

## **ITEM 2**

|                              |  |
|------------------------------|--|
| <b>Application Reference</b> | <b>DC/073653</b>   |
| <b>Location:</b>             | Thorn Works<br>Mill Pool Close<br>Woodley<br>Stockport<br>SK6 1SB  |
| <b>PROPOSAL:</b>             | Conversion of existing building to form 12 no. apartments, additional fenestration, installation of dormers and roof lights, erection of an additional level to the stairwell, alterations to ground levels to east and improvements to the access road and associated infrastructure. |
| <b>Type Of Application:</b>  | Full Application   |
| <b>Registration Date:</b>    | 10.07.2019   |
| <b>Expiry Date:</b>          | 20191009   |
| <b>Case Officer:</b>         | Karyn Clarke   |
| <b>Applicant:</b>            | Mr J Vickers Quality Engineering Design Ltd, 77 Tib Street, Manchester M4 1LS  |
| <b>Agent:</b>                | As applicant   |

### **DELEGATION/COMMITTEE STATUS**

Planning and Highways Regulation Committee decision as the application proposal is a departure from the development plan and a viability appraisal has been submitted by the applicant as the proposal would not be policy compliant in reference to policies L1.2 and SIE-2 with regards off site open space and recreation provision. Application referred to Werneth Area Committee for comment and recommendation.

### **DESCRIPTION OF DEVELOPMENT**

Planning permission is sought for the conversion of a vacant, former General Industrial (B2) building at 'Thorn Works', Woodley to form 12 no. two bed residential apartments comprising 4 units at ground floor level, 4 apartments at first floor level and 4 apartments at second floor level (roofspace). In terms of external alterations to the existing building, two dormers and one rooflight are proposed to the Northern elevation, two dormers and three rooflights are proposed to the Eastern elevation, three dormers and five rooflights are proposed to the Southern elevation and two dormers and one rooflight are proposed to the Western elevation.

Also proposed is the upward extension to the existing flat roof element attached to the northern and western elevations, which would form the main entrance to the flatted development and would include a stairwell and bedroom area to an apartment on each floor to flats 1, 5 and 9 (see layout). The majority of existing window openings would be retained and replacement frames and glazing fitted. The roof would be re-tiled with grey slate tiles.

Existing hardstanding areas to the south and west of the building would be re-surfaced to provide car parking for 18 vehicles. A cycle store would be provided to

the West of the building and bin storage areas and a further cycle store would be provided to the West of the building and within the southern car park. Private amenity space to serve the proposed development would be provided by way of patio and garden areas to the North of the building and within a garden area to the South of the site as well as the formation of lightwells with some below ground level narrow strip to form a patio area running parallel to the basement area to the eastern and southern elevations..

The existing access track to the North and East of the building and serving the site from the North East would be re-surfaced and would include minor ground regrading and vegetation clearance. Improvements to the access track would include the installation of speed humps, a vehicular passing place, pedestrian passing spaces, widening of the lower section of the access track and the installation of lighting columns.

Details of the design and siting of the proposed development are attached to the report.

The scheme has been amended to address concerns raised by the Conservation Officer and to satisfy the requirements of the highway engineer.

The amendments include:

- the lowering of the dormers within the roofspace,
- the use of conservation rooflights
- amendments to the access to the car park from the access road;
- improvements to the design of the boundary walls and railings and landscaped areas.

The application was accompanied by the following documents:

- Design, Access and Planning Statement;
- Supplementary Green Belt statement;
- Energy Statement;
- Sustainability Checklist;
- Transport Technical Note;
- Extended Phase 1 Habitat Survey;
- Arboricultural Survey;
- Structural Condition Survey;
- Phase 2 Geo Environmental Investigation;
- Heritage Impact Assessment;
- Drainage Strategy;
- Development Viability Appraisal

## **SITE AND SURROUNDINGS**

The application site, with an area of 0.4 hectares, comprises the existing two/three storey 'Thorn Works' building, of L-shaped footprint, red brick construction and a gable tiled roof, with associated hardstanding to the East, South and West.

Originally built in 1883 as a water mill, the building is currently vacant and was last used in 2009 for General Industrial (B2) purposes in the form of a joinery/shopfitting business. The building has been the subject of significant vandalism, including a fire. Access to the site is gained via a narrow track to the North and North East which is narrow and unlit, has loose surfacing and no turning area and which is served from Mill Pool Close and Bankfield Road.

