within the plot. The quality and quantity of the amenity areas for future occupiers are also compromised, this is explored further in Mr McGowan's Proof of Evidence.
- 6.20 To the front, the development would be sited further into the site than the existing building. The existing building is sited 11m from the front boundary with the proposed to be sited 15m away. This is to allow for the formation of additional hard surfacing for car parking. This would result in the front of the site being dominated by hard landscaping in the form of tarmac (in contrast to the existing gravel). This would be further exacerbated by the proposed relocated and widened access point and loss of trees making this part of the site more visible within the streetscene. I conclude this results in harm to the detriment of the character of the application site and wider streetscene on Oakfield.
- 6.21 The combination of the siting and layout of the proposed built footprint, proposed hard landscaping and limited soft landscaping would result in the development failing to respond to the character of the local area, resulting in undue harm to visual amenity of the site and the wider street scene and is contrary to Core Strategy L7, the NPPF, NDG and the Consultation Draft of the TDC.

Scale, Massing (form) and Height

Form and Massing

- 6.22 The NDG sets out that the form of a building is defined by its three-dimensional shape and modelling of the building and the spaces it defines. It covers the size and shape in plan of the building and its resultant height, bulk and massing.
- 6.23 The footprint of the building, which I consider to be too wide and deep for the site, in combination with its height, dictates the bulk, scale and massing of the building. The result is a building form that dominates its site to such an extent that it has no precedent in this context. It does not represent a suitable form of development for this site. It fails to respond sensitively to the surrounding largely two to three storey development within the context of the site.
- 6.24 The form of the appeal building appears to have been dictated by the appellant's desire to maximise the development potential of the site by pushing the footprint of the building as close to each boundary as possible, with scant regard to the spaciousness of the site and its surroundings, and then doing likewise with the height. This approach is at odds with the government's renewed emphasis on delivering well-designed, context appropriate development and in Trafford's case both context appropriate and landscape-led development. Paragraph 66 of the NDG says that built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context.
- 6.25 The form of the building pays scant regard to that of the more attractive buildings that sit within its context. The large single footprint and height of the building and its resultant massing makes delivering an attractive form extremely difficult. The result is a large rectangular structure with minor modelling tweaks which deliver a seemingly random collection of projections, gables and bolt-on balconies, resulting in an incoherent overall form. This incoherence is immediately evident on all the proposed elevational drawings.

Scale

- 6.26 The NDG (CD-C3) defines scale as the height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced.
- 6.27 I have demonstrated how I consider the proposed footprint of building to be too large for the site and in its context. In this sense the development can also be said to be out of scale with its surroundings. Not only do I consider the scale results in a building which will look too large for its site, but it also means that there is very little room left for usable garden space or soft planting to break up the extensive built form and hard-surfaced car park. The building and its proximity to the site boundaries and retained trees, within and outside the site, will mean that what open space is left on the site will feel cramped and overshadowed by those that experience it. This issue is covered in more detail in Mr McGowan's evidence.
- 6.28 The appellant has made no serious attempt to reduce the mass or scale of the building to enable it to sit more comfortably within the site or wider context. This is particularly the case when comparing it to the original villas on Oakfield, or even in the way that Michael Court has sought to deliver a building that, from some vantage points, can be read as two separate buildings on the site. The depth of the building in combination with its height results in a scale which is unprecedented within the surrounding area.

Height

- 6.29 The appeal building presents four storeys of accommodation across the whole of its front elevation. The height of the building can be considered having regard to the side elevation drawings (CD-A27/A28), where the roof form has three distinct sections. At the front of the site, the building is four storeys (14.8m height) for a depth of 19m (on the southern 'wing' of the rear projection) and four storeys for a depth of 23m (on the

northern 'wing' of the rear projection), before dropping to 3 storeys (13m height) for the next 12m (southern 'wing') and 9m (northern 'wing'). The final section of the building which (varies between 7.5m and 9.6m depth), where the third floor sits partially within the roof, is 11.5m in height.

