

WARD: Hale Barns**105905/OUT/21****DEPARTURE:** Yes

Outline planning application for up to 116no. residential dwellings with all matters reserved aside from access, for which detailed consent is sought.

World Of Pets , Thorley Lane, Timperley, WA15 7PJ

APPLICANT: Harlex (RLP Timperley) LLP

AGENT: Rapleys

RECOMMENDATION: REFUSE

This application has been reported to the Planning and Development Management Committee due to six or more representations being received contrary to Officer recommendation and also a call in request by Councillor Butt.

The Secretary of State for Levelling Up, Housing & Communities has received a request to call in the above application. In the event that the Planning & Development Management Committee resolve to grant planning permission contrary to the officers recommendation, the Secretary of State reserves the right to consider the call in request prior to the Local Planning Authority issuing the decision notice.

Executive Summary

This application relates to the proposed residential development of the former World of Pets and World of Water site located on the west side of Thorley Lane (A5144) Timperley. The application has been submitted at outline for a total of 116no. dwellings with consent sought for access only at this stage with all other matters reserved.

The proposal site is located within the Green Belt. National and local planning policy dictates that the construction of new buildings should be regarded as inappropriate development and which is, by definition, harmful to the Green Belt. The applicant has advanced a number of 'very special circumstances' which they contend outweigh the harm to the Green Belt by reason of inappropriateness. Paragraph (d)(i) of the NPPF is clear that the application of policies in the Framework that protect areas or assets of particular importance (Green Belt) provides a clear reason for refusing the development. Policy R4 of the Core Strategy is a determinative in the consideration of this application and is up to date.

As part of the Places for Everyone (PfE) plan, the proposal site is located within one of the two PfE strategic locations within Trafford, namely Timperley Wedge. The Timperley Wedge allocation would include the application site and other identified areas of land being released from the Green Belt. The Plan has now been submitted

(14.02.22) to the Secretary of State for Levelling up, Housing and Communities so that it can be assessed through an examination in Public. Due to its advance stage in the planning making process limited weight can now be afforded to policy within the plan.

It is considered that the proposed development would have a greater impact on the openness of the Green Belt than the existing buildings on site, and would also conflict with one of the five purposes of Green Belt, in that it would represent encroachment into the countryside. None of the arguments advanced by the applicant including the limited weight afforded to the PfE plan are considered to constitute the 'very special circumstances' which might outweigh the identified harm to the Green Belt by reason of inappropriateness, harm to openness and encroachment into the countryside, contrary to the purposes of including land within the Green Belt. This therefore provide a clear reason for refusal in accordance with paragraph 11 (d) i of the NPPF.

SITE

The site subject to this proposal is located on the west side of Thorley Lane Timperley and extends to approximately 3ha in area. Most recently the site has been occupied by three separate businesses, The World of Pets, The World of Water and a car body repair business.

The vehicular access to the overall site is from Thorley Lane (east side of the site); a second vehicular access is from Wood Lane to the north side of the site which is used for staff access and deliveries only.

The site is surrounded predominantly to the north and west by residential developments along Wood Lane and Green Lane respectively; garden nursery sites are located to the south of the application site and on the opposite side of Thorley Lane (to the east of the application site). Timperley Brook extends across the southern side of the application site with an earth bund along part of its embankment on the application side of the brook.

At the time of this application submission it is understood that the World of Pets and World of Water businesses have ceased trading at the site. During the officers visit to site it was observed that the building used by the World of Pets is currently being used for the storage and sale of wood burning logs and the site is open to the public.

The main buildings used by World of Water and World of Pets when in operation are converted horticultural type 'glass houses'. The World of Pets building is located centrally within the application site and has a hard surfaced external display/storage area enclosed by approximately 2.5m high metal security fencing. The World of Water building is located towards the north side of the site and includes an external display and storage area, which includes feature ponds and hard soft landscaping as part of the display. The World of Water business has two external storage buildings, one small building located immediately to the west side of the main World of Water building and

one larger building located to the north-east side of the site. Both World of Pets and World of Water share a car park, which has a bitumen type surface and is located between both buildings. To the north-west side of the World of Water building is a fenced compound area used for external storage.

To the east side of the World of Water building is a vehicle repair business which is located within a Nissen hut type building, this business has its own dedicated car-park along the entire east side of the World of Water building and is accessed from the main car-park. It is understood that this business is still in operation.

The existing vehicular access at the northern side of the site onto Wood Lane is also used as a secondary access to a veterinary practice which is located adjacent to the site access on Wood Lane to the west side. Immediately to the east side of the Wood Lane access is an undeveloped area of grassed land, which forms part of the application site.

An area of tree cover is located along the west side of the site and along parts to the south-west near to Timperley Brook. A significant area of the site immediately adjacent to the Thorley Lane boundary of the site is covered in grass sward which extends across the site up to the former World of Pets building, car park and to the tree line. The land level of the site is relatively level towards the northern and central part of the site but does slope from north to south towards Timperley Brook.

As well as the entire site being within the Green Belt, the southern part of the site is allocated as a Wildlife Corridor within the Revised Unitary Development Plan (RUDP) Proposals Map. In addition to this, the site is located within a Critical Drainage Area as specified within Trafford Council's Strategic Flood Risk Assessment. Reference to the Environment Agency Flood Zone maps would suggest the site is predominantly within Flood Zone 1 (a small section of the site to the south comes within Flood Zone 2) and is located within 8m of a statutory main river, namely Timperley Brook. The site is also identified in the emerging Places for Everyone (PfE) as allocated for development and land identified to be released from the Green Belt.

Land immediately to the south side of the site and also to the east side (opposite side of Thorley Lane) is designated as Protection of Landscape Character within the Council's RUDP Proposals Map.

PROPOSAL

This application proposes the erection of 116 residential units and is submitted in outline with approval sought for access only and all other matters reserved. Vehicular access is proposed to be taken from the existing access points off Thorley Lane and Wood Lane with the provision of an additional access point from Wood Lane.

An indicative layout plan suggests a mixture of terraced; semi-detached and detached dwellings and apartment blocks with buildings indicated as 2 storeys in height around

the periphery of the site and between 2 - 4 storeys in height within the central area of the site. A total of 164 car parking spaces are proposed. Officers have raised concerns however over the four storey element within the central core of the site and this will now be reduced to 3 stories in height, an amended parameters plan is to be submitted, receipt of which will be reported on the additional information report to committee

DEVELOPMENT PLAN

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

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

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L1 – Land for New Homes
 L2 – Meeting Housing Needs
 L4 – Sustainable Transport & Accessibility
 L5 – Climate Change
 L6 - Waste
 L7 – Design
 L8 – Planning Obligations
 R1 – Historic Environment
 R2 – Natural Environment
 R3 – Green Infrastructure
 R4 – Green Belt, Countryside and Other Protected Open Land
 R5 – Open Space, Sport and Recreation

Relevant Strategic Objectives

SO1 – Meet Housing Needs
 SO5 – Provide a Green Environment
 SO6 – Reduce the Need to Travel
 SO7 – Secure Sustainable Development
 SO8 – Protect the Historic Built Environment

Place Objectives

Altrincham and Neighbouring Communities

PROPOSALS MAP NOTATION

Green Belt

Wildlife Corridor

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

C4 – Green Belt

ENV10 – Wildlife Corridors

H3 – Land Release for New Housing Development

H4 – Release of Other Land for Development

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS

Revised SPD1: Planning Obligations

SPD3: Parking Standards and Design

PG1: New Residential Development

PG30 – Landscape Strategy (September 2004)

Trafford Community Infrastructure Levy: Charging Schedule (July 2014)

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors will now be appointed to undertake an Examination in Public of the PfE Submission Plan. PfE is at an advanced stage of the plan making process and, whilst it is not yet an adopted Plan, some weight should be given to the policies.

PfE RELEVANT POLICIES

Policy JP Allocation 3.2 Timperley Wedge

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The MHCLG published the latest version of the National Planning Policy Framework (NPPF) on the 20th July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DCLG published the National Planning Practice Guidance on 6 March 2014, and was updated on 24th June 2021. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

This document was published by the Government in October 2019 and forms part of the Governments collection of national planning practice guidance.

RELEVANT PLANNING HISTORY

106043/EIASC/R/21 - Request for a screening opinion in respect of outline planning application for up to 116no. residential dwellings with all matters reserved aside from access, for which detailed consent is sought – Screening opinion issued 30.11.2021 (EIA not required)

89944/OUT/16 - Outline application for the erection of 23 dwellings (consent is sought for access and layout with all other matters reserved) – Refused 21/02/2017 for the following three reasons:-

1. The proposed development is located within the Green Belt where there is a presumption against inappropriate development. The proposed development provides for the erection of new buildings, but is not considered to be one of the exceptions listed in Paragraph 89 of the NPPF. Moreover, the proposed development would harm the openness of the Green Belt and would fail to safeguard against encroachment into the Green Belt, contrary to the purposes of including land within it and prejudice the proper planning of the area in relation to the delivery of the Greater Manchester Spatial Framework. The applicant has failed to demonstrate that there are any very special circumstances which would outweigh the harm to the Green Belt by reason of inappropriateness and any other harm and as such the development is contrary to the National Planning Policy Framework and Policy R4 of the Trafford Core Strategy and Policy C4 of the Revised Trafford Unitary Development Plan.
2. The proposed development site is allocated as part of the Timperley Wedge, within the Greater Manchester Spatial Framework (GMSF) First Draft for release from the Green Belt. The development would prejudice the proper planning of the area as the required master planning process for GMSF has yet to be undertaken, and consequently the potential development/infrastructure needs to be delivered at this site are yet to be understood. If the premature release of this land means these are not properly provided for additional land may need to be released to make up any resulting shortfall. This would lead to further harm to the Green Belt, beyond that anticipated by the GMSF allocations and the exceptional circumstances which are currently being put forward for the release of this land. As such the development is contrary to Policy R4 of the Trafford Core Strategy; Policy C4 of the Revised Trafford Unitary Development Plan and Policies AG3 and GM25 of the Greater Manchester Spatial Framework (GMSF) and advice contained within the NPPF.
3. The applicant has failed to demonstrate that the proposed development can take place without any harm to a protected species, namely Great Crested Newts, protected under Annexes II & IV of the EC Habitats Directive 1992. 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.

78180/FULL/2012 – Alterations to sales building including timber cladding of existing elevations and installation of new windows and doors – Approved 10/04/2012

77607/CLEUD/2011 – Application for Certificate of Lawfulness for existing use of site for retail sales (Class A1) – Approved 22/12/2011

76696/CLEUD/2011 – Application for Certificate of Lawfulness for existing use of the site for retail sales (Use Class A1). (Resubmission of 75590/CLEUD/2010)

75590/CLEUD/2010 – Application for Certificate of lawfulness for existing use of the site for retail sales (Use Class A1) – Appeal for non-determination September 2010, appeal withdrawn 28/07/2011

APPLICANT'S SUBMISSION

The following supporting information and reports have been submitted in support of the application and are referred to in the observations section of this report where necessary:-

- Design & Access Statement
- Planning Statement (includes relevant appeal statements to support the proposed scheme)
- Socio-Economic Statement
- Landscape Strategy
- Transport Assessment
- Interim Travel Plan
- Flood Risk Assessment
- Phase II Site Investigation Report
- Sustainability & Energy Statement
- Preliminary Aborigicultural Impact Assessment
- Ecological Impact Assessment (including updated statement)
- Desktop Archaeology Report
- Crime Impact Statement
- Noise Impact Statement
- Air Quality Assessment
- Statement of Community Involvement
- Housing Land Supply Position

The planning statement submitted as part of the application package identifies the key material benefits of the application summarised as follows:-

- The proposed development will deliver 116no. residential dwellings contributing towards Trafford Councils housing land supply figures.

- Policy compliant provision of affordable housing provision (45%) which equates to 52 dwellings on site as affordable.
- The proposed development site is part of the Timperley Wedge allocation for residential development as part of the Places for Everyone proposals.
- The development will provide a high quality, design led-led scheme.
- The development will deliver economic benefits through direct/in-direct jobs at construction stage, Council tax receipts and new resident retail expenditure of over £1m per annum.
- The scheme will provide over £500,000 in Community Infrastructure Levy payment to Trafford Council.
- Permission is sought only for access at outline stage, an indicative masterplan has been submitted demonstrating the quantum of development proposed can be achieved and includes provision of a high quality play area and two electric charging points for public use.
- The scheme will be low/zero carbon
- The development will deliver a net gain in Biodiversity and enhancement to the Timperley Brook corridor.