The building is set within a woodland area, with a steep wooded embankment to the South and West and the former mill dam to the East. The site is surrounded by a variety of uses, which include an industrial site to the North West (Morrells Woodfinishes), allotments and residential uses to the South and South East, the Peak Forest Canal to the East and open fields to the North.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

### **The Development Plan includes-**

- Policies set out in the Stockport Unitary Development Plan Review adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17<sup>th</sup> March 2011.

The application site is allocated within the Green Belt and Landscape Character Area (Tame Valley), as defined on the UDP Proposals Map. The existing building is locally listed. The access road to the site is a Public Right of Way. There is a Tree Preservation Order on the opposite side of the access track to the North of the site (Wellington Works 1985). The mill pond is designated as Green Chain and the woodland approximately 5 metres to the North is a Grade C Site of Biological Importance (Botany Mill Wood). The following policies are therefore relevant in consideration of the proposal :-

### **Saved Review UDP policies:**

- LCR1.1 : LANDSCAPE CHARACTER AREAS;
- LCR1.1A : THE URBAN FRINGE INCLUDING THE RIVER VALLEYS;
- NE1.1 SITES OF SPECIAL NATURE CONSERVATION IMPORTANCE;
- NE1.2 : SITES OF NATURE CONSERVATION IMPORTANCE;
- NE3.1 : PROTECTION AND ENHANCEMENT OF GREEN CHAINS;
- GBA1.1 : EXTENT OF GREEN BELT;
- GBA1.2 : CONTROL OF DEVELOPMENT IN GREEN BELT;
- GBA1.5 : RESIDENTIAL DEVELOPMENT IN GREEN BELT;
- GBA1.5 : RE-USE OF BUILDINGS IN GREEN BELT;
- L1.2 : CHILDRENS PLAY;
- L1.7 : RECREATION ROUTES : MAINTENANCE AND EXPANSION OF NETWORK;
- L1.9 : RECREATION ROUTES AND NEW DEVELOPMENT;
- EP1.7 – DEVELOPMENT AND FLOOD RISK;
- MW1.5 CONTROL OF WASTE FROM DEVELOPMENT;

### **LDF Core Strategy/Development Management policies:**

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGE;
- SD-1 : CREATING SUSTAINABLE COMMUNITIES;
- SD-3 : DELIVERING THE ENERGY OPPORTUNITIES PLAN -

#### NEW DEVELOPMENT;

- SD-6 : ADAPTING TO THE IMPACTS OF CLIMATE CHANGE;
- CS2 : HOUSING PROVISION;
- CS4 : DISTRIBUTION OF HOUSING;
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT;
- H-2 : HOUSING PHASING;
- H-3 : AFFORDABLE HOUSING;
- CS7 : ACCOMMODATING ECONOMIC DEVELOPMENT;
- AED-6 : EMPLOYMENT SITES OUTSIDE PROTECTED EMPLOYMENT AREAS;
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT;
- SIE-1 : QUALITY PLACES;
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS;
- SIE-3 : PROTECTING, SAFEGUARDING AND IMPROVING THE ENVIRONMENT;
- CS9 : TRANSPORT AND DEVELOPMENT;
- T-1 : TRANSPORT AND DEVELOPMENT;
- T-2 : PARKING IN DEVELOPMENTS;
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK.

#### **Supplementary Planning Guidance**

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

- RECREATIONAL OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPD;
- DESIGN OF RESIDENTIAL DEVELOPMENT SPD;
- SUSTAINABLE DESIGN AND CONSTRUCTION SPD;
- SUSTAINABLE TRANSPORT SPD;
- TRANSPORT AND HIGHWAYS IN RESIDENTIAL AREAS SPD.

#### **National Planning Policy Framework**

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

#### National Planning Policy Framework.

Para.1 *“The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied”.*

Para.2 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

Para.7 *“The purpose of the planning system is to contribute to the achievement of sustainable development”.*

Para.8 *“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

Para.11 *“Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission 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”.*

Para.12 *“.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

Para.38 *“Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

Para.47 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.*

Para.124 *“The creation of high quality 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”.*

Para.130 *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

Para.133 *“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.*

Para.134 *“Green Belt serves five purposes:*

- to check the unrestricted sprawl of large built-up areas;*
- to prevent neighbouring towns merging into one another;*
- to assist in safeguarding the countryside from encroachment;*
- to preserve the setting and special character of historic towns; and*
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land”.*

Para.141 *“Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land”.*

Para.143 *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.*

Para.144 *“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, is clearly outweighed by other considerations”.*

Para.145 *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*(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.*

Para.146 *“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- (d) - the re-use of buildings provided that the buildings are of permanent and substantial construction.*

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

*a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

*b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

Para.213 “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.