- 6.30 No other buildings along this stretch of Oakfield present four storeys of accommodation to the road, other than Michael Court, which itself drops to three storeys towards its north western boundary. On the submitted elevation drawings the highest part of the appeal building appears not dissimilar to the height of Michael Court, and only slightly higher than Forest Park Preparatory School. However, the fact that the building retains this height across the whole of its front elevation, and for a significant way into the site means that the building will appear significantly bigger and dominant in its surroundings than other buildings on Oakfield. For these reasons I therefore consider the height of the building will appear out of character with other buildings on the road.
- 6.31 I have set out how I consider the form of the building is incoherent as a result of the building footprint, siting and layout, I believe this has resulted in a scheme which has been designed to maximise the development potential of the site without due regard to the character and context of the site and to well established design principles, including those set out in the NDG and the TDC. The height scale and mass are considered to be inappropriate to the application site and harmful to the character of the area. The development would fail to comply with Policy L7 of the Core Strategy and emerging PfE Policy JP-P1, and with the extensive design guidance set out in national policy in the NPPF, NPPG and NDG.

Density

- 6.32 Paragraph 66 of the NDG says that built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The appropriate density will result from the context, accessibility, the proposed building types, form and character of the development [and not the other way around].

- 6.33 Policy JP-H4 of the emerging PfE states that new housing development should be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design.
- 6.34 Policy JP-H4 makes clear however, that lower densities may be acceptable where they can be clearly justified by: 1. Local housing market issues, such as a demonstrable need for a particular type of housing that cannot be delivered at a higher density; or 2. Site-specific issues, such as the design context and any potential impact on the wider landscape or townscape including heritage assets and green infrastructure.
- 6.35 The site falls within Greater Manchester Accessibility Level (GMAL) 6, the policy therefore suggests a minimum density of 50 dph. The proposal would result in a density of 116dph, which significantly exceeds this minimum. The policies suggests that lower densities maybe acceptable where they can be clearly justified by site specific issues like design context and any potential impact on wider landscape and townscape including heritage and green infrastructure. This is considered to be the case here, clearly the development proposal are out of keeping with the local context and considerably exceed the site coverage compared to other similar sites within the area, significantly impacting on green infrastructure and heritage. The amount of development is considered too much for this site, and the proposals fail to take account of or respond appropriately to the site specific local character and context, failing to comply therefore with Policy JP-H4 of the Emerging PfE plan and Policy L7 of the Core Strategy.

Appearance/materials

- 6.36 'Appearance' is defined in the NDG as the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials,

decoration, lighting, colour and texture. I consider appearance also extends to the proportions of a building and its constituent parts.

- 6.37 The visual impression of the proposed building will be one that does not relate well to its surroundings. I have illustrated that the building will look overly large, particularly in terms of its depth and intrusion into the rear garden. The design appears incoherent, unwieldy and contrived, reading as a series of disparate parts, resembling overly large extensions to an original main building. Notwithstanding the element of contrived modelling that has been introduced, the elevations will look flat, exacerbated by the fact that there is very little detailing proposed to add interest to the building.
- 6.38 The front (east) (CD-A27) elevation adopts a single consistent building line across its full width and includes four storeys of accommodation. At ground floor the building does little to create an attractive, active frontage to the street. The frontage incorporates a central entrance feature with buff cast stone surround which projects marginally from the main elevation, with patio style doors. This does little to make an attractive, inviting or legible entrance feature and does not relate well to the other openings on this elevation and not reflective of other entrances within the local area which define their front elevations.
- 6.39 Other openings at ground floor on the front elevation include: a scooter store door and fire escape door, both of which adopt different proportions and do not align with the openings on the floor above; two windows which are consistent in proportion and size, one to the entrance area and one to a guest suite; and refuse store door, the appearance of which isn't defined on the elevational drawings but seems likely to be a solid timber door or similar. Only three of the six openings therefore provide an active frontage. The disposition of these features does little to create a coherent and attractive ground floor elevation, failing to activate this main ground floor frontage and impacting on the success of this elevation.
- 6.40 The front elevation (CD-A27) includes two bolt-on external balcony structures of different widths at each side of the elevation. These have not been designed as an integral part of the overall building design and are a similar generic style to many other

developments by the appellant. They add to the overall contrived appearance and general incoherence present in this elevation. The principal façade is flat and featureless with the exception of bolt on style balconies and a projecting canopy.