CONSULTATIONS

Local Highway Authority (LHA) – No objections in principle, further information requested prior to determination of this application included a traffic speed survey of Thorley Lane and amendments to the junction turning radii. The LHA have also listed the information that they would expect to see included as part of any future reserved matters applications. Further comments are discussed in the Observations section of this report.

Lead Local Flood Authority (LLFA) – No objections in principle, further comments are discussed in the Observations section of this report.

Trafford Council Strategic Growth – Recommend that the application should be refused which is not in accordance with the adopted Local Plan and very special circumstances have not been demonstrated that outweigh the harm to the Green Belt by reason of inappropriateness. A Landscape Visual Impact Assessment which assess both spatial and volume aspects of the proposed development should be submitted. Further comments are discussed in the Observations section of this report.

Trafford Council Pollution & Housing (Air) - No objections, subject to conditions relating to the provision of Electric Vehicle charging points and a Construction Method Statement, further comments discussed in Observations section of the report.

Trafford Council Pollution & Housing (Nuisance) – No objections in principle subject to conditions relating to external plant noise levels; a Construction Environmental Management Plan; details of electric vehicle charging points and an external lighting scheme. Further comments discussed in Observations section of the report.

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

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

Trafford Council Education – No objections in principle, it is highlighted that both local primary and secondary schools are oversubscribed and a financial contribution is recommended to help address shortfall. Comments are discussed in more detail in the Observations section of the report

Trafford Council Waste Management – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Trafford Council Clinical Commissioning Group – No objections, there is sufficient primary care capacity for this area.

Trafford Council Housing Strategy – No objections, comments discussed in Observations section of the report.

Heritage Development Officer – No objections

Greater Manchester Ecology Unit (GMEU) – No objection in principle subject to conditions/Informatives with regards protected species, nesting birds, invasive species and proximity to Timperley Brook. It has been confirmed that there will be a net loss of biodiversity based on the current layout, off-site compensation or an amendment to the layout would be required. Comments are discussed in more detail in the Observations section of this report.

Greater Manchester Police (Design for Security) – No objection in principle, a number of concerns raised regarding the indicative layout. A full crime impact statement would be required at reserved matters stage. Comments discussed in more detail in Observations section of this report.

Greater Manchester Archaeological Advisory Service (GMAAS) – No objections, comments discussed in the observations section of this report.

Greater Manchester Fire and Rescue Service – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Environment Agency – No objections, recommend condition ensuring adherence with submitted FRA, further comments discussed in Observations section of this report.

United Utilities – No objections, recommend conditions regarding surface water which considers the hierarchy of drainage options; management of drainage system and separate system for foul and surface water. Further comments discussed in the Observations section of this report.

Cadent Gas – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

Electricity North West (ENW) – No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

National Highways – No objections

Sport England – No objections, the proposed development does not fall within the statutory remit for consultation with Sport England. General advice provided with regards the loss or provision of any sporting facilities as a result of the development. In addition if the proposal involves new housing the Local Planning Authority having regard to their Playing Pitch Strategy or Built Sports Facility Strategy to assess if existing facilities can absorb additional demand or new/additional provision required. Further comments discussed in the Observations section of this report.

Manchester Airport Group (MAG) – No objections, subject to a number of conditions, further comments discussed in the Observations section of this report.

Transport for Greater Manchester (TfGM) – No objections. Advice provided regarding trip distribution and junction assessments and mitigation; traffic regulation orders in the area; site accessibility and measures to encourage sustainable forms of transport. Comments discussed in more detail in the Observations section of the report.

Timperley Civic Society - No comments received at the time of report preparation. Any comments received will be included in the Additional Information Report.

REPRESENTATIONS

Neighbours: 153 letters of objection have been received in relation to the proposed development, 22 of which have been received from the same 11 addresses. The issues raised as follows:-

Green Belt

- Green Belt provides natural boundary between villages of Timperley and Hale.
- There are plenty of brownfield sites in Trafford and Greater Manchester that could be developed in preference to preserving the Green Belt. No assessment of available brown field sites has been provided.

- The proposal is contrary to two of the five purposes of Green Belt (restricting urban sprawl and preventing neighbouring towns merging).
- The applicant has failed to demonstrate any special circumstances
- Residential development is not appropriate to the important open character feature of the Green Belt.
- The site is proposed to be removed from the Green Belt, making a decision to accept this planning application would prejudice that decision and defeat purpose of PfE which will provide the necessary infrastructure required.
- House extension application nearby refused as did not comply with Green Belt regulations.
- Proposal would change purpose and function of the site from horticulture and animal husbandry in this part of the Green Belt.
- Green Belt land captures carbon and provides space for water to prevent flooding. We are in a climate emergency.
- Granting permission would set a precedent for Green Belt development
- It will create an urban sprawl with the proposed development by the airport and Wellgreen.
- Green Belt coverage across 9 Boroughs of greater Manchester is 46.7%, for Trafford it is 37.6% already too low.
- No houses should be built on Green Belt
- The prime minister has pledged recently no new homes on Green Belt
- Timperley already overdeveloped, small areas of open space are important to residents
- These houses could be included in the 1700 proposed for Timperley Wedge.
- The Labour manifesto promises to protect Green Belt Areas

Highways

- Additional traffic will be generated on surround roads which are already congested especially around peak times of travel and will add to risk for pedestrians especially children and the elderly.
- Additional traffic congestion will worsen air pollution in the area
- The crime report indicates the development accesses could cause unnecessary congestion to the detriment of the existing residents
- The landscaping plan infringes on visibility from driveway (Wood Lane) resulting in being unable to ingress/egress safely, proposed tree located beside driveway at 124 Wood Lane
- Parking on site seems insufficient and cramped, visitors parking on roads
- Wood Lane is already a dangerous road with traffic calming measures, this proposal will put residents at danger. The Council have been put on notice regarding the safety of Wood Lane.
- Public transport is not sufficient
- Better traffic calming would minimise the use of Wood Lane as a 'rat-run' for vehicles avoiding Shaftesbury Ave, such as chicanes. Also busy with traffic getting to the health club, airport and Wythenshawe hospital.

- Access onto Thorley Lane can be heavily congested at certain times of the day, with traffic turning on and off a 40mph stretch of road across oncoming traffic.
- Accidents at the junction with Shaftsbury Ave are a regular occurrence that affects all local residents, a development of this size will create 150-200 vehicles which will be extremely dangerous.
- Households will have two or more cars
- Access should be from Thorley Lane only with controlled by demand traffic lights funded by the developer.
- Traffic survey should not be done during school holidays
- The modelling results of the Wood lane roundabout within the TA cannot be relied upon and it seeks to downplay the impact of development traffic. The Transport assessment should be amended.
- The operation of the existing junction model must be calibrated to ensure a more representative level of operation is obtained upon which future scenarios should be based.
- Trip rates are based on a site in Carrington, no information provided to demonstrate these two sites exhibit similar locational characteristics.
- A speed survey is required to support the access proposals; significant shortfall in visibility
- The nature of the impact on the Wood Lane roundabout can only be considered as severe. Given the constraints around the roundabout and lack of available space there appears little can be done to this junction to provide additional capacity.
- Thorley Lane has a cycle lane, impact of new access not considered
- The footpath along Green Lane is too narrow.
- The road traffic accident report is in error, we are aware of many more accidents to that which have been reported by the developer.
- The village of Hale is already congested with no proper parking facilities
- Servicing provision and parking detail should not be dealt with in detail at outline not reserved matters stage

Impact on Residential Amenity

- Noise and light pollution will be profound and will affect residents living space.
- The development is detrimental to health and living conditions
- There are too many dwellings, too cramped and insufficient garden space for families.
- Loss of privacy to 3 Green lane
- Loss of light an overlooking from new properties towards 124 Wood Lane
- Resident at 124 Wood lane will not be able to maintain side boundary fence
- Noise from traffic results in residents having to keep windows closed (Wood Lane)
- The development will take many years with construction traffic, dirt and noise.
- 63% of residents consulted by the applicant are opposed to the development

Environment

- This site includes a wildlife corridor, the development will result in the destruction of land which is a natural habitat for wildlife and flora.
- Site contains non-native species such as Himalayan Balsam, Giant Hogweed and Japanese Knotweed, concern about their spread when the site is cleared.
- A number of ponds in residents gardens along Green Lane have Great Crested Newts, their habitats cannot be disturbed. There is also a large population of bats that live in nearby trees.
- Removal of mature trees will impact on water levels, the local area is flooded regularly.
- Increase to surface water run-off
- Suggestion that no flooding will occur, is challenged.
- Timperley Brook is a floodplain
- Commonwealth war graves at Christ Church Thorley Lane would be at risk from flooding if this development goes ahead
- Challenge the comment that an Environmental Impact assessment is not required, there will be significant environmental effects.
- This site would be better being made into woodland
- A pond and few replacement trees will not off-set large carbon gain
- Other developments along Timperley Brook have not maintained the brook and have seen proliferation of non-native species.

Other Matters

- Doctors and dental surgeries and local schools are under pressure, high demand for school places.
- Bins are not always collected, existing strain on police/utilities, the Council can't cope with street cleaning.
- Increase in burglaries in recent years, policing is non-existent, new homes will attract criminals.
- Land has been acquired for building purposes before any consultation has taken place
- The air report is not tenable as it was undertaken during lockdown thus the data is skewed and inaccurate.
- Previous application for 23 houses was refused
- Infrastructure cannot cope with current population.
- Site has historic use for market garden produce, this should be encouraged
- Forced closure and relocation of long standing business, loss of a local amenity and jobs.
- The proposed dwellings are not aesthetically in keeping with area
- 3 and 4 storey development is out of keeping with the area, should be assessed through a Landscape and Visual Impact Assessment
- Little private outdoor space properties, properties very packed together. Too much hardstanding.
- No park or childrens area in proposals
- A concern is whether these houses in WA15 will prove 'affordable'

- Value of properties would be seriously reduced
- The development will change the character of the area
- Harlex are outrageously greedy for even proposing a development of this magnitude and the Council would be letting down its residents contemplating approval.
- Council needs to sort out its schools, social services, roads, waste collection, leisure centre, town centre before increasing population
- Better mix of semi-detached and detached properties needed and develop only half the site
- The contaminated land report highlights presence of 'Red' ground gas which requires further ground assessment and/or mitigation for residential development. Insufficient ground investigation and zoning is evident and therefore not compliant with industry guidance. Report states that consultant had difficulty with Gas monitoring equipment, which questions validity of testing. It appears no calibration certificate for Gas Monitor and out of date guidance referenced. It is questioned if site poses risk to adjacent properties.
- The contaminated land report mentions asbestos within soils in background levels, would question the lack of detailed discussion on remedial measures proposed and suitability of sample frequency (difficulty in viewing sample data on the portal).
- It is suggested surface water contamination not suitably reviewed (report highlights elevated determinants (notably lead) – the Environment Agency should be consulted.
- Site notice opposite Wood Lane entrance obscured by hedge
- Lease for property on Green Lane stated there would be no building on land to the rear
- Following receipt of consultation document from the applicant, they never responded to queries raised about the development.
- Social housing plans will change once permission is granted
- Low water pressure in the area this will be made worse
- The Harlex Property prospectus outlined an intent to build around 80 residential units now increased to 116 units (+45%)
- Suggest building on where there are currently buildings on site
- Number and density of properties out of proportion.
- Empty office space with people working from home can be used for housing.
- £500k Community Infrastructure contribution not enough for the new services required
- The proposal will impact local heritage properties
- The economic benefits do not outweigh the harm caused by the development

Altrincham & Bowdon Civic Society have objected to the proposal for the following reasons:-

- Over intensive use of the site and brown field areas should only be built on
- Concern over any development given risk of flooding

- Can it be proved that insurance would be available at a reasonable cost if units built knowing existing and future flood risks

Councillor Butt has also objected to the proposed development for the following reasons:-

- Three previous reasons for refusal still apply (harm to Green Belt; prematurity with GMSF and failure to demonstrate any harm to protected species Great Crested Newts)
- Massing and intensity of housing will be disruptive to residents
- Inadequate service provision/infrastructure and will create pressure on existing schools, medical/social services
- Increase in traffic, with hazards from inconsiderate parking, pedestrian safety, local roads already congested. Traffic will also result increase in pollution levels.
- Inadequate public transport in this area necessitates high car ownership.
- Council services already struggling (refuse/road maintenance) this will compound the problem.
- Four storey apartment block out of keeping with the area
- This area around Timperley Brook will be prone to increased flood risk from the development
- The Green Belt has always been a natural habitat for wildlife.
- Existing pollution levels will be intensified with the reduction of this carbon filter
- The land has always been open green space, it cannot be regarded as a developed brownfield site.
- More effective use of under developed industrial areas and brownfield sites in Trafford can avoid harm to the Green Belt.