### **Planning Practice Guidance**

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

### **RELEVANT PLANNING HISTORY**

DC/060451 - Conversion of existing building to form 9 no. apartments with alterations to access road and associated development, ; Granted 14/09/2016;

DC/000792 - Extension to existing works infilling yard area. Granted - 28/12/00.

### **NEIGHBOUR'S VIEWS**

The owners/occupiers of surrounding properties were notified in writing of the application. The neighbour notification period expired on the 25<sup>th</sup> July 2019. The application was advertised by way of site and press notice (Departure from the Development Plan), the consultation periods for which expired on the 12th August 2019 and the 31<sup>st</sup> July 2019 respectively.

7 letters of objection have been received to the application which are summarised below:

The buildings of Mill Pool Close has caused extra traffic down an already busy narrow road, more dwellings with occupants having probably 2 cars per unit will cause mayhem on this road;

Despite the traffic survey, this proposal will significantly disrupt the already terrible traffic situation along Bankfield Road due to its unique nature:

1. The traffic survey only considers peak AM as 08:00 to 09:00 whereas peak traffic AM is more like 07:00 to 09:00 along Bankfield road. The survey accounts for only 6 cars out of the 18 spaces of which only 2 (11%) are estimated as departures during this time. I believe this is rather unrealistic with most people going to work weekday AM.
2. The peak PM traffic by their own admission results in a 50% increase in traffic.
3. Note 2.7 of the traffic statement describes gaps between the parked cars along Bankfield Road that form 'de-facto passing places.' Although this may be the case in the middle of the day on a weekday, it is certainly not the case at evenings and weekends where Bankfield Road gets so overloaded with traffic that residents end up parking on double yellow lines and overflowing onto the road down to Mill Pool Close.

4. Due to the hill and narrow nature of the road from the development up to Mill Pool Close, most people will be put off walking/cycling which will result in more cars using the development than anticipated.

5. Bankfield Road contains blind corners around the railway bridge and near the nursery so a passing situation does not arise until at one of these points, these are the only places that cars pass along Bankfield Road. Two cars can usually pass comfortably, three is a struggle but if four cars need to pass one another (two in each direction) then the only way this is resolved is by having one of the cars reversing blindly out onto Hyde road. This is dangerous and stops the traffic completely along Hyde road until the traffic situation is resolved.

6. The previous industrial use by TA Knox only operated Monday to Friday 9am to 5pm which is easily accommodated especially between the peak hours. The use would have put no traffic load on the road during evenings and weekends. The residential use would be the exact opposite, no load during weekdays when the road can cope and a significant increase in traffic load during evenings and weekends just as Bankfield Road becomes clogged up with parked cars as mentioned above.

Overall, the traffic assessment is too simple for the complexities of Bankfield Road as mentioned above therefore I must object to the plans.

I object for the following reasons:

1. The traffic assessment states that there will be less traffic than there currently is. This can't be correct- the Thorn Works hasn't been used as for many years, and therefore there is no traffic going behind Mill Pool Close currently.

Bankfield Road which leads from Hyde Road down to the Thorn Works location cannot cope with anymore traffic as it is. The overflow of residents parking from Bankfield Rd onto Mill Pool Close is already a hazard. Another 12 apartments, with possibly 2 cars each, plus deliveries, refuse collection etc - this is clearly going to cause major traffic issues for local residents. To assess the current traffic issues in the area, you need to visit Bankfield Road in the evening, after 6:30pm. (There's no point visiting at lunchtime when most people are out as this will give a false indication of the existing traffic problem).

2. Bankfield Road is often blocked by deliveries etc - the only alternative route to get to Hyde Road is across the canal bridge and via the unadopted road towards Manor Road. This road is in very poor state of repair and highly unsuitable for regular traffic.

3. The land behind 8, 9 & 10 belongs to Mill Pool Close residents, so I'd imagine an easement would be required to permit access for a residential build.

I object to the proposal of the conversion of the existing building to form 12 no. apartments. Mill Pool Close is a quiet, secluded residential environment that currently homes 10 couples +/- 20 cars. My concern is the increase in volume of traffic on Bankfield Road. And the increase in noise pollution. The road is only wide enough for one car and already poses difficulties at the busiest times of the day.

The only reason I feel we need to object is that, the transport document states the development will not have an impact on the current traffic along Bankfield Road and Mill Pool Close. Currently vehicles that belong to house owners on Bankfield Road have for the last 10 years spilled over and now form 100% of the cars parked on Mill Pool causing a considerable nuisance and hazard where the junction meet.