- 6.41 Fenestration across this elevation is inconsistent and does little to create a coherent appearance. The elevation features patio doors, and both low sill height windows and high sill height windows on the first and second floors. The third floor includes six openings, only two of which are the same, with two openings to the right-hand side of the elevation set within dormer windows.
- 6.42 The building is considerably wider than the existing building on site. It can be read from the front (east) as a 'main' elevation (the left hand side), with an 'extension' (to the right), the eaves and ridge to which are lower than those to the main elevation. This is all despite the two parts of the elevation sitting on the same plane. In what appears to be an attempt to 'add interest' to the roof form, the roof pitch to the right hand side is delivered as an asymmetrical pitch whilst the main ridge appears symmetrical. Two dormer windows are incorporated into the right hand side whilst a gable is introduced on the main part of the elevation to the left. The two dormers are of a different height and width sitting in close proximity to each other, which presents an awkward arrangement. The result is a contrived design and a cluttered and incoherent appearance, which fails to provide interest and character in the principal elevation of the proposed building.
- 6.43 The rear elevation (west) (CD-A28) of the building is essentially a blank brick and rendered double gabled elevation. It incorporates two opening vents in a white frame. The 'wider' rear elevation incorporates two further sets of rendered double gables, interspersed with and beyond which are a series of ridge lines. Three windows are evident towards the rear of the front part of the building on the left hand side of the elevation drawing, whilst bolt-on balconies project either side of the rear elevation. This elevation provides no contribution or interest to those that might reside within the appeal site. However, it is likely to be visible, in part at least, from the wider area, notably from properties on Ashlands. This elevation could quite reasonably be described as contrived, (particularly in terms of its roof form), incoherent, unrelenting,

monolithic, overbearing, and unwieldy. Its impact on the residential amenity of 41 Ashlands will be discussed within the Proof of Evidence of Mr Cormac McGowan.

- 6.44 The northern side elevation (CD-A28) includes two prominent blank brick and render gables (in close proximity to the side boundary). The elevation then presents a series of three pitched roof slopes and ridge lines, stepping down in height towards the rear of the site. The fenestration pattern is reasonably well ordered with a combination of windows and doors. Three sets of bolt-on balcony structures serve rooms from the first to the third floor, but again do not appear as an integral part of the overall design. The lowest element of the roof includes two pitched roof dormer windows, which because of their difference in width and height, and their overly close proximity to each other, present an awkward and contrived arrangement.
- 6.45 When considered as a whole, the northern side elevation appears overly long for a single building, unwieldy and contrived. It reads as series of disparate parts, resembling a series of overly large extensions to an original main building.
- 6.46 Within the southern elevation (CD-A27) the 'main' part of the building, closest to and fronting Oakfield is poor in the extreme. The building includes a main ridge running north south, and includes two projecting gables. The gables sit in extremely close proximity to each other towards the front of the building, whilst they both differ in their projection, width and height. However, both gables appear too tall for the elevation they sit against, whilst their proportions are unattractive. One gable has a set of balconies and roof terrace attached whilst the other does not. The disposition and proportion of the fenestration within the gables (and the absence of windows to the ground floor of the one closest to Oakfield) adds further to this incongruous appearance. The materiality of the two gables also differs markedly in terms of the use of render and brickwork it is considered to be a clumsy, contrived arrangement with no thought given to the external appearance of the building. There is little relief to the side elevations resulting in a large unrelenting mass which is poorly detailed with incoherent window layouts, dimensions and designs.

- 6.47 The central and rear part of the south side elevation (CD-A27) present two contrasting design approaches which both differ from the front part. Again, there is no coherence between the elements introduced in these elevations: a cat-slide roof on one, a further projecting balcony that again does not read as an integral part of the overall design, and three dormers, one of which differs in size and proportion to the other two.
- 6.48 The fenestration across the south elevation as a whole is inconsistent and adds to the overall incoherency in the design approach. The appeal scheme is poorly articulated.
- 6.49 There is very little detailing proposed on the building, there is only one string course and one band course proposed. Around windows, there is only a brick header proposed, with no sill or other detailing proposed (similar to Michael Court) – this makes the elevations look flat and uninteresting.
- 6.50 There is nothing wrong with the main material palette per se (red brick and elements of render), with artificial (cast) stone detailing. However, it is not delivered in a traditional way for the area, nor in a manner that sits well on the building, too much render and in the wrong locations. On both side elevations, and the rear the use of render in close proximity to large mature trees has potential for weathering and staining. There is no detail proposed such as planted timber, which features on other buildings within the local area, whilst as a result of the proportions of the building, the rendered top floor across the building adds to its disparate, contrived appearance.
- 6.51 The roof form of the appeal scheme is contrived. The roof is exceptionally dominating through the length of the site reducing in height from 14.9 m to 10.6m along a length of 40m. Due to the sheer scale of the roof it is not possible to clearly describe the roof as it comprises a mix of dual pitch roofs, gables and dormers. The rear elevation is a diminishing cascade of two dual pitch roof forms.
- 6.52 The roof design attempts to reflect the roof profile of surrounding development with the integration of gable details, but fails to deliver a convincing scheme with the pitches of the gable ends being inconsistent with each other and at odds with the traditional roof pitch profile of existing villas along Oakfield.