24 letters of support have also been received with regards the proposed development. Points raised include:-

- Will allow local residents to purchase an affordable property
- It will provide high quality homes
- It will represent significant investment into the area
- It is difficult to become a first time buyer in this area (I have lived in this area all my life)
- This represents an opportunity for many young working people within Trafford to purchase a well-designed home
- The brownfield site would be an ideal location for modern energy efficient homes and will boost local businesses.
- This site is better than other sites in Timperley Wedge as it is already half brownfield.
- This proposal considers the environment
- More bungalows for older residents would be welcome.
- No objection to the proposal, it is suggested that to improve traffic congestion at the Thorley Lane junction and access to the site that the new PfE spine road

junction and the World of Pets access be moved further down Thorley Lane which would involve reconfiguration of the housing layout.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

1. S.38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.
2. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, should be given significant weight in the decision making process. The NPPF sets out a presumption in favour of sustainable development. Paragraph 11 (c) says for decision taking development proposals that accord with an up-to-date development plan should be approved without delay. Paragraph 11 (d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
3. The Councils current housing land supply figure is 4.24 years and the most recent Housing Delivery Test figure (2021) is 79%. This housing supply and delivery position automatically triggers Paragraph 11d) but does not automatically render development plan policies out of date. It is for the decision maker to determine what weight to give to development plan policies and this can take into account the specific characteristics of the housing land supply position such as the extent of the shortfall and the steps being taken to remedy it.
4. Footnote 7 of Paragraph 11(d)(i) is clear that the application of policies in the Framework that protect areas or assets of particular importance includes land designated as Green Belt.
5. Policy R4 of the Core Strategy controls development in the Green Belt and is considered to be up to date and in full accordance with the NPPF. This policy can be given full weight in the determination of this application given the protection afforded to the Green Belt by the NPPF, both via Paragraph 11d(i) and its specific Green Belt policies.

6. Policy L1 of the Core Strategy controls the number and distribution of new homes across the Borough. Given the lack of five year housing land supply, and the age of this policy (including the need to use the more recent 'standard method' of calculating housing need), it is now out of date and should be given limited weight. It does not however countenance the release of Green Belt in circumstances where there is no five year housing land supply. Policy L2 of the Core Strategy relates to meeting housing needs and remains up to date in respect of the requirement for the amount of affordable housing and in terms of site specific requirements for development (L2.2). Full weight can be given to this part of the policy. Other parts of this policy, for example in relation to dwelling mix, are not up to date and should be given limited weight.
7. The overall conclusion of this report is that there are no 'very special circumstances' that exist (including the Council's housing land supply position) which would outweigh the identified harm to the Green Belt and any other harm. Thus the proposal falls to be considered under Paragraph 11(d)(i) of the NPPF – that there is a clear reason for refusing the development proposed. The tilted balance test in Paragraph 11d(ii) is not triggered.

Green Belt

8. Paragraph 138 of the NPPF identifies that the Green Belt serves five purposes:
 - a) To check the unrestricted sprawl of large built up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
9. Paragraph 147 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
10. Paragraph 148 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
11. Paragraph 149 of the NPPF advises that the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions as follows:-

- a) Buildings for agriculture and forestry;
 - b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) Limited infilling in villages;
 - f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - Not have a greater impact on the openness of the Green Belt than the existing development: or
 - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
12. The Trafford Core Strategy, at Policy R4, reflects the policies in the NPPF and states: *The Council will continue to protect the Green Belt from inappropriate development. New development including buildings or uses for a temporary period will only be permitted within these areas where it is for one of the appropriate uses specified in national guidance, where the proposal does not prejudice the primary purposes of the Green Belt set out in national guidance by reason of its scale, siting, materials or design or where very special circumstances can be demonstrated in support of the proposal.* Policy R4 is up to date in NPPF terms.

Inappropriate development.

13. The application site is Green Belt land and should be assessed as such. Paragraph 149 sets out that the construction of new buildings within the Green Belt is

inappropriate development and paragraph 147 states that inappropriate development should not be approved except in very special circumstances. Paragraph 149 however does set out a number of exceptions to development in the Green Belt that could be appropriate in a-g.

14. The applicant sets out a case that some of the application site is previously developed land (PDL) and would benefit from the exception (g) of paragraph 149, and that this should be considered as a legitimate fallback position for the development of the site as a whole. Subsequent Counsel advice provided for the applicant (and shared with officers) suggests that paragraph 149(g) does not appear to be engaged and that they rely on demonstrating very special circumstances in seeking approval for the scheme.
15. The NPPF refers to PDL as *'land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure...This excludes...land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'*
16. Openness in Green Belt terms as stated in the NPPG (Paragraph:001 Reference ID:64-001-20190722) *'...is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume...'* It is acknowledged that the application site comprises some areas of land that would be considered as PDL. The extent of these areas are not agreed, however, as some are under tree or vegetation cover and insufficient evidence has been provided of their historic use and that use also appears to have 'blended in' over time.
17. The applicant acknowledges that developing a residential scheme only on PDL would not necessarily make best use of the land. The relatively irregular configuration of the PDL would dictate the layout of development which would not be an efficient and efficient use of land. Therefore in order to make best use of the land the applicant proposes the development of the entire application site. This would obviously involve development on undeveloped areas of the site and would be inappropriate development.
18. In addition, the applicant has not undertaken a detailed comparative assessment of the existing buildings on site and the proposed development on PDL or new buildings on areas of the site not previously developed in terms of volume and building heights to demonstrate that there would not be a greater impact on openness.
19. Nevertheless, notwithstanding the disputed extent of PDL, the development on PDL would have a greater impact on openness than the existing development at the site. Thus the first criterion of Paragraph 149(g) is not satisfied and the development falls

to be considered as inappropriate development regardless of the PDL position. With regard to the second criteria of Paragraph 149(g) the development would lead to substantial harm to the openness of the Green Belt on areas of PDL, given that, among other things, they are currently hardstanding with no built form. Additionally, the development does not provide any greater contribution to affordable housing need than planning policy already requires – i.e. it only mitigates its own impact.

20. Consequently, the development, as a whole, should be considered as inappropriate development in the Green Belt and very special circumstances are required for it to proceed.

Very Special Circumstances

21. The applicant's case further relies on a number of 'very special circumstances' which it is suggested would outweigh this harm to the Green Belt. The very special circumstances detailed are as follows:

- Significant Contribution to Housing Need and lack of five year housing land supply
- Sustainable development on brownfield land (almost half the site is PDL)
- Deliver a high quality development (design, landscaping and low/zero carbon)
- Enhancement of Timperley Brook corridor and deliver a net gain in bio-diversity.
- The proposal does not conflict with paragraph 138 of the NPPF (5 purposes of Green Belt)
- The proposed development site is well contained with a defensible boundary.
- Development site relates well to existing settlement and is a highly accessible/sustainable location
- Trafford Council have a very poor housing delivery record. The Housing Delivery Test (2020) identifies the Council only delivered 61% of the houses needed over the past three years. Trafford currently falls within the bottom 10% of local planning authorities in England for housing delivery. (Note this position was stated by applicant at time of application submission in September 2021 and is no longer the case after an improved 2021 HDT result of 79%.
- The proposed development will provide affordable housing tenure focused on local identified needs (the application is supported by interest from a number of registered providers).
- The site forms part of the Timperley Wedge allocation under PfE, identified as suitable for residential development and release from the Green Belt, supported by Trafford Council. The site is identified within phase 1 of the masterplan for Timperley Wedge which can come forward without any significant supporting infrastructure
- The development will deliver economic benefits and £500k in CIL payment;
- Provide a minimum of 2 public use electric charging points.

22. With regards the suggested very special circumstances advanced by the applicant the Council do not consider these to constitute the very special circumstances individually or cumulatively to overcome the harm to the Green Belt by reason of inappropriateness and any other harm.
23. The Council has a much improved housing land supply figure of 4.24 years. This has come about as a result of comprehensive and assertive action by the Council over the last two years – for example by granting suitable planning permissions, bringing forward infrastructure, and intervening in the market to bring forward its own exemplar schemes through its investment programme. Delivery is also much improved with the Housing Delivery Test in 2021 being 79% (from 61% in 2020), and which moved the Council out of the HDT presumption in favour of new development. A forward look at sites coming forward in the next 12 months also indicates a much improved, and improving position. The housing supply and delivery trajectory is therefore strongly and clearly moving in an upwards direction and quickly towards a position whereby the Council will be able to demonstrate a five year housing land supply. The identified sites making up the supply are also primarily brownfield, and all within the urban area and / or well established development plan allocations.
24. The applicant has provided an updated housing land supply overview which has considered the Council's recent evidence (with regards the Council's current Housing Land Supply position) in relation to the planning appeal for the Former B&Q site, Great Stone Road, Stretford. The applicant has suggested that a number of sites included within the Council's evidence do not meet the NPPF definition of deliverable sites and as such a revised housing land figure has been calculated by the applicant which equates to 2.77 years. Officers do not accept that this is the correct housing land supply position, on any assessment of the evidence.
25. During evidence given at the B&Q appeal, that appellant conceded that they agreed the Council had a deliverable housing land supply of 3.3 years. A 4.24 year housing land supply position has been agreed as common ground in another appeal in Urmston currently proceeding as an informal hearing. As such, officers consider the housing land supply position should be taken as 4.24 years, until such a point that an appeal Inspector makes a judgement that it should be considered otherwise. Notwithstanding this, even if the B&Q appellant's figure of 3.3 years is taken (and the housing land supply is certainly no less than that), it is much improved from the March 2020 position of 2.4 years, and the March 2021 figure of 2.58 years and on a clearly upward trajectory.
26. Although significant weight is given to the contribution this site would make to the Council's housing land supply position, and in addition it would make a significant contribution to affordable housing need, which is also given significant weight, the housing land supply and delivery position in Trafford is not so dire that this site must come forward now regardless of the identified in principle harm to the Green Belt

and conflict with the spatial strategy of the plan and in opposition to a fundamental tenet of both local and national policy which seeks to protect Green Belt land.

27. Indeed in the appeal at Warburton Lane, where up to 400 new homes were proposed by Redrow on Protected Open Land (which is effectively land reserved for release for future development), and which forms part of the PfE New Carrington allocation, the Council's housing land supply position, which was then just 2.4 years, did not justify the release of that land contrary to the spatial strategy of the development plan (and taking into account the other harms which arose from that scheme).
28. It is acknowledged that the proposal would bring forward development on PDL, however this relates only to part of the application site and the building on PDL does not constitute very special circumstances – national Green Belt policy sets out the circumstances in which development of PDL Green Belt sites is appropriate and the development does not accord with those.
29. The applicant refers to a biodiversity net gain to Timperley Brook but it has been established by the applicant's ecologist that there would be an overall loss of biodiversity across the site as a result of the proposals. Whilst specific enhancement and protection work can be carried out along the Brook these are works that would be required in any instance regardless if the site is within Green Belt or not and would not constitute very special circumstances.
30. The applicant has made reference to the site being located at the edge of an existing settlement and being within a highly accessible and sustainable location. The site is located adjacent to existing residential development, however a large proportion of the site which is undeveloped acts as a buffer between the built up areas of Hale and Timperley and the proposals would extend into this undeveloped area. It is not accepted that the site is in a highly accessible/sustainable location. TfGMs Greater Manchester Accessibility map identifies the site within accessible areas 2 and 3 (1 being the lowest level of accessibility 8 being the highest). The objective of creating sustainable communities is a strategic objective which is consistent with national policy and is not rendered out of date in circumstances where there is a lack of five year housing land supply. That situation may change if PfE comes forward as envisaged but there is no guarantee of that at present.
31. It is also suggested that the development does not result in material harm to the five purposes of Green Belt. It is considered that the proposal does result in encroachment into the Green Belt and the location of the site does not constitute a very special circumstance.
32. The applicant also refers to the provision of affordable housing; a play area and two public electric vehicle charging points. Whilst these measures are welcomed they are means of mitigating harm arising from the development. The affordable housing contribution (45%) is policy compliant and would therefore mitigate the quantum of

development proposed (i.e it is not proposing more affordable housing than what is required as a minimum). The affordable housing contribution therefore does not constitute a very special circumstance. Reference is made to the site being a high quality, design led scheme and zero carbon, and these are factors the Council would require on any residential site within the Borough, this application is in outline and therefore the design quality and sustainability credentials are currently unknown, as such it is considered that they do not constitute very special circumstances.