Passing along Bankfield Road at both peak hours of the morning and evening has become a complete nightmare given the number of car owners which causes frustrations especially along Bankfield Road and up to the main highway with



constant cars have to back up and down the road, and in cases back onto the main highway which is a risk/hazard in itself.

Unless a proposal can be developed in which Bankfield Road is made into one way street, we cannot see how this proposed scheme is going to benefit any of the parties (ie developers/residents etc...). It will only add to what's now a frustration anyway.

Also are we to assume the new shared road will be illuminated in a manner that does not give off any light pollution at the rear of the houses?

This is a single track road access that is poorly maintained. With vehicles from 12 more homes it is difficult to see how access is not going to be made more difficult.

Whilst the idea of improving the land is a good one. Bankfield Road could just not take the traffic and any alterations to the existing infrastructure would just completely ruin the lovely area it is. It is a quiet peaceful road which already has a considerable parking problem due to it being a single road and there is no option to widen as there are houses on either side. Also there is no room for goods vehicles during the construction of this apartment either under the small bridge at one end or over the small one over the canal without damaging them both. .

## **CONSULTEE RESPONSES**

### **Conservation Officer - comments**

Thorn Works is a non-designated heritage asset, included on the Stockport list of buildings of local architectural and historic value and within the Greater Manchester Historic Environment Record (Ref 2519.1.0). The entry is described as follows :

*'Marked on the map as 'Thorn Works'. Originally an early to mid C19 water mill. The present spinning mill building has a plaque stone in the E facing gable reading 'Rebuilt 1883'. 2 storeys and 8x2 bays. Brick built. Timber internal structure. Tall brick arched windows with stone sills. Gable slate roof. W wing used for warehousing. Loading doors. Culvert under the mill, possibly a former pond. 'Thorn Works' plaque stone on a C20 addition to the mill. Embellished brickwork to the eaves. Railings on the roof. Ornate gutter supports. This building is currently being used by Messrs. TA Knox for shopfitting. Used c 1840s as bone mill. Rebuilt in 1883 by Buckleys of Wood Mill, woolcarders and hatter. By 1914 mill known as Thorn Works, and occupied by Joseph Williamson & Sons, hatters and furriers. Mill reservoir also still extant but overgrown.'*

Overall the proposed residential conversion of this building is supported because it has the potential to provide a mechanism of securing a long term viable future for a heritage asset that, despite some neglect and damage, is of architectural and historic interest. The previously submitted heritage assessment noted that severe fire damage resulted in the replacement of the purlins, rafters, battens and roof finish in 2015 and that the building had been vacant for approximately 7 years.

Planning permission was approved in September 2016 for the conversion of the building (DC/060451 Conversion of existing building to form 9 apartments with alterations to access road and associated development). The current revised proposal involves an additional 3 units and modifications to the site layout, internal floor plans and external form of the building.

Viability appears to be the driving force between the proposed intensification of the scheme, and it is acknowledged that conversion is likely to be very challenging to ensure the historic and architectural significance of the building is to be retained and respected. The site constraints, particularly the ground levels and site layout, means the creation of 12 attractive 2-bedroom units difficult and this will require substantial intervention. The submitted proposal indicates identical floorplans for each floor and these do not respond easily to the constraints of the existing site layout or building form : the east elevation of the basement backs into earth; there are few window openings to the attic floor and the relationship between the attic floor level/roof structure restricts headroom.

As previously indicated at pre-application stage, I have particular concerns over the introduction of dormers, particularly to the east/south elevations and where they would result in a harmful change to the character and form of the building. This is acknowledged in the applicant's submitted heritage impact assessment which erroneously states that this has been previously established as a principle : the previously approved scheme excluded the incorporation of dormers and proposed rooflights in order to maintain the form and profile of the roof whilst enabling the second floor to be converted to residential accommodation. Rooflights would be more sympathetic to the industrial character of the building than dormers and it is recommended the proposed second floor apartments are served by more generous studio rooflights than previously approved – see examples at :

<https://www.therooflightcompany.co.uk/all-products/studio/#gallery> . An adjustment of the floor level within the attic space may also assist in providing more natural light, improving sightlines and achieving more attractive views out whilst maintaining the original roof shape. It is accepted that a small number of dormers may be required where the need for headroom cannot be reasonably achieved in any other way but the current submitted plans indicate that the dormers are positioned at a minimum of 1.7m above floor level. Of the 9 dormers, 6 serve bedrooms or bathrooms where the room layout could be easily re-arranged to respond to the floor/ceiling configuration. Large studio rooflights are recommended for the proposed living rooms.