- 6.53 Overall the appearance of the development is considered to be contrived and incoherent with elevations poorly articulated and lacking in detailing. The development fails to take account of the existing character and context of the site and surrounding area and would result in harm to visual amenity and the character of the site and surrounding street scene.
- 6.54 There is no consistent rhythm to the appearance of the appeal scheme and the scheme fails to deliver balanced proportions on any elevation. Particularly the front elevation which provides no interest or characterful features to define the principal elevation of the proposal. In particular the entrance to the building should be a defining feature, this is not the case, and the entrance is not legible and is lost in the otherwise incoherent elevation treatment.
- 6.55 The NPPF and NDG require development to be well-designed, taking account of guidance in those documents. The TDC is the local response to what good design should look like in Trafford as will be required for every authority to produce in time now the Levelling up and Regeneration Act has received Royal Assent. It has been demonstrated that the development in terms of siting, scale, height, massing and appearance is an overdevelopment of the site, harmful to visual amenity and is out of keeping with the character of the local area failing to respond appropriately to the context of the site. The development is considered to fail to reflect local design policies / guidance and government guidance and policy on design, and the appeal should be dismissed in accordance with paragraph 134 of the National Planning Policy Framework.

Landscaping, trees and boundary treatment (RFR3)

Loss of trees

- 6.56 Paragraph 131 of the NPPF states trees make an important contribution to the character and quality of urban environments. Planning Policies and decisions should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in development, that appropriate measures are in place to secure the long

term maintenance of newly planted trees and that existing trees are retained wherever possible.

- 6.57 Policy JP-G2 of the emerging PfE plan states that development, wherever practicable, should take opportunities to integrate new and existing green infrastructure into new development to protect, enhance and expand the green infrastructure network. Where new or improved green infrastructure is delivered as part of a development, the developer should make appropriate provision for its long-term management and maintenance.
- 6.58 The consultation draft TDC (CD-D11) emphasises and advocates the use of landscape led design in the development of sites, guiding designers to integrate existing, and incorporate new natural features into a multifunctional network that supports quality of place, biodiversity and water management, and addresses climate change mitigation and resilience. This approach suggests that the spaces and places created by a development, should be considered and developed first and the proposed buildings designed around and into these spaces. With specific codes around the protection of existing landscaping and the planting of trees to a ratio of 1 tree per apartment.
- 6.59 The trees within the application site are protected by a blanket TPO which covers the whole western side of Oakfield and part of Ashlands.
- 6.60 The original planning submission included a Tree Survey which did not identify that a blanket TPO covered the site and wider area. An amended tree survey was submitted, following advice from Council Officers. The trees within the site include two category B trees, T17 beech and T31 sycamore. All other trees within the site are within category C or U. The existing trees positively contribute and are a fundamental part of the character of the appeal site and wider streetscene along Oakfield.
- 6.61 The proposal would include the felling of 16 trees or groups of trees, along with the removal of other planting and shrubs within the site. T31 a mature Sycamore tree (category B) which holds significant amenity value within the street scene will be lost

on the front boundary along with a number of other category C trees within this location including a row of Holly trees. Whilst their individual arboricultural value is considered to be at the lower end of the scale, their value in the street scene as part of the character of the area and for visual amenity generally is considered to be significant. The proposed landscaping scheme includes the planting of 9 new trees, three medium size ornamental trees and six small trees – supplemented by other ornamental, hedge and shrub planting.

- 6.62 Policy JP-G7 of the emerging PfE plan seeks to considerably increase the provision of street trees within urban areas. At point 12: Where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision.
- 6.63 The proposal would result in an overall net loss of 7 trees on the site, with the mitigation and replacement planting failing to compensate the loss appropriately. The mitigation would not replace the trees on a like for like basis in terms of numbers and size. This loss of trees and green infrastructure within the site is detrimental to the character and appearance of the site and surrounding area, and to the existing green infrastructure network contrary to policies L7 and R3 of the Core Strategy, Policy JP-G7 of the emerging PfE and the Consultation Draft of the TDC.