33. Similarly the applicant refers to a Community Infrastructure Levy contribution that the development would generate, this would also apply if the site was not in the Green Belt. Economic benefits from the development and Council Tax receipts are welcome in terms of benefits to the local economy and investment however these do not constitute very special circumstances and Council Tax is required to deliver essential services to the residents of new development.
34. The applicant identifies that the site is allocated as site 1 of phase 1 within the Timperley Wedge masterplan and can come forward without any significant supporting infrastructure. Whilst it is acknowledged the site is identified as one of the early sites that could come forward in the PfE Plan, these individual sites are required to contribute towards the provision of the necessary infrastructure such as the new PfE spine road and associated junction to ensure delivery of the wider plan area. In addition this application is proposed in isolation of the Timperley Wedge allocation infrastructure requirements as proposed in PfE. Whilst the policy and the evidence base are supported by the Council as the direction of travel for the Timperley Wedge area as part of PfE, there are a number of outstanding objections to the plan and in specific regard to the release of Green Belt generally and specifically in respect of this allocation which diminish the weight that can be afforded to the plan in this regard. See section below on PfE which discusses the weight to be afforded to the plan.
35. Reference is made to the Greater Manchester Green Belt Assessment Stage 2 (September 2020) commissioned as part of the evidence for the GMSF/PfE Plan to assess the potential harm to the Green Belt that could result from the release of Green Belt land within allocations proposed in the GMSF/PfE. This assessment included the application site along with surrounding land proposed for release from Green Belt as part of the proposed Timperley Wedge allocation. The applicant notes that the assessment concluded that development of this area of land as a whole would have relatively limited impact or limited/no impact on the five purposes of including land in the Green Belt, and that development would have a minor impact on adjacent Green Belt. Regardless of any conclusion reached on the condition of certain parcels of Green Belt land within the PfE designation it does not change the policy context and status of the Green Belt land nor the assessment of development within Green Belt that is required and detailed as part of Core Strategy Policy (R4) which remains up to date in NPPF terms and the policy within the NPPF.

36. Whilst the PfE Plan is now at an advanced stage and should be afforded limited weight, the current Green Belt designation of the land remains and the harm to the Green Belt by reason of inappropriate development and impact of the development on the openness of the Green Belt when assessed against its current policy is significant. With regards to the suggested very special circumstances advanced by the applicant including the allocation of the site in the PfE Plan, the Council do not consider these either individually or cumulatively to outweigh the harm to the Green Belt arising as a result of the development. For the avoidance of doubt it is considered that no other harm that cannot be mitigated arises from the development.
37. The Local Planning Authority have considered the very special circumstances advanced by the applicant. Paragraph 148 of the NPPF is clear that local planning authorities when considering any planning application should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations. It is considered that none of the very special circumstances put forward by the applicant either individually or cumulatively amount to very special circumstances.
38. In assessing a previous proposal at this site for residential development (planning Ref:89944/OUT/16) one of the reasons for refusal related to the development being found to harm the openness of the Green Belt and would fail to safeguard encroachment into the Green Belt.
39. With regards encroachment, there have been no significant changes to the physical context of the site and surrounding land since the determination of planning application 89944/OUT/16. The applicant references that the sites location is such that it is separated from the Countryside. It is acknowledged that there is built development to the north (northeast and northwest) of the site. However it is disputed that Timperley Brook functions as a means of separation of the site from the countryside to the south, rather it is a natural feature within the landscape. Unlike the other four purposes listed in paragraph 138, there is no corresponding reference to a nearby town or urban area in relation to encroachment. The proposal to extend built development on the undeveloped part of the site in particular up to the southern and eastern sides of the site as detailed on the indicative layout plan would still result in encroachment into the countryside as previously concluded by the LPA.
40. The Council is very clear in its Core Strategy, spatial profile chapter, in describing the characteristics of the urban fringe “neighbourhoods” to the north of the Green Belt area. The Green Belt land in this area separates the built up area of Timperley to the north from the less built up areas and different character neighbourhood areas of Hale and Hale Barns to the south. One of the key objectives listed for this profile area is AL04 – *“to manage the potential impact of development on the urban fringes of the area.”* It is considered the proposal would impact on this character. The NPPF, at paragraph 137, states that the essential characteristics of Green Belt are their

openness and their permanence. The application site is clearly visible from the eastern boundary and the northern most section adjacent to Wood Lane, which is open and visible from the streetscene. Views into the site are less visible from the western side of the site and from the northern side beyond the gate access due to existing tree cover. However, openness in Green Belt terms is an absence of built or urbanising development as well as the visual impact of a development and therefore a loss of openness occurs from the presence of built form, regardless if this built form can readily be seen from the public realm.

41. The World of Water building to the northern side of the site is single storey glass house horticultural type building with elements of masonry throughout its construction, part of the roof ridge on the western side of the building is marginally higher than the remainder of the building; the building having been converted to use for retail of aquarium related items. A small brick constructed storage building is located to the west side of the main building, beyond which is an area to the west and north-west which is used as external display and storage. A further brick constructed building single storey with a dual pitch roof is located to the north side of the World of Water building and the Nissen Hut type structure, single storey to the east side of the building.
42. The World of Pets building is a similar glass horticultural type building which is single storey, constructed predominately of glass/translucent materials with an external display and storage area located to the west side of the building.
43. Whilst there is hardsurfaced car parking space and external storage/display areas to the west and north west of the site as well as centrally within the site the erection of new buildings in these locations which currently are not occupied by any buildings would have a greater impact on the openness of the Green Belt than the existing hardsurfaced ground cover, this is considered to be unacceptable and would have a harmful impact on the openness of the Green Belt and the purpose of including land within it.
44. In addition both main buildings are also proposed to be replaced with new buildings in lieu of the existing structures on site which are single storey and constructed in lightweight materials. Whilst both existing structures occupy larger footprints than the replacement buildings on those footprints, the new buildings will be greater in height and massing and consequently have a greater impact on the openness of the Green Belt. The proposed indicative layout would result in a greater concentration and cluster of buildings across the site and the new buildings will be higher than any existing buildings on site (up to 3 stories, but predominantly 2 storey in height) and as stated occupy parts of the site that are not currently occupied by buildings.

Places for Everyone (PfE)

45. The Publication Places for Everyone (PfE) Joint Development Plan Document has been produced by nine Greater Manchester boroughs. It proposes two allocations

for the borough of Trafford, New Carrington and Timperley Wedge. Both are proposed to be developed as mixed use areas with a significant amount of new housing, employment land and new infrastructure. Some of the land within the allocations is proposed for release from the Green Belt. The Plan has recently been subject to a Regulation 19 consultation and has now been submitted (14.02.22) to the Secretary of State for Levelling up, Housing and Communities so that it can be assessed through an examination in Public by appointed Planning Inspectors (Regulation 22).

46. The application site is within the 'Timperley Wedge' area which is proposed to deliver approximately 2,500 new homes and 60,000 sqm of office floorspace in plan period (2021 – 2037). The PfE Plan is considered to be at a relatively advanced stage in the plan making process (currently at 'Regulation 22' stage), and can therefore be afforded some weight in determination of this application. This has to be balanced against the fact that there are still unresolved objections to PfE, including in relation to the principle of releasing land from the Green Belt, both in the Timperley Wedge allocation and elsewhere. However, the land remains as Green Belt until the plan is adopted, and if PfE was found to have sufficient weight to justify the release of this land ahead of its formal adoption, this would need to form part of a Green Belt very special circumstances case, as opposed to the Green Belt allocation being set aside.
47. The site as previously stated has been identified within the Draft Development Plan PfE within Policy JP Allocation 3.2 (JPA3.2) as forming part of the 'Timperley Wedge' mixed use allocation which will also include removal of a large part of the allocation from the Green Belt. In order to help shape and phase development within the Timperley Wedge and as part of the evidence base for PfE policy JPA3.2 Timperley Wedge, the Council have prepared a concept Masterplan (September 2021) in association with local landowners and other key stakeholders.
48. Policy JPA 3.2 of PfE states any development will need to be in accordance with a masterplan or SPD agreed by the LPA to ensure the site is planned and delivered in a coordinated and comprehensive manner. The concept masterplan produced has informed the main elements that will be part of the allocation but a more detailed masterplan will be produced once the PfE Plan is adopted. Policy JPA 3.2 states that the following key elements to be delivered and these are also incorporated within the concept masterplan
 - 2,500 residential dwellings (minimum of 45% affordable)
 - 60,000sq.m employment land;
 - A comprehensive public transport strategy including bus rapid transit, walking and cycling routes;
 - Airport Metrolink Line, western leg extension;
 - Improvements to the local and strategic highway infrastructure including a new spine road and junction onto Thorley Lane;
 - A new local centre, providing community infrastructure; and

- Significant green infrastructure enhancements and rural park; retain and enhance existing sports and recreation facilities

Conclusion on Principle of Development & Green Belt

49. The PfE plan is afforded limited weight due its current position within the plan making process at regulation 22. It is recognised that this site is part of a wider allocation the Timperley Wedge. Draft Policy JPA 3.2, sets out that the allocation will be developed for a mix of uses, including residential development similar to what is proposed within this application. It is further recognised that if the plan is adopted in its current form the application site would likely be released from the Green Belt and development of this nature would likely be supported. Notwithstanding this at this time the designation of the site as Green Belt remains in accordance with the current policy context, and the weight afforded to the PfE is not considered to be such that it would be considered a very special circumstance that would outweigh Green Belt harm or the consideration of the development against Policy R4 of the Core Strategy which is up to date, or Green Belt policy in the NPPF. It has been evidenced above that the development would be inappropriate in the Green Belt, that there are no very special circumstances and that the development would have a significant impact on the openness of the Green Belt and encroachment into the countryside, contrary to the purposes of including land within the Green Belt, thus providing the Council with a clear reason for refusal in accordance with paragraph 11 of the NPPF. The development is contrary to Policy R4 of the Core Strategy and the NPPF.

Sustainability

50. The housing policy objectives within the NPPF include providing new housing in suitable locations which offer a good range of community facilities and with good access to jobs, services and infrastructure, including public transport. The Core Strategy, Policy L4 in particular, promotes development within the most sustainable locations, or where development comes forward in less sustainable locations in the Borough will deliver, or significantly contribute towards the delivery of measures to improve the sustainability of the location.
51. The application site is located close to two parade of shops located at opposite sides of the junction with Green Lane and Wood Lane. The premises are designated as Neighbourhood Shopping Centres within the UDP Proposals Map. The Neighbourhood Centres have a limited offer with no retail food service such as a supermarket the nearest being Timperley village approximately 1km from the site. Local bus services are the only method of public transport available close to the site. TfGM's Greater Manchester Accessibility Levels map identifies the site within accessible areas 2 and 3 (1 being the lowest level of accessibility 8 being the highest).

52. There is, therefore, a real lack of public transport provision and services offer in relation to the application site and at present the site is considered to be an unsustainable location without immediate access to amenities. This is contrary to the spatial strategy and objectives of the development plan which seeks to meet housing needs within the most sustainable locations and would conflict with Policy L1.

Housing Type and Mix

53. The NPPF at paragraph 61 requires local planning authorities to plan for an appropriate mix of housing to meet the needs of its population and to contribute to the achievement of balanced and sustainable communities. This approach is supported by Core Strategy Policy L2, which refers to the need to ensure that a range of house types, tenures and sizes are provided. Policy L2 indicates that the proposed mix of dwelling types and sizes should contribute to meeting the housing needs of the Borough as set out in the Councils Housing Strategy and Housing Market Assessment. Policy L2.4 states that the Council will seek to achieve a target split of 70:30; small:large (3+beds) residential units, with 50% of the small homes being suitable for families. Policy L2 as a whole is generally consistent with the NPPF however references to housing numbers and housing land supply are out of date and less weight should be afforded to Policy L2.5.

54. The proposed development details 116 residential units, as the applicant is applying for access only with all other matters reserved they have not provided a detailed breakdown of the housing mix at this stage as the final layout is not yet known. However it is worth noting that the Councils Housing Needs Assessment (2019) identifies a particular shortage of 3 and 4 bedroom houses and 2 bedroom apartments in Altrincham. If the application were otherwise acceptable, the Council would seek to ensure that the appropriate mix of dwelling type was secured at reserved matters stage when layout detail is known and which would reflect the identified need.

Affordable Housing

55. Policy L2 of the Trafford Core Strategy seeks to secure appropriate levels of affordable housing in new developments. For the purposes of affordable housing, the proposal site falls within a 'Hot market' location (not to be confused with the CIL charging zones which differ). In these hot market locations and in 'good' market conditions, 45% affordable housing is required. It should also be noted that PfE with Policy JP Allocation 3.2 details a minimum affordable housing requirement of 45% for the Timperley Wedge allocation.

56. The applicant proposes to provide a policy compliant 45% of the residential units as affordable housing which equates to 52 units on site. The Housing Needs Assessment (2019) identifies that in Altrincham with regards affordable housing provision there is an annual net need of 114 new affordable units with 81.6% being intermediate tenure (shared ownership) and 18.4% being for affordable/social rent.