The use of appropriate external materials is critical to maintaining the character and appearance of the mill and any approval should be conditional upon samples of all materials – including the design of external windows/doors/balconies - being submitted for approval.

In order to provide additional light to Units 3 and 4 in the basement it is proposed to create a large continuous lightwell to the east elevation. This would alter the alignment of the access road between the mill and mill pond at a point where it is at a minimum, harming the external character, appearance and setting of the building. The former millpond is an important historic feature of the site and has the potential to provide considerable amenity value to the development. At pre-application stage it was recommended that an alternative approach is adopted, with a series of traditional lightwells restricted to serve individual basement openings. This is not incorporated in the submitted plans – a further alternative option would be to reduce the extent of the proposed east elevation lightwell, excluding openings serving Unit 4 where the living space is already served by full size openings on the north elevation.

It is acknowledged that there is a tension between preserving the visual relationship between the mill and millpond, maintaining the historic integrity of the wider site and facilitating safe vehicular and pedestrian access to the car park/bin storage. This will require a degree of realignment of the access road/mill pond wall but special care should be taken to minimise any visual harm that may result, both in terms of alignment and design/construction.

The revision of pedestrian and internal circulation routes from the previously approved scheme, consisting of a single core stairwell within the rear courtyard, is acceptable in principle although this results in a poor relationship between the main entrance and the car park. The design of handrails, fences and protective railings around lightwells will require sympathetic design and materials. It is recommended that the patio area to Unit 4 is enclosed by metal railings to match the existing (rather than a low brick wall with railings above) and that this area has a greater amount of soft landscaping (rather than fully hard surfaced). Metal railings should be applied to all lightwells (with no timber post/rail fencing to south elevation). The proposed materials to the car park/access road and other areas of hard surfacing should be reviewed with a view to ensuring appropriate surfacing eg bound gravel rather than asphalt with care given to the demarcation of car parking spaces/disabled parking bays. The design and location of the bicycle storage area should be reviewed – it is currently located directly outside the living room window to Unit 1.

### **Conservation Officer – updated comments on revisions**

The visual impact of introducing dormers and rooflights within the roof to serve living space within the attic has been significantly reduced following discussions with the applicant – the revised plans represent an appropriate response to the physical constraints of the building, its heritage interest and the need to provide attractive living accommodation that will support the viability of the overall scheme. The access arrangements and lightwells have also been amended adjacent to the south western corner of the building, resulting in an improved visual relationship and a less harmful impact upon the mill pond and historic setting of the mill. The design of boundary walls/fences/railings and landscaping has been satisfactorily amended. It is acknowledged that there are limited options to re-locate the bicycle store and it is recommended that the design is reserved by condition in order to ensure that an appropriate external design is achieved.

It is recommended that the following conditions are applied to any approval, consistent with the previous approval (App Ref DC060451)

- Notwithstanding the information shown on the submitted drawings, no external construction shall take place until a detailed schedule of all of the proposed materials of external construction has been submitted to and approved in writing by the Local Planning Authority and samples have been made available on site. Samples of brick and roof tiles shall comprise at least 1 square metre in area and a sample panel of brickwork including mortar jointing shall be made available. The schedule shall also include details of design, materials and finish of verges, eaves and balcony balustrades. Development shall not be carried out except in accordance with the agreed schedule and samples.

### **Reason**

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset and to ensure compliance with policy SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT of the adopted Stockport Core Strategy DPD.

- No development shall take place until full details (materials, detailed design and construction) of all external doors and windows have been submitted to and approved in writing by the Local Planning Authority. All windows and

doors shall be set back from the face of the building within the window and door reveals by a minimum of 90 mm and accord with the approved details.

**Reason**

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset and to ensure compliance with policy SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT of the adopted Stockport Core Strategy DPD.

- No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes, television aerials and satellite reception dishes) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the Local Planning Authority. Such plant and other equipment shall not be installed other than in accordance with the approved details.

**Reason**

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset and to ensure compliance with policy SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT of the adopted Stockport Core Strategy DPD.

- The development shall not be occupied except in accordance with full details of hard landscape works which have previously been submitted to and approved in writing by the Local Planning Authority. The details shall include: proposed means of enclosure; means of demarcating car parking layouts; hardsurfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage, signs); retained historic features and proposals for restoration, where relevant.