Poor levels of replacement Landscaping

- 6.64 The existing site is characterised by its spacious setting and soft landscaping to the front and side boundaries.
- 6.65 The proposed development would result in removal of soft landscaping across much of the site, with the development proposal extending significantly into the existing garden area. The building as proposed is positioned too tightly to the boundaries of the site, limiting the amount of soft landscaping which can be introduced by the proposal. The site frontage would be dominated by tarmac to accommodate parking

and a new access point. Views to the car parking area would be opened up as a result of the relocated and widen central access/egress point, contrary to the identified context and character of the site and surrounding area.

- 6.66 The proposed landscaping scheme does not propose any planting or soft landscaping along the north eastern part of the boundary of the site due to the close proximity of the building to the boundary (1.5m separation distance). There is simply not enough space to accommodate a footpath and landscaping. This is considered contrary to the landscape led approach advocated by the TDC.
- 6.67 The proposal includes hedging with a depth of 0.7m between the car park and communal garden. There is a landscape buffer proposed to the rear of the site proposed between 1.5 and 4 metres depth between the rear fence line and a footpath around the site.
- 6.68 The landscape plan shows as existing an 1800mm timber fence along the northern boundary of the site adjoining Michael Court, and suggests that this will be retained as part of the proposals. This is not a correct representation of the existing site and any visit to the site would clearly demonstrate that this boundary is partly landscaped and partly a brick wall with landscaping. The proposal for this boundary would not benefit from any soft landscaping given the lack of space between the building and the boundary.
- 6.69 The limited landscaping scheme (CD- A35) further demonstrates that the footprint of the building is too large for the site as there is insufficient space within the site for appropriate mitigation planting. This has a resultant impact on the quality and quantity of amenity space for future residents. This is explored further in the proof of evidence of Mr Cormac McGowan.

Access and Boundary Treatment

- 6.70 The proposal seeks to reconfigure the entrance to the site from two access/egress points to the north and south of the site to one, wider (9m), more centrally located

access/egress point. Historically, there was one access and egress point to the north of the site. This was consistent with many of the plots along Oakfield, which maintained this configuration and this is a clear characteristic of the character and appearance of the site and surrounding area.

- 6.71 At some point during the 20th century an additional access/egress point was added to the south of the plot. The proposed new access/egress point and would result in the loss of trees, as detailed above. These works would be done in association with laying out a more formalised and larger area of parking with a tarmac finish.
- 6.72 The relocation and widening of the access point would open up views into the site, with the frontage car parking proposed to be resurfaced in tarmac. This would detract from the character of the site and wider area. Whilst the adjacent Michael Court is surfaced with tarmac, the site threshold is broken up with paving materials.
- 6.73 It is noted that the appellants DAS (CD-A7) states that *“There are several existing trees to the site perimeter and within the site which will require inspection and categorisation, the design will be informed by the retention strategy and root protection zones.”* The initial proposal in the DAS (pg 23) outlines that the intention was to rationalise the entrance to create a single point of access whilst maintaining the tree frontage to Oakfield, with a drawing indicating the retention of T31.
- 6.74 It is not understood what benefit there is through the relocation of the existing access point, particularly as it results in the removal of T31 and other trees and planting. This does not appear to have been justified in the appellant’s application package. It is not considered that the proposed alterations to the access are necessary or appropriate in terms of layout, appearance, impact on historic boundary treatments, trees and landscaping, and increased views into the site.
- 6.75 The proposed vehicle parking area to the front of the site would result in the loss of existing landscaping at the front of the site. The parking is currently arranged in an echelon style layout. This layout allows for landscaping to be providing whilst maximising the number of cars that can be accommodated in a constrained area and

provide an appropriate level of screening to the street. At present the depth of the landscaping buffer varies between 1.4 to 3 metres along the bulk of the frontage and is made up of a range of shrubs and trees. The appeal scheme would reduce this existing landscape to a depth of 1.2 metres along 13 metres of frontage running from the southern end of the proposed new entrance to the edge of the site. This reduction in depth will result in cars becoming a dominant feature along this site frontage, which is detrimental to the character of the area and street scene.