The applicant has proposed 75% intermediate tenure and 25% social rented. Advice within Policy L2 and SPD1: Planning Obligations recommends a 50:50 split between both tenures. The Housing Needs Assessment however reflects more up to date evidence that there is a particular tenure need (intermediate) in this particular part of the Borough and that a greater proportion of the units should be provided to address that need. It is considered therefore that the level of affordable housing provision (45%) and the tenure split (75% intermediate: 25% affordable/social rent) is acceptable. The applicant has also provided correspondence with two registered providers (Irwell Valley and Trafford Housing Trust) who have both indicated an interest in working with the applicant in providing affordable housing at the application site.

DESIGN - Parameters plans and Principle of scale and form of development.

57. Paragraph 126 of the NPPF states that *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. Paragraph 134 of the NPPF states that *“Development that is not well designed, should be refused, especially where it fails to reflect local design policies and government guidance on design...”*
58. The National Design Guide was published by the Government in October 2019 and sets out how well designed buildings and places rely on a number of key components and the manner in which they are put together. These include layout, form, scale, appearance, landscape, materials and detailing. The guide states at paragraph 120 that *‘Well designed homes and buildings are functional, accessible and sustainable’* and goes on to state at paragraph 122 that *‘Successful buildings also provide attractive, stimulating and positive places for all, whether for activity, interaction, retreat, or simply passing by’*.
59. Core Strategy Policy L7 requires that, in relation to matters of design, development must be: appropriate in its context; make best use of opportunities to improve the character and quality of an area; enhance the street scene or character of the area by appropriately addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping works, boundary treatment; and make appropriate provision for open space, where appropriate, in accordance with Policy R5. In relation to matters of functionality, development must incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety.
60. Policy L7 of the Core Strategy is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPF’s emphasis on good design and, together with associated SPDs, the Borough’s design code. It can therefore be given full weight in the decision making process.

61. The applicant as part of this application is applying for detailed matters relating to access only, therefore all other matters relating to appearance; landscaping; layout and scale are to be determined as part of a future reserved matter application(s). The applicant has provided an illustrative outline masterplan to support the application submission which seeks to demonstrate how the site could be appropriately developed for up to 116 no. residential dwellings. The masterplan illustrates a layout which comprise a combination of semi-detached; detached and terraced dwellings along with detached apartment buildings. A childrens play area is located to the eastern boundary as are two electric vehicle charging points. Vehicular access is taken from the existing access on Thorley Lane as well as utilising also the existing service access from Wood Lane. A stand alone vehicular access adjacent to 124 Wood Lane is also proposed to serve three buildings. An indicative landscape masterplan has also been submitted which detailed tree and shrub planting throughout, pathway network including a timber broadwalk over a new pond feature located to the south side of the site and surround by a wildlife meadow. Demarcation of streets/shared spaces is indicated with different surface materials.

62. In addition the applicant has also provided two parameter plans which seek to guide the form of development which will come forward as part of any future reserved matters applications. Parameter plan 1 details site constraints; easements and offsets and parameter plan 2 details key urban design principles. The Design and Access Statement submitted as part of the application also provides information with regards the design process and consideration of the indicative layout. Whilst no specific details on building design such as elevations and CGIs have been submitted at this stage the Design and Access Statement lists a number of core principles and objectives that the applicant proposes along with precedent images of housing developments which the applicant seeks to incorporate similar aspects. Some of the key aspects of the proposed development that would form part of a detailed master plan at reserved matters stage include:-

- A development which responds to pedestrian flow and movement through the site through the provision of hard and soft landscaping character zones comprising of shared space, network of pathways, cycle routes and greenspaces.
- Reduction in prominence of cars and car-parking; parking provided will be located on street bays and hidden parking courts removing focus of parking within curtilage of dwellings.
- Importance of interface with Green Belt to southern boundary, opportunity to create a wildlife corridor and green buffer zone. Incorporating sustainable urban drainage initiatives such as open swales and attenuation ponds.

63. The precedent images included within the Design and Access Statement with regards building design appear to be of high quality and reflect the importance of good quality designed buildings that the Local Planning Authority would seek to secure as part of any future reserved matters applications at this site.

64. The applicant has submitted two parameters plans as part of the development proposals. Parameter plan no.1 details site constraints, easements and offsets. Parameter plan no.2 details where the areas and scale of the proposed development. This plan has been amended to detail that two storey development would be located around the periphery of the site and that a central core would contain between 2 and 3 storey development. Surrounding residential development within the context of the application site (Wood Lane, Thorley Lane and Green Lane) is predominantly 1 and 2 stories in height. The PfE Timperley Wedge policy details that sites in the northern section of the allocation would be expected to achieve an average density of 35 dph given their location near existing urban areas. Based on the application site area (3ha) this would suggest approximately 105 dwellings. Advice within the Timperley Wedge Masterplan states that densities will need to reflect local constraints including the local street network.
65. The Design and Access Statement provides some aerial views of the site from different angles showing the indicative modelling of the site layout in massing terms. The images are taken from a distance and appear to show a number of different building heights within the central part of the site, but are lacking in any detail to demonstrate there would be no harm to the character of the area. The applicant as part of the pre-application discussions with the Local Planning Authority was advised that whilst there was support for appropriate density of the site, there was considered scope for three storey development within the central core of the site. Approving a parameters plan for four storey development commits the LPA to that scale of development without having first seen an appropriate detail to be satisfied that it is appropriate in this location. Based on the information submitted as part of this application, it is considered that the applicant has failed to demonstrate that four storey development in this particular context would not have a detrimental impact on the character of the area. The Council have advised the applicant that up to 3 storey development within the central core is considered acceptable. An updated parameters plan has therefore been requested to reflect the building heights of between 2-3 storey, with 3 storey only within the central core of the site.

Conclusion on Design

66. The current application does not seek approval at outline stage for appearance, landscaping, layout or scale, however the applicant has provided some precedent images within the Design & Access Statement. Notwithstanding the adverse impact of the proposed development on Green Belt, with regards the approach to design is considered acceptable in principle and that the site could accommodate 2-3 storey development and up to 116 units. This also includes landscaping, road layout and connectivity through the site.

RESIDENTIAL AMENITY

67. In addition to ensuring that developments are designed to be visually attractive

paragraph 130 of the NPPF advises that planning decisions should create places that provide a high standard of amenity for existing and future users.

68. Policy L7.3 requires new development to be compatible with the surrounding area and not to prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion or noise and/or disturbance.
69. The Council's adopted SPG for new residential development (PG1) sets out more detailed guidance and specific distances to be retained between buildings and window to window distances. The SPG refers to buildings of three or more storeys and states where there would be major facing windows; buildings should retain a minimum distance of 21m across public highways and 27m across private gardens (an additional 3m added to these figures for 3 or more stories). Distances to rear garden boundaries from main windows should be at least 10.5m for two storey houses and flats and 13.5m for house or flats with three storeys or more in order to protect privacy. With regards overshadowing, in situations where this is likely to occur a minimum distance of 15m should normally be provided between a main elevation and a blank two storey gable.
70. The Council are currently in the process of producing a Design Guide which will include updated guidance in relation to residential amenity. However until such time as the Design Guide is adopted the LPA would still revert to the advice within SPG1. The LPA will adopt a flexible approach with regards applying the above parameters in the interim particularly within new development layouts in order to encourage high quality schemes in terms of layout and design.
71. The proposed outline masterplan is an indicative layout demonstrating that the quantum of development can be achieved across the entire site and is therefore not a definitive layout plan.
72. It is acknowledged that the existing site has had a retail/commercial use for a number of years and therefore the site has been subject to associated activity of the businesses on site in terms of comings and goings including vehicle noise.
73. The nearest residential properties to the site are located along Wood Lane to the north and Green Lane to the west. A number of the indicative plots are located in relatively close positions to shared boundaries in particular with existing properties along Wood Lane which would require reconsideration when detailed layout is submitted as part of any reserved matters application stage. This would allow appropriate distance to be retained from the new dwellings to the shared boundaries. A number of car parking courts are located adjacent to residential boundaries, this arrangement should be avoided to prevent any noise and disturbance to adjacent neighbours this will be controlled at reserve matters stage when detailed layouts will be provided.

74. 124 Wood lane is an existing residential dwelling which has its side elevation facing towards the application site with a number of windows on this elevation. The outline layout plan indicates a large dwelling and parking and maneuvering area adjacent to the boundary. This arrangement would appear to result in an overbearing impact with regards the neighboring occupant and the area of hard standing to the front for parking is likely to cause disturbance as it would serve at least three dwellings. As above this particular part of the site layout will require reconsideration to avoid adverse impacts with regards the adjoining neighbour.

Noise, Air Quality and Contaminated Land

75. Core Strategy Policy L5.13 states that development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.

76. The Pollution and Housing section have been consulted on the proposed development and have considered the information submitted by the applicant in relation to contaminated land, air quality and noise.

77. Contaminated Land – The applicant has submitted a Phase 2 contaminated land site investigation. The site investigation confirms the presence of made ground across the site, with levels of contamination including lead, arsenic, polycyclic aromatic hydrocarbons (PAH) and total petroleum hydrocarbons (TPH) exceeding human health guideline values in a number of locations. Ground gas monitoring undertaken to date confirms that the gas protection measures will be required within buildings on the site with one location (north east of site) demonstrating particularly high levels which will require further investigation. The information presented confirms the site investigation undertaken has mostly been restricted to the central and eastern sections of the site with noticeable lack of investigation being provided to the west of the site. Maps available to the Councils Pollution section show former buildings in this part of the site and will therefore require further investigation. The footprints of the existing buildings have also not been investigated. Additional site investigation, including ground gas monitoring is required to ensure that the development is made suitable for future site users and does not present risks to the wider environment. In the event of planning approval it is recommended three conditions are attached and include i) a further supplementary site investigation and risk assessment with regards contaminated land; ii) submission of remediation strategy; and iii) verification report confirming remediation measures incorporated.

78. Air Quality – An air quality report has been submitted as part of the application. The report provides a review of existing air quality in the vicinity of the proposed development. It also provides an assessment of the impact of the proposed development on local air quality during both its construction and operational phases. With regards the operational phase of the development it is predicted that changes in annual mean concentrations of nitrogen dioxide do not lead to a significant impact

at any sensitive receptors and that air quality at the development site will be suitable for future site users. The report also confirms that all concentration changes are negligible with reference to the Institute Air Quality Management significance criteria. However, incorporating mitigation into the scheme will help to reduce any increase in emissions associated with traffic flows and it is recommended therefore that a condition be attached to any grant of planning permission for a scheme of electrical vehicle charging points for every new dwelling (minimum 7kWh). With regards the construction phase of the development it is recommended that a condition is attached to any grant of planning permission requiring the submission of a Construction Environmental Management Plan (including a dust management strategy).

79. Noise – The applicant has submitted a noise assessment as part of the proposed development. The assessment advises that measurements have been taken to determine the ambient noise levels affecting the proposed dwellings at the site and a noise model has been developed for the site. The report advises that further monitoring can be undertaken at reserved matters stage to confirm façade noise levels; final proposals for glazing and ventilation options would need to be reviewed as the final masterplan of the site is developed at reserved matters stage; and further advice on site reconfiguration or additional mitigation is recommended to be introduced to take account of noise in plots closest to Thorley Lane and the veterinary surgery on Wood Lane. The Councils Pollution section have reviewed the noise assessment and have no objections and request that they are consulted at reserved matter stage in order to assess the details of the suggested mitigation measures with the final site layout proposals. The Councils pollution section have also recommended a number of conditions relating to external plant noise levels; a Construction Environmental Management Plan; details of electric vehicle charging points and an external lighting scheme.

Conclusion on Residential Impact

80. The proposed use of the site for residential development is not considered to raise any overwhelming concerns with regards impacting adversely on residential amenity in relation to nearby residential properties and those within the proposed scheme that would warrant a refusal of planning permission in its own right. No detailed layout is under consideration at this stage with details of house types and final site layout to be considered at reserved matters stage to ensure no adverse impact on residential amenity would occur as a result of the development of the site for residential use.