**Reason**

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset and to ensure compliance with policy SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT of the adopted Stockport Core Strategy DPD.

- No development shall take place until details of all screen and boundary walls, fences or other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the enclosures have been erected in accordance with the approved details.

**Reason**

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset and to ensure compliance with policy SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT of the adopted Stockport Core Strategy DPD.

- No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the size, species and spacing of planting, the areas to be grassed and the intended dates of planting.

**Reason**

To ensure the satisfactory appearance of the site and to ensure compliance with policies SIE-1 : QUALITY PLACES and SIE-3 : PROTECTING, SAFEGUARDING AND IMPROVING THE ENVIRONMENT of the adopted Stockport Core Strategy DPD.

- The approved landscaping scheme shall be carried out within 6 months of the date of occupation of the building or substantial completion of the development whichever is the sooner. Any trees, plants or grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size, species and quality unless the Local Planning Authority gives written approval to any variation.

#### Reason

To ensure the satisfactory appearance of the site and to ensure compliance with policies SIE-1 : QUALITY PLACES and SIE-3 : PROTECTING, SAFEGUARDING AND IMPROVING THE ENVIRONMENT of the adopted Stockport Core Strategy DPD.

#### Highway Engineer

This application, which seeks permission for the conversion, extension and alteration of Thorn Works on Bankfield Road, Woodley, to form 12 apartments, follows on from a previous scheme for the site which proposed the conversion of the building to 9 apartments. That scheme was approved in September 2016 under planning application DC/060451. The main changes between the approved scheme and the scheme now proposed are:

- 1) The number of apartments is increased from 9 to 12
- 2) The number of parking spaces is increased from 13 spaces (with one disabled parking space) to 18 (with two disabled parking spaces)
- 3) Various amendments to the elevations of the building
- 4) Construction of a second floor extension
- 5) Internal amendments
- 6) Amendments to the proposed bin storage arrangements
- 7) Amendments to the access road to the main car park
- 8) Amendments to the boundary treatment
- 9) Revised proposals relating to the upgrading of the access track that serves the site (the access track is now proposed to be surfaced in a non-permeable surface, draining to the track's existing drainage channel).
- 10) Removal of proposals to carry out pedestrian improvements on Mill Pool Close (footway widening and extension and provision of an uncontrolled pedestrian crossing).

After examining the submitted information, including a Technical Note which reviews the highways and transport issues relating to the development, I would make the following comments on the submitted drawings / information:

#### Access and impact on the highway network

The site is accessed from the strategic highway network (Hyde Road, A627), via Bankfield Road, Mill Pool Close and a private access track, along which runs a public footpath (No. 88, Bredbury). Whilst Mill Pool Close is a fairly modern estate road, Bankfield Road is narrow, lacks footways, cannot be used by larger vehicles (due to a low bridge), is subject to a large level of on-street parking and has a sub-standard junction with Hyde Road. The private access track is also narrow and is unlit, has loose surfacing and no turning area.

The Transport Statement submitted in support of the previous planning application outlined that surveys carried out in 2009 before the shop fitting business which previously occupied the building relocated showed that the business generated 5 two-way vehicle movements during the AM peak and 2 two-way vehicle movements during the PM peak. It also estimated that 9 apartments would be expected to generate around 2 two-way vehicle movements during the AM peak and 3 two-way vehicle movements during the PM peak. As such, it was concluded that the proposal should not result in a material increase in vehicle movements on the local highway network and although Bankfield Road is sub-standard, a recommendation of refusal could not be justified.

Increasing the number of apartments by 3 would be expected to increase the number of vehicle movements during the AM and PM peak hours by a single vehicle per hour. This number of vehicles would still be less than would have been generated by the shop fitting business during the AM peak and, although slightly more than would have been generated during the PM peak, it will be less than would have been generated between 16:15 – 17:15 and the impact of the increase between 17:00 and 18:00 could not be regarded as being at a level that would warrant a recommendation of refusal. As such, providing the improvements to the site's access are implemented along the lines as previously approved, I would conclude that a recommendation of refusal could not be justified.