- 6.76 The appeal scheme also proposes the introduction of 1.7 metre high brick piers either side of the relocated entrance. This is considered to be out of keeping with the local area in terms of height, design and materials. Whilst the use of red brick is acceptable, the use of concrete copings is poor and natural materials such as stone should be used.
- 6.77 The landscaping and space left around the proposed building are considered to be limited and of poor quality. The loss of trees would have a detrimental impact on the character and appearance of the site and street scene. The creation of a new centralised access point, the loss of T31 (which has a high level of amenity value within the street scene) and other trees and the impact on historic boundary treatment is considered to be harmful, failing to respond to the character and appearance of the site and wider context, impacting on the existing green infrastructure within the site and wider network contrary to Policies L7 and R3 of Core Strategy, PfE policies JP-G2 and JP-G7, the NPPF, NDG and TDC.

Assessment against the Consultation Draft Trafford Design Code

- 6.78 Appendix 6 provides a detailed assessment of the proposal against the Trafford Design Code (TDC). The TDC carries moderate weight as a material consideration in the determination of planning applications. This is a changed position since the determination of the planning application given that the code has now been subject to public consultation.
- 6.79 The table and assessment within Appendix 6 demonstrates that the development has not be designed in accordance with principles of good design which the TDC and the

NDG is based on. The proposal would fail to comply with the majority of relevant codes and is considered to be a poor design response to the application site.

- 6.80 The overall design concept fails to follow the strategic design principles set out in the code, and is not a context and landscape led development. Appendix 6 demonstrates that the development would fail to with approximately 65% of the relevant codes, with another 25% only partially complied with or there is insufficient information to assess.
- 6.81 The code as been referred to through the assessment above, however appendix 6 provides a comprehensive assessment and commentary of all the codes relevant to this proposal. Whilst the code may only be given moderate weight in the determination of this appeal, it is considered that this is further evidence to support the position that the development is poorly designed and is not a context appropriate response to the application site contrary to the development plan and national planning policy and guidance including the NDG and NMDC.
- 6.82 The TDC provides the direction of travel for improving design quality across the borough, with the aim of pushing up design standards and moving away from what has gone before. The Levelling up and Regeneration Act, which received Royal Assent on 27 October 2023, will require all Local Planning Authorities to produce a design code for their area as part of the national agenda improve the design quality of new developments. Trafford is at the forefront of this.

7.0 CONCLUSION

- 7.1 There is clear conflict with Policy L7 of the Core Strategy on numerous grounds. On design quality (L7.1), the development would not be appropriate in its context, it has not made best use of opportunities to improve the character and quality of the area, and it has not appropriately addressed design considerations relating to scale, density, height, layout, elevation treatment, materials and landscaping. It is considered to be a poor design response to the character and context of the site.
- 7.2 The appeal scheme would fail to comply with Policy R3 of the Core Strategy. The development would not protect and enhance existing green infrastructure resulting in the loss of numerous mature trees and established planting, which are key to the character of this area and the appeal site. The proposal does not include sufficient mitigation to compensate for this loss nor would enough space be retained around the proposed building to provide an appropriate amenity spaces and soft landscaping scheme. This is considered to be the detriment of the character and visual amenity of the site and wider street scene. This provides clear conflict with policy L7 and R3 of the Core Strategy.
- 7.3 The NPPF requires developments to function well, be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character, history and the built environment, create places that promote health and wellbeing and provide a high quality amenity for future occupiers. It is considered that the appeal scheme fails to achieve these key requirements and the appeal should be dismissed on design grounds.
- 7.4 Paragraph 134 of the NPPF says 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design ⁵². Footnote 52 refers to the government guidance contained within the NDG and NDC. I have demonstrated throughout this proof that the development fails to follow the good practice principles set out the NDG, and NDC and that it would fail to accord with the emerging TDC.

7.5 The appeal scheme does not appear to have been developed around the constraints of the site or its character and context. This is a generic design response in order to maximise the sites development opportunities, with little or no thought in regards to the overall design concept or 'story'. The appeal scheme would replace a historic Victorian Villa in a location where this typifies its character and appearance. No evidence has been provided how this historic context has influenced the design response within this scheme. The development to too big, appears incongruous and incoherent and would be over dominant within the site and wider streetscene. I consider there is clear conflict with local development plan policies (including the emerging Places for Everyone Plan), and national guidance in the form of the NPPF, NPPG, NDG and the NDC. I have also demonstrated that the development would fail to accord with the codes within the Consultation Draft of the TDC, which is considered to have moderate weight following the latest round of consultation.