ACCESS, HIGHWAYS AND CAR PARKING

81. Paragraph 105 of the NPPF states ‘...significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

82. Paragraph 111 of the NPPF states that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
83. Policy L4.7 states that 'The Council will not grant planning permission for new development that is likely to have a significant adverse impact on the safe and efficient operation of the Strategic Road Network, and the Primary and Local Highway Authority Network unless and until appropriate transport infrastructure improvements and/or traffic mitigation measures and the programme for the implementation are secured'.
84. Policy L4 is considered to be largely up to date in that it promotes the development and maintenance of a sustainable integrated transport network that is accessible and offers a choice of modes of travel, including active travel, to all sectors of the local community and visitors to the Borough. It is not considered to be fully up to date in that it includes reference to a 'significant adverse impact' threshold in terms of the impact of the development on the operation of the road network, whereas the NPPF refers to a 'severe' impact'. Nevertheless it is considered that Policy L4 can be afforded substantial weight.
85. Policy L4.14 to L4.16 sets out the requirement to comply with the adopted maximum car and cycle parking standards as set out in Appendix 3 to the Core Strategy and within adopted SPD3. The setting of maximum parking standards as set out in section L4.15 and Appendix 3 is inconsistent with the NPPF and in that regard is considered out of date and less weight should be afforded to this part of the policy.
86. Policy L7 states that 'In relation to matters of functionality, development must: Incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety; and provide sufficient off-street car and cycle parking, maneuvering and operational space.
87. The applicant has provided a Transport Assessment (TA) and an Interim Travel Plan and as part of the application submission.

Access & Traffic Generation

88. This outline seeks detailed approval for access, all other matters reserved. The application site is currently accessed from two locations, Thorley Lane (A5144) to the eastern side and Wood Lane to the north of the site. The Thorley Lane access currently has a left turn only for vehicles exiting the site, this is the access that has been used by members of the public visiting the site. The Wood Lane access has been used for deliveries/servicing, it is also used by the veterinary practice.

89. It is proposed to use both the existing vehicular accesses to the site and it is suggested these would be upgraded to provide a minimum 5.5m wide carriageway (Thorley Lane would be wider to accommodate large vehicles and a centre island) with 2m wide footways on both sides of the road and 8m turning radii.
90. The LHA have been consulted on the proposed works and in relation to the access and have requested that the turning radii at each of the junctions is increased from 8m to 10m to prevent overrun of the pavement from large vehicles.
91. The existing left turn only restriction from the Thorley Lane access when exiting the site is to be removed. The applicant has included a stage 1 road safety audit which did not identify any problems with the Wood Lane or Thorley Lane junctions. The LHA have raised concerns regarding the Thorley Lane junction as it is located within a 40-mph section of relatively straight road with good visibility in both directions. They have also stated that it is understood average speeds along this section of the road are already a concern, with the 85th percentile speed (speed at which 85% of traffic will be travelling at, or below along a road under free flow conditions) believed to be circa. 48mph. The LHA have noted that the road safety audit did not include any traffic speed data or swept path vehicle analysis.
92. The LHA have stated that the proposed development will see an increase in traffic movements at the access in comparison to the permitted use, with vehicles egressing the site able to turn left and right (unlike the current left only arrangement). This access at Thorley Lane is also being made wider to accommodate larger vehicles. A further concern raised by the LHA is the use of the site as a 'rat-run' with drivers using the site as a means of avoiding the roundabout junction and increasing further traffic at both junctions of the site. It is acknowledged by the LHA that traffic calming measures as part of a site layout do not form part of this application submission. However they are concerned a road safety problem could be created where none currently exists and wish to avoid having to retro-fit highway measures following occupation of the development to address vehicle access/egress and or road safety problems at both junctions.
93. A traffic survey had therefore been requested by the LHA during the course of the application to establish the mean and 85th percentile vehicle speeds along Thorley Lane. The applicant has submitted the speed survey which has been considered by the LHA who have confirmed that it highlights the requirement for a 'ghost island' junction rather than the proposed 'T' junction with over 300 vehicle turning movements expected per day. The LHA have advised that the cost of such a 'ghost island' junction would be in the region of £105,000 excluding risk contingency considerations. In addition that have stated that the 'ghost island' junction is only required to mitigate this application as a stand-alone development. If the proposed development site were to be coming forward as part of the Masterplanned Timplerley Wedge allocation with the appropriate highway infrastructure i.e. the new proposed PfE spine road and associated roundabout junction onto Thorley Lane and

the harm to the highway network would be satisfactorily mitigated and the 'ghost island' junction would not be required.

94. The applicants transport consultant has stated in response to the request for a ghost island that the submitted Transport assessment confirms that the junction will operate with significant spare capacity in the 2026 future assessment year with no queuing on either the site access approach or for right turning vehicles on Thorley Lane. As such they suggest that there is no basis for the proposed site access junction to be amended to include a ghost island right turn facility. Discussions are still ongoing with the LHA on this matter and an update will be provided on the additional information report to committee.
95. The LHA have raised concerns regarding the use of the Wood Lane access and had recommended that the Wood Lane access be omitted from the current proposals in order to prevent the site being used as a rat run by traffic wishing to avoid queuing at the Thorley Lane roundabout. Discussions are still ongoing with the LHA on this matter and an update will be provided on the additional information report to committee. It is considered however that measures can be built into the final detailed layout of the residential development to prevent the site becoming a rat run. This application seeks approval for access only at this stage and does not propose a detailed layout which would be submitted at reserved matters stage. Any reserve matters application for layout would involve consultation with the LHA in order to ensure appropriate mitigation is built into the final layout to prevent it becoming a cut through for traffic from both Wood Lane and Thorley Lane.
96. A separate new vehicular access is also proposed adjacent to 124 Wood Lane and which would serve what is shown as three buildings, however it is unclear if these are individual dwellings or apartments. A large area of hardstanding is also shown.
97. It is intended to provide 2m pathways on both sides of the access roads leading from the junctions and linking to the internal road network of the site. There would also be dropped kerbs and tactile paving at the junctions with Wood Lane and Thorley Lane. The applicant also intends to create a new public footpath to the east side of the Wood Lane access where none exists at the moment, this would extend for a distance of 15m along the site boundary with a dropped kerb and tactile paving (opposite 117 Wood Lane) to allow pedestrians to cross to the northern side of Wood Lane.
98. As part of the Transport Assessment the applicant has considered the existing highway network with both site junctions and the Thorley Lane/Wood Lane/Clay Lane roundabout junction also assessed, the trip generation figures have utilised trip rates used in another residential development within Trafford in agreement with the LHA.

99. The forecast scenarios for 2026 (which include with and without the proposed development) show junction capacity for the existing Wood Lane and Thorley Lane accesses will remain significantly below theoretical capacity in both scenarios.
100. In relation to the Thorley Lane/Wood Lane/Clay Lane roundabout junction the ratio to flow capacity (RFC) shows that three of the four arms of the roundabout junction are above capacity during either the am or pm peak hour. The forecast increase in both traffic flow and queue length is applicable to both scenarios (with/without the development) with the exception of Clay Lane which shows an increase in the mean maximum queue (MMQ) length from 28.6 vehicles (without the development) to 40.3 (with the development). This is a concern for the LHA, given the layout of the highway at the roundabout junction any options to mitigate impact at this junction would be complex and costly. However the LHA have concluded that the development itself would not result in residual cumulative impacts on the road network would be severe..
101. The applicant as part of their proposal has submitted details of what they anticipate to be the total costings for the proposed new roundabout junction as part of the PfE infrastructure improvements which would see a section of new spine road connect onto Thorley Lane south of the existing roundabout junction and just north of the Thorley lane access to the application site. The applicant's highway consultants calculate that the cost of this new roundabout would be circa. £500,000 and suggests that based on the quantum of development for the applications site the applicant would be liable to a financial contribution of £35,000 towards the new roundabout. The LHA have considered the information provided by the highways consultant with regards the proposed costings of the new roundabout junction and have suggested that the cost for such a new roundabout junction would cost approximately £600,000 excluding risk costs/contingencies built in to deal with statutory undertaker counter measures as an example. The LHA have as detailed earlier advised that a ghost island junction is required to mitigate the impact of this development as a stand-alone development. In the event that this site secures planning permission for residential development (outside of PfE), it must be mitigated based on the individual site specific proposals. Whilst it is noted that limited weight is to be afforded to the PfE Plan at this stage, there is no means with which to contribute to the wider infrastructure required to deliver the allocation. It is envisioned that an SPD will be adopted (shortly after the PfE adoption) which will include details of a roof tax in order to deliver the appropriate infrastructure needed. In coming forward prior to the adoption of PfE plan this application should and needs to mitigate its own individual impact regardless of the emerging PfE allocation.. It has been agreed with the applicant that in the event of an approval of this stand-alone application a highways financial contribution would be required with regards either the ghost junction or other highways infrastructure works as required for the wider Timperley Wedge, dependant on when this site comes forward (i.e an approval prior to PfE plan adoption or as part of PfE plan adoption). The contribution would be secured through a Section 106 agreement with appropriate costings for either of the scenarios factored in as appropriate.

102. A significant number of local residents have raised concerns over the congestion that is experienced particularly at peak times in relation to the surrounding road network and in particular the roundabout junction. The proposed new roundabout junction which is proposed as part of PfE Timperley Wedge Allocation, infrastructure improvements is envisaged to alleviate these congestion issues, however no final scheme or costing for these works have yet been established and this does not form part of this development.

Car Parking

103. With regards parking standards as per SPD3 the application site is located within Area C whereby the parking requirements are detailed as 1 parking space for 1xbedroom properties; 2 parking spaces for 2 & 3 bedroom properties and 3 parking spaces for 4+ bedroom properties. At this stage there is no specific details of house types in terms of bedroom numbers on which the Councils parking standards are based. The indicative outline masterplan details approximately 164 car parking spaces for 116no. residential dwellings. Final parking space numbers will be determined at reserved matters stage.

104. The LHA have raised concern over the shortfall in the number of spaces however note that layout is not for consideration in this application and that an appropriate level of car parking associated with a development for this amount of dwelling could be provided within the site. An interim travel plan has been submitted which details measures to reduce car to and from the site and measures to encourage walking, cycling and use of public transport as well as car sharing. There is limited options with regards public transport, bus services are the only form of public transport located close to the site with two bus stops on Wood Lane near to the site and two located on Thorley Lane close to Ridgeway Road. Navigation Road and Altrincham would be the two nearest metro and rail stations but these are still a considerable distance from the site (approximately 2km).

105. The Local Planning Authority are supportive of a reduction in car parking spaces which will help achieve a high quality layout and reduce the over dominant impact that parking can cause in new residential developments. Details of the final parking provision would be detailed at reserved matters stage and would also include provision for accessible parking.

106. The applicant has indicated that two electric vehicle charging points will be included on site which can be used by any member of the public. In addition each individual dwelling will incorporate the necessary electric vehicle infrastructure. Details of which would form part of any reserved matters application.

Cycle Parking

107. The applicant has stated within their Transport Assessment that all new

individual dwellings will be able to accommodate bicycles within the curtilage of each dwelling. Dedicated cycle stores would also be provided at apartment blocks with one cycle parking space for each residential unit. Final details of cycle parking provision would be secured at reserved matters stage.

Servicing

108. Details of waste management for the site would be provided at reserved matters stage and would include ensuring appropriate tracking details for the type of refuse vehicle used by Trafford Council to ensure the site can be accessed safely. Details of waste collection areas for apartment buildings would also be required and form part of a wider waste management strategy for the site.

Other Highway Matters

109. The LHA have requested a number of conditions in the event planning permission is granted to include the submission of a construction method statement and a Full Travel Plan. The applicant is also advised to provide details at reserved matters stage of any areas to be offered for adoption
110. Improvements to pedestrian crossing facilities are also highlighted by TfGM as being recommended with the difficulty crossing at the roundabout. A pedestrianised signal crossing on Thorley Lane is suggested along with pedestrian refuges and zebra crossings across Wood Lane. TfGM suggest that these improvements are considered necessary to improve facilities for pedestrians that the residential development is likely to generate. TfGM also recommend that a review of Traffic Regulation Orders in the vicinity of the development is undertaken in order to restrict parking on-street. No waiting signs and double yellow lines around the site accesses will ensure sightline visibility is unimpeded. The LHA are currently considering these suggested measures and an update will be provided on the additional information report to committee. Measures to improve cycle and pedestrian access to the site and within the layout to be encouraged, the site is recognized as not being particularly well served by public transport. A robust travel plan condition should be attached to any grant of planning permission.
111. National Highways (formerly Highways England) have raised no objections to the proposal.

Conclusion on Access, Highways and Car Parking

112. The proposed Thorley Lane junction is considered acceptable subject to the provision of a ghost island junction. The LHA has raised concerns in respect to the Wood Lane junction and potential for this to result in a rat run, however officers consider that a design solution could be agreed at reserved matters stage to prevent this occurrence. The LHA are further reviewing both these matters and an update

will be provided in the additional information report. Final details of parking and servicing will be considered at reserved matters stage. There are no adverse impacts identified with regards traffic generation subject to appropriate conditions. Any highway improvement work required in order to mitigate any identified harm would be funded by the applicant and secured through a s106 legal agreement should the application be granted permission. It is concluded that the development would have an acceptable highways impact with reference to Core Strategy Policies L4 and L7 and the NPPF.