### Access improvements

The previous scheme included proposals to improve the access track that serves the site and pedestrian access to the site, with improvements comprising of:

- 1) Widening and resurfacing of the track (to 3.7m in width), with permeable surfacing and associated kerbing / edging;
- 2) The provision of street lighting columns;
- 3) The provision of a speed hump at the start of the track and midway along;
- 4) The provision of a vehicular passing place and 3 pedestrian waiting areas;
- 5) Removal of vegetation to improve forward visibility;
- 6) Widening and extending the existing narrow footway at the end of Mill Pool Close;
- 7) Provision of an uncontrolled pedestrian crossing on Mill Pool Close

Some of these improvements, however, are not proposed as part of the revised scheme and others have been amended, including:

- 1) The access track is now proposed to be surfaced in a non-permeable surface, draining to the track's existing drainage channel
- 2) No new kerbing / edging is proposed
- 3) Bollard lighting is proposed, rather than street lighting columns
- 4) A speed hump has been removed from the scheme
- 5) The pedestrian improvements on Mill Pool Close have been removed from the scheme

The Technical Note outlines that the access improvements have been amended for viability reasons and as the applicant does not consider they are required. I disagree, however, that the previous improvements are not required and also do not consider the revised proposals acceptable. This is on the basis that:

- 1) No drainage will be provided for the southern half of the track (the existing drainage channel only runs along half the length of the track)

- 2) There would be nothing to retain the proposed surfacing, which would result in the surfacing quickly breaking up
- 3) Bollard lighting would unlikely provide a sufficient level of illumination (and may actually be more costly than street lighting columns and could be more harmful to wildlife)
- 4) Removal of a speed hump may allow for higher than desirable vehicle speeds
- 5) Removal of the pedestrian improvements on Mill Pool Close will mean that the footway at the end of Mill Pool Close will be of sub-standard width (less than 1m) and will not tie up with the shared surface access track and there would be no dropped kerbs or tactile paving to allow / assist pedestrians to cross the turning head at the end of Mill Pool Close, requiring pedestrians to walk in the carriageway on a section of road that is not shared surface.

I also note that a Road Safety Audit has not been produced or submitted for the amended scheme, despite key design changes in respect to pedestrian facilities and traffic calming. In addition, I would also question how much fairly minor works, such as a pedestrian dropped crossing, would affect a scheme's viability.

As such, I do not consider the reduced and revised access improvements are acceptable and therefore would be unable to support the scheme in its present form. I therefore recommend that the applicant reverts back to the previous scheme, or a scheme very similar (e.g. if the use of permeable surfacing would be cost-prohibitive, an alternative form of drainage, such as filter drains / swales, could be explored in collaboration with the LLFA). Consequently, the application will need to be deferred to allow this issue to be addressed.

Notwithstanding the need for the access improvements to be reviewed, a development of over 5 units would normally be required to be served by an adopted highway. As outlined in respect to the previous scheme, noting the site's constraints and the scale and nature of the development (all units are within a single building), subject to the upgraded access track being managed and maintained by a management company to ensure that it remains safe and practical to use, I would not object to the development being served by a private access road. This, however, can also be dealt with by condition.

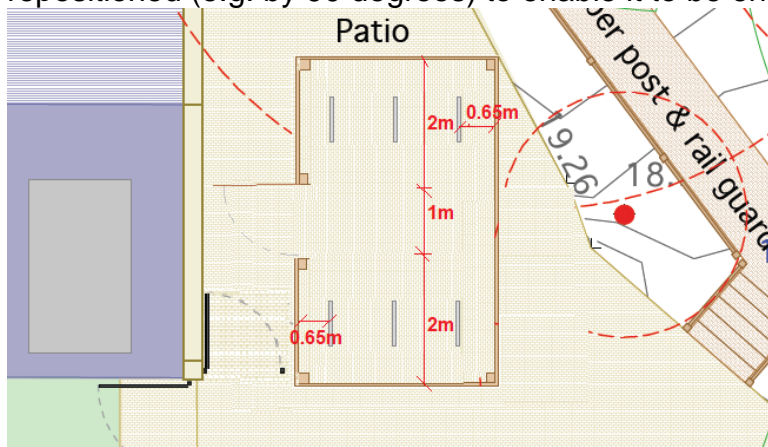
### Parking

Car parking for a total of 13 cars was proposed as part of the approved scheme, which equates to a level of parking of 144%. One of these spaces was to be for disabled badge holders in accordance with the adopted standards and was considered to be at a level that should meet demand.

This revised scheme includes proposals to provide a total of 18 spaces, with two spaces to be provided for disabled badge holders. This level of parking accords with the adopted parking standards and, equating to a level of parking of 150%, is similar to the previous provision and should meet demand. As such, I consider the level of car parking proposed acceptable. Equipment for the charging of EV vehicles, however, should be provided for at least two spaces. This, however, could be secured by condition.