DRAINAGE AND FLOODING

113. The Policy L5.13 of the Trafford Core Strategy states that *'Development that has the potential to cause adverse pollution (of air, light, water, ground) noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place'*. The policy goes on to state at L5.16 that. *'the Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location'*. At the national level, NPPF paragraph 159 has similar aims, seeking to ensure that development in high risk areas of flooding is safe without increasing flood risk elsewhere.
114. The application site is located within a Critical Drainage Area as specified within Trafford Council's Strategic Flood Risk Assessment. Reference to the Environment Agency Flood Zone maps would suggest the majority of the site is within Flood Zone 1 and a small area is identified as being within Flood Zone 2 alongside the brook. The site is also located within 8m of a statutory main river, namely Timperley Brook.
115. The applicant has submitted a Flood Risk Assessment (FRA) and SuDS pro-forma as part of the development proposals.
116. The LLFA have considered the submitted details and have no objection in principle to the proposals. They state that as the current application is at outline stage only seeking approval for access their comments regarding surface water flood risk and drainage are advisory. The LLFA accept the proposed surface water discharge rate as stated within the FRA and approximate attenuation figures, however as mentioned in the document, further clarification on the potential for infiltration needs to be provided.
117. The proposed SuDS at this stage as indicated in the FRA and the landscape masterplan are in accordance with the Council's policies and the LLFA are keen to see these features progressed at the reserved matters stage.
118. Following approval of a detailed drainage design at reserved matters stage the long term management and maintenance of the sites surface water drainage would also need to be agreed.

119. United Utilities have been consulted on the proposal and have no objections, they recommend conditions in relation to a surface water scheme based on the hierarchy of drainage options; the maintenance and management of a surface water drainage scheme and foul and surface water are drained on separate systems.
120. The Environment Agency have also been consulted on the proposed development and have raised no objections. They have recommended a condition is included which requires the development to be carried out in accordance with the submitted FRA and no banks shall be raised for the development and the submitted easement plan is adhered to with a 8m easement maintained at all times to allow Environment Agency vehicles to gain access to the watercourse. The applicant is also advised that they may require an environmental permit to undertake works on or within 8m of Timperley Brook.

Conclusion on Drainage & Flooding

121. It is therefore considered that in relation to flood risk and drainage the development is acceptable and in accordance with Core Strategy L5 and the NPPF.

TREES, LANDSCAPING & OPEN SPACE

122. Policy R3 of the Core Strategy seeks to protect and enhance the Boroughs green infrastructure network. Policy R5 states that all development will be required to contribute on an appropriate scale to the provision of the green infrastructure network either by way of on-site provision, off-site provision or by way of a financial contribution. Both policies are considered to be up to date in terms of the NPPF and so full weight can be afforded to them.

Trees & Landscaping

123. The applicant has undertaken a preliminary Arboricultural Impact Assessment which identified 19no. individual trees; 18no. groups of trees and 4no. hedgerows. There are no Tree Preservation Orders across the site. The assessment states that some trees offer a degree of maturity to the setting, none are considered to be of high arboricultural value (Category A) or of notable maturity. Several limited value (Category B) trees are located on site as are a number of lower value (category C) trees. Approximately 7 individual trees and 12 groups of trees are proposed to be removed as part of the development works.
124. The Councils Arboriculturist officer has considered the proposals and has no objections in principle to the proposals, has advised a more cohesive and realistic planting plans to be submitted at reserved matters. The indicative information provide would suggest not sufficient space to plant larger species of trees and a greater green buffer required adjacent to Timperley Brook.
125. The applicant has provide an indicative landscape strategy and master plan

although landscaping is not being applied for in detail at this stage. The details submitted provide some background on the concept the applicant wishes to establish within a residential development coming forward. This includes provision of street trees; parking areas framed by trees; green chicane(s) acting as pedestrian crossings; swale features; hedgerow planting; series of pocket parks and main amenity areas including play/park area.

Open Space

126. The Councils adopted SPD1: Planning obligations states that “large residential developments of approximately 100 units, or that provide homes for 300 people or more will need to provide new open space as part of the site design.
127. The indicative layout details a new landscaped area to the south of the site with a network of paths, new pond and soft landscaping and pocket park/landscaped area. A play park area is located on the eastern side of the site, the landscaping strategy suggest that this could incorporate a Multi-Use Games Area. The quantum of development would indicate that a Local Equipped Area of Play could be provided in this location. The applicant has indicated within the supporting planning statement the intention to provide a LEAP.

ECOLOGY AND BIODIVERSITY

128. Policy R2 of the Core Strategy seeks to protect and enhance the landscape character, biodiversity, geodiversity and conservation value of its natural urban countryside assets and protect the natural environment throughout the construction process. Policy R2 is considered to be compliant with the NPPF and therefore up to date as it comprises the local expression of the NPPFs emphasis on protecting and enhancing landscapes, habitats and biodiversity. Accordingly, full weight can be attached to it in the decision making process.
129. Paragraph 174 of the NPPF identifies that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 180 of the NPPF advises that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.
130. As part of the application submission the applicant has provided an Ecological Impact Assessment (July 2020) and also an updated Ecological Impact Assessment (July 2021). The Ecology reports assessed the proposed development in relation to protected species; nesting birds; small mammals and amphibians; invasive species; Timperley Brook. The southern section of the application site is designated a wildlife corridor.

Great Crested Newts

131. One of the reasons for refusal on the previous planning application related to the failure of the applicant to demonstrate that the proposed development could be undertaken without any harm to Great Crested Newts, a protected species. The full ecology survey undertaken in 2019 found no evidence. GMEU are satisfied with the findings of the report and have advised that colonisation is extremely unlikely owing to the relatively landlocked nature of the site, with major roads to east and west providing barriers to movement. There is however hydrological linkage to Davenport Green via the Timperley Brook a known hotspot for great crested newts. Best practice is that such surveys should be updated every three years and it is therefore recommended that as part of any reserved matters application that updated amphibian surveys are provided.

Bats

132. The buildings were assessed for their bat roosting potential (roost survey 2019 and update survey 2021). The majority were assessed as having negligible risk. Emergence surveys were however carried out on several buildings, no evidence of roosting was found. One tree has been identified as having moderate potential for bats but was not surveyed due to it being proposed to be retained. The GMEU have recommended conditions to ensure a survey for bats to be undertaken on the tree if the tree is subsequently proposed for removal and also if the demolition of the buildings on site does not commence before 30th April 2023 a further reassessment survey to be undertaken and submitted for approval by the LPA. A further condition to be included for an external lighting strategy to mitigate harm to foraging and commuting bats.

Other Protected Species

133. The site was assessed for its potential for other protected species such as badger, water vole, and otter, no evidence was found. Water vole are declining nationally and across Greater Manchester with no known populations nearby, and informative to be attached to cease work if they are encountered on site and seek advice of an ecologist. The GMEU have advised that with regards otter, an informative be attached to any grant of planning approval that work cease to get appropriate advice from an ecologist, Natural England should also be informed. In relation to badger no evidence was found but badgers could colonise the site, therefore as part of any reserved matters application an updated badger survey should be provided.

Nesting Birds

134. Significant bird nesting habitat will be lost as part of the proposed development. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. The GMEU have recommended that an appropriate condition be attached to any grant of planning

permission to ensure that no works to trees or shrubs shall occur or demolition commence 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 clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Hedgehog, other small mammals and other amphibians

135. GMEU have advised that whilst not reasons for objection and not protected under wildlife law, the developer has a duty of care during site clearance such as a legal responsibility under the Wild Mammal (Protection) Act 1996 (an animal welfare act not wildlife protection) not to inflict unnecessary suffering to wild mammals. Given the overgrown nature of parts of the site there is a high risk of non-protected species being present. An appropriate condition to be attached to any reserved matters application to ensure that a reasonable avoidance method statement for other mammals and amphibians is submitted and agreed.

Invasive Species

136. Three invasive species included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended were found on the site, Himalayan Balsam; Japanese Knotweed and Giant Hogweed. The GMEU have recommended that an appropriate condition be attached to any grant of planning permission which will require that prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for these invasive species should be submitted to and agreed in writing by the LPA.

Timperley Brook

137. The Timperley Brook forms the southern boundary of the site. There are risks during construction and post development of negative impacts on the ecological potential of the Brook from an increase in pollutant, sediment and surface water discharge leading to flooding downstream. There is also direct hydrological connectivity via the Timperley Brook from the site to the King George V Pool a site of biological importance (SBI). Therefore any incidents would have the potential to also impact negatively on this wildlife site. GMEU accept however that risk to the SBI is very low given the distance downstream over 1 mile away and the fact that the Pool is off-stream i.e. the Brook does not flow directly through the Pool. Therefore any measures to protect the Brook would automatically protect the SBI.
138. Given a buffer is being retained the risks of overland flow during construction of pollutants and sediment is relatively low, though that assumes no existing surface water discharges from the site to the Brook. Similarly post development there will only be risks if direct surface water drainage from the site, roads etc. is directed in to the Brook. GMEU have stated that as long as best practice is followed impacts are avoidable. It is recommended that as part of reserved matters, should outline

permission be given that, full detail of measures to protect Timperley Brook during and post construction are provided.

139. GMEU have recommended that a Landscape Environmental Management Plan condition is attached to any future reserved matters application. This would include details of habitat enhancement and creation proposals along the Timperley Brook corridor and across the wider site. A bird nesting strategy; maintaining site permeability for small mammals and details of its implementation, maintenance and management.

Biodiversity Net Gain

140. An assessment undertaken by the applicant, based on the indicative layout and quantum of development, would result in a net loss of habitat value (Bio-diversity value of the site post development -4.31) and if the development were approved, off-site compensation would be required. The existing site has a baseline (area and value of habitats currently on site) of 10.15 units with the post development value at 5.84 units (-4.31 units lost). GMEU have indicated that a figure of between £9.6k and £14k per unit dependent on difficulty of the habitats/site (average figure normally agreed on is £10k) as a contribution based on a habitat unit value attributed to the trees and other habitats to be lost on site. Discussions are currently taking place with Trafford Council and the applicant with regards identifying a suitable site within the Borough to benefit from the contribution and the final financial contribution.

Conclusion on Ecology and Biodiversity Net Gain

141. Subject to appropriate on and off-site mitigation measures as detailed above, the proposed development is not considered to result in any harm to protected species or overall to biodiversity having regard to advice within the NPPF.

SUSTAINABILITY AND ENERGY EFFICIENCY

142. Policy L5.1 of the Core Strategy states that new development should maximize its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralized energy generation. L5.4 goes on to say that development will need to demonstrate how it contributes towards reducing CO₂ emissions within the Borough. It is considered that policies L5.1 to L5.11 are out of date as they do not reflect NPPF guidance on climate change. Paragraph 154 of the NPPF states that new development should be planned in ways that can help reduce greenhouse gas emissions, such as through its location orientation and design.
143. The applicant has submitted a Sustainability and Energy Statement in support of the proposed development. The report identifies that the application site is outwith the four Low Carbon Growth Areas (LCGAs) within Trafford (Altrincham; Trafford Park; Old Trafford and Carrington). Development within these four spatial areas has the

potential to deliver CO₂ reduction target of up to 15% above current building regulations. Development outside these four areas has the potential to deliver CO₂ reduction target of up to 5% above current building regulations.

144. The report details some of the measures that could be incorporated as part of the build fabric to reduce heat loss and ensure efficient operation of the dwellings to have low U-values. These measures include high performance thermal insulation, thermally efficient double glazed windows and wastewater heat recovery systems. Several renewable energy options considered feasible for the development include district heating systems; photovoltaic panels and air source heat pumps. A condition would be included to ensure specific details of energy efficiency measures that would be incorporated into the development are secured.

EDUCATION

145. Policy L2 of the Core Strategy states that all new development will be required to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements to the social infrastructure, including schools to ensure sustainability of the development.
146. The proposed 116 dwellings will be predominantly family accommodation, therefore a significant proportion are likely to be occupied by families with children of school age which will place additional demand on existing schools. The pupil yield of the proposed development has been calculated as 16 primary and 12 secondary school places.
147. The Councils Schools Capital Projects Team has carried out an assessment of capacity at primary schools within 2 miles walking distance from the site and 3 miles walking distance for secondary schools. In summary primary and secondary schools are oversubscribed with very little surplus and a contribution towards new school places is required. Based on the pupil yield generated by the development and applying the DfE school places score card rates as recommended by the DfE, this has been calculated at £251,792.00 for primary and £262,464.00 for secondary giving a total contribution of £514,256.00.

HEALTH FACILITIES

148. Policy L2 of the Core Strategy states that all new development will be required to be appropriately located in terms of access to existing community facilities and/or delivers complementary improvements, including in respect of health facilities. The NHS Trafford CCG has been consulted and advise that the proposed development would not generate a demand on health services in the area that would justify a financial contribution towards health provision.

EQUALITY ASSESMENT

149. Policy L7.5 of the Core Strategy requires that development should be fully accessible and usable by all sections of the community and Paragraph 130 of the NPPF reinforces this requirement by requiring planning decisions to ensure that developments create places that are safe, inclusive and accessible.
150. Under the provisions of the Equality Act 2010, specifically Section 149 Public Sector Equality Duty (PSED), all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The relevant protected characteristics of the PSED include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The PSED applies to Local Planning Authorities in exercising their decision making duties with regards planning applications.
151. The applicant has submitted an Equalities statement in support of the proposed development. The statement identifies that no protected groups would be impacted at this stage. As the application is for access only with all other matters reserved the applicant has stated that all matters regarding accessibility will be detailed and agreed at reserved matters stage with the Local Planning Authority. If any other equalities matters arise which are unable to be identified at this stage, these will also be dealt with via reserved matters applications.

CRIME & SECURITY

152. The applicant has submitted a Preliminary Crime Impact Statement in support of the development. The statement has been considered by the Greater Manchester Police (GMP) design for security team. GMP have no objections to the outline application proposal subject to the layout issues within section 3.3 being addressed and recommend that when full permission is sought for development, a full version of the Crime Impact Statement should be submitted, in order to show how crime has been considered for the proposal and the surrounding area.
153. The matters covered within section 3.3 of the statement include consideration of matters relating pedestrian/vehicular accesses; car parking areas; boundaries and landscaping; active building frontages; physical protection measures to buildings and lighting schemes.

OTHER MATTERS

154. Manchester Airport Group have raised no objections to the proposed development but have recommended a number of conditions to be attached to any grant of

planning permission. These include further details of SuDS as open water attenuation features can attract birds increasing risk of bird strikes with aircraft, a bird hazard plan for construction and in perpetuity may be required. Control of construction related dust and smoke clouds and details of exterior lighting. No reflective materials on buildings; a Glint & Glare assessment may be required for solar photovoltaics (SP) and no SP used on site without first consulting with aerodrome safeguarding. An informative is recommended for crane and tall equipment notifications.

DEVELOPER CONTRIBUTIONS

155. The proposed development would be considered against Trafford Council's Community Infrastructure Levy (CIL) Charging Schedule (July 2014) and Supplementary Planning Document SPD1: Planning Obligations (July 2014).

CIL

156. The site falls within a 'Hot charging zone' (Hale Barns Ward) with regards Trafford Council's CIL Charging Schedule, whereby private market houses are liable for a charge of £80 per sqm (GIA) and apartments are liable for a charge of £65 per sqm (GIA).

SPD1: Planning Obligations

157. This supplementary document sets out Trafford Council's approach to seeking planning obligations for the provision of infrastructure, environmental improvements and affordable housing required in relation to new development. Contributions sought through SPD1 will be through the established mechanism of a Section 106 agreement.
158. Affordable Housing – Policy L2 of the Trafford Core Strategy seeks to secure appropriate levels of affordable housing in new developments. For the purposes of affordable housing, the proposal site falls within a 'Hot market' location (not to be confused with the CIL charging zones which differ). In these hot market locations a 40% affordable housing target would normally be sought, with the flexibility to increase this to a 45% requirement under 'good' market conditions. The housing market is currently operating under 'good' conditions therefore any residential development would be expected to provide 45% of the proposed units as affordable housing. The applicant is proposing provision 45% of residential units as affordable housing on site.
159. Specific Green Infrastructure – This section of the SPD relates to appropriate tree planting and other forms of Green Infrastructure that would be appropriate to mitigate the impact of the development. The applicant has provided an indicative landscape strategy. Appropriate soft landscaping detail would be conditioned as appropriate.

160. Spatial Green Infrastructure (Local Open Space) - Advice within SPD1: Planning Obligations states that large residential developments of more than 100 units, or that provide homes for 300 people or more, will need to provide new open space as part of the site design. Any open space provision would be expected to be of a high standard and detailed appropriately as part of any future planning application submission. Associated with this is the requirement for informal recreation and equipped play through the provision of a LEAP (Local Equipped Area for Play) an appropriate condition would be attached to any grant of planning permission to secure delivery.
161. Education – As detailed above a total contribution of £514,256.00 is required to reflect the quantum of development.
162. It is not considered that the proposed development will be liable for any other contributions under SPD1.
163. The applicant has provided a S106 draft heads of terms detailing developer contribution provision through financial contribution and/or provision on site as follows:-
- Affordable Housing – 45% provision (75% intermediate tenure/25% affordable or social rented);
 - Education Contribution;
 - Electric vehicle charging spaces for public use (minimum of 2);
 - On site childrens play area;
 - A financial contribution towards Thorley Lane transport infrastructure outlined within the Timperley wedge Master plan or provision of a ghost island junction and associated highway works

PLANNING BALANCE AND CONCLUSION

164. Section 38(6) of the Planning and Compulsory Purchase Act 2004 is clear that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF reiterates the statutory status of the development plan as the starting point for decision making. Paragraph 11 of the NPPF is a material consideration which carries significant weight in the decision-making process.
165. Given the Council cannot demonstrate a five year supply of housing land, paragraph 11 of the NPPF is engaged. Paragraph (d)(i) is clear that the application of policies in the Framework that protect areas or assets of particular importance (in this case Green Belt) provides a clear reason for refusing the development
166. Paragraph 148 of the NPPF is clear that when considering any planning application, local planning authorities should ensure that substantial weight is

given to any harm in the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

167. The starting point for decision taking is the development plan. Policy R4 is up to date, and sets out a presumption against inappropriate development within Green Belt in line with the NPPF. The development by virtue of resulting in additional built form in the Green Belt constitutes inappropriate development within the Green Belt. It has also been concluded that the development would result in an unacceptable impact on openness and would result in encroachment into the Green Belt. On this basis it is considered that the proposed development is contrary to Core Strategy policy R4 and the NPPF. The applicant has not evidenced that the development would fall within any of the exceptions identified in paragraph 149 of the NPPF, nor is it considered that any of the very special circumstances (individually or cumulatively) advanced by the applicant would overcome the harm identified to the Green Belt and any other harm and therefore there is a clear reason to refuse the application.
168. The development would also conflict with the spatial strategy of the development plan which seeks to direct new development to sustainable locations in the urban area. This would be contrary to Policy L1 of the adopted Core Strategy.
169. The applicant as stated earlier has referenced a number of appeal decisions in support of their proposals. Whilst it is acknowledged that these appeal cases include similar issues and considerations currently before the LPA, they do not set precedents and each site and proposals must be determined on their own merits. The LPA have refused planning permission in recent years for development of this site for residential purposes.
170. As detailed within the report above the PfE plan is afforded limited weight in the determination of the application having been submitted for examination. It recognised that this site is part of the wider allocation 'The Timperley Wedge' and is planned to be released from the Green Belt. Officers however considered that the weight afforded to the plan is not such that it would constitute very special circumstances and outweigh the harm identified to the Green Belt and any other harm. The weight afforded to the plan is tapered by the outstanding objections to the release of Green Belt in the Plan as a whole and specifically with regard to the Timperley Wedge allocation.
171. It has been found that the development fails to accord with Policy L1 and R4 of the Core Strategy (2012) along with the NPPF which would direct refusal of the application. Overall, it conflicts with the adopted development plan when taken as a whole. In accordance with Paragraph 11 (d)i, the failure to comply with the NPPF policy in respect of Green Belt provides a clear reason for refusal in this case. The application is therefore recommended for refusal.

RECOMMENDATION: Refuse, for the following reason:-

1. The proposed development is located within the Green Belt where there is a presumption against inappropriate development. The proposed development provides for the erection of new buildings, but is not considered to be one of the exceptions listed in Paragraph 149 of the NPPF. Moreover, the proposed development would harm the openness of the Green Belt and would fail to safeguard against encroachment into the Green Belt, contrary to the purposes of including land within it. The applicant has failed to demonstrate that there are any very special circumstances which would outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. The development is also contrary to the spatial strategy of the development plan which seeks to direct new development to sustainable locations within the urban area. As such the development is contrary to the Policies L1 and R4 of the Trafford Core Strategy and Policy C4 of the Revised Trafford Unitary Development Plan and the National Planning Policy Framework.

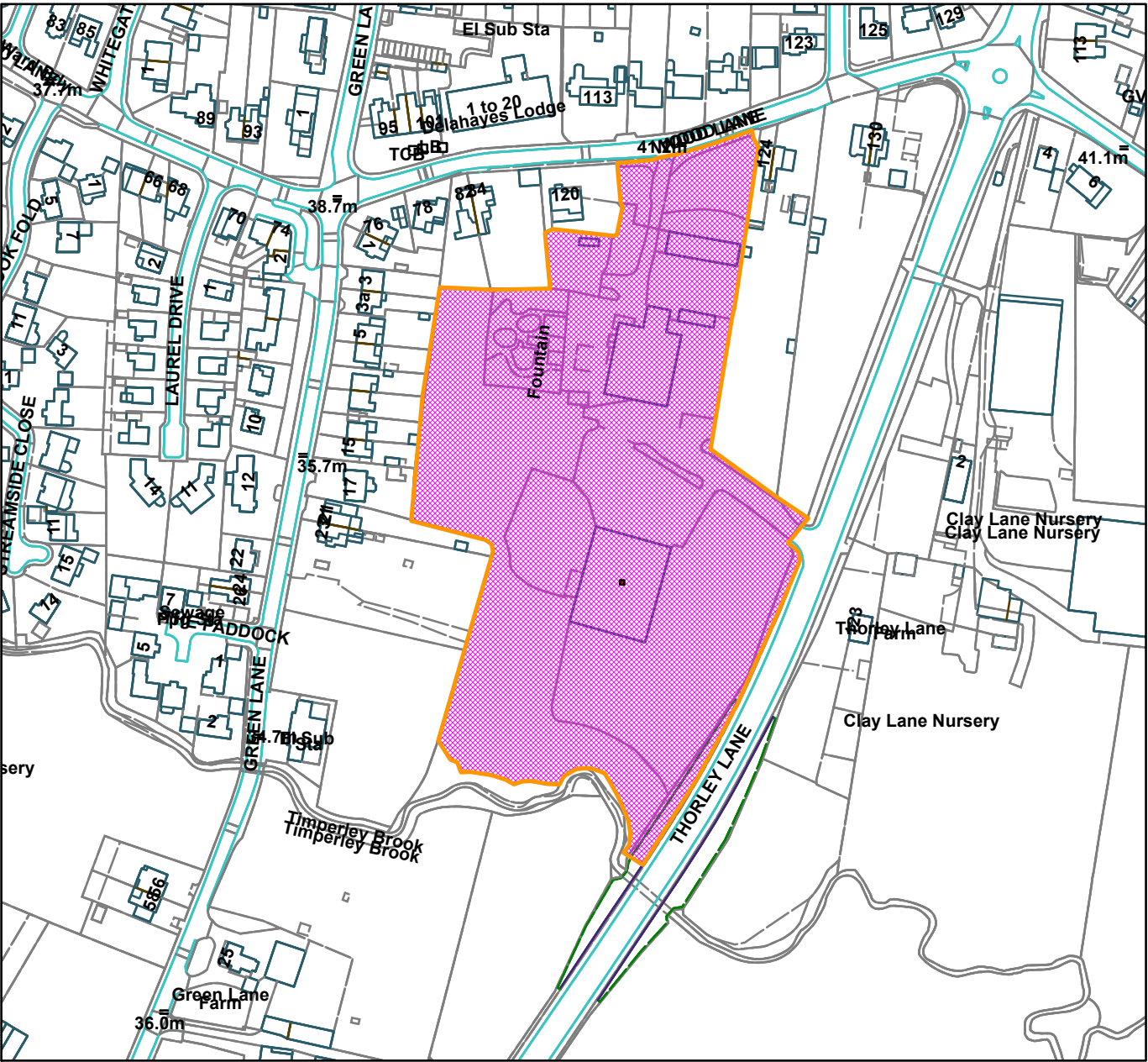
CM

105905/OUT/21



TRAFFORD
COUNCIL

World Of Pets, Thorley Lane, Timperley (site hatched on plan)



Scale: 1:2,500

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

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

Organisation	Trafford Council
Department	Planning Service
Comments	Committee date-10/03/2022
Date	28/02/2022
MSA Number	100023172 (2012)