Covered parking for 12 cycles is proposed to be provided, together with 2 cycle stands for visitors. Whilst this level of parking accords with the adopted parking standards, the cycle store would not be fully secure (it should have lockable doors) and would be too cramped (stands need to be 0.65m from walls and aisles need to be 1m wide). This, however, could be addressed by amending the store along the

lines indicated on the plan below. As shown on the plan, the store may need to be repositioned (e.g. by 90 degrees) to enable it to be enlarged).

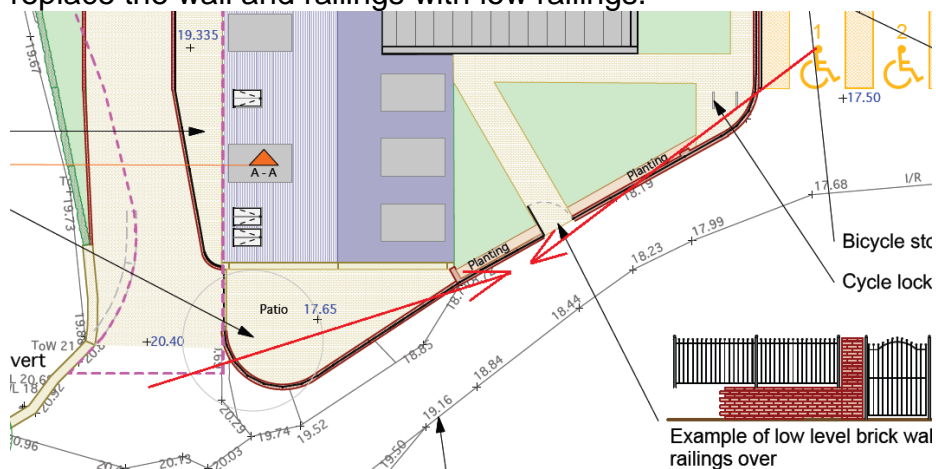


## Servicing

Vehicle swept-path diagrams are included in the Transport Note which demonstrate that refuse vehicles and fire appliances would be able to negotiate the access track that serves the site and turn at the site access and that fire appliances would be able to access and turn within the site's car park. It is not clear, however, whether refuse vehicles would be able to get to within adequate distance of the bin store (e.g. by reversing into the car park) and therefore I would recommend that the applicant is requested to produce and submit a vehicle swept-path diagram that shows this manoeuvre is also possible.

## Site layout / detail

Whilst I consider the site layout generally acceptable, the railings to be erected on top of the proposed wall along the site's frontage with the access track would compromise visibility at the adjacent accesses, as shown on the plan below. The boundary treatment therefore needs to be amended to address this issue. I have discussed the matter with the Council's Conservation Officer who has confirmed that the erection of low railings (similar to those along the access road to the car park) is preferred from a conservation perspective. This would be acceptable from a visibility perspective and therefore I would recommend that the scheme is amended to replace the wall and railings with low railings.

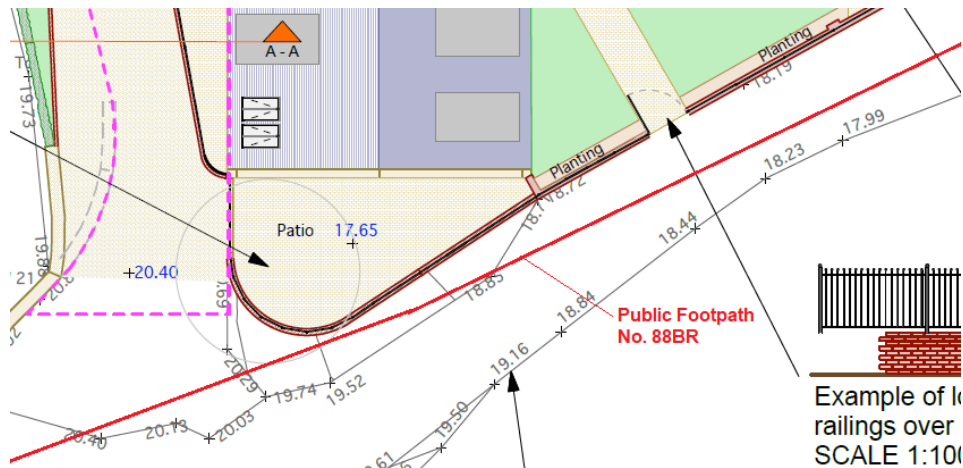


With respect to pedestrian access to the building, a 1.2m wide path is proposed to be provided between the car park and the front of the building where the entrance to the building will be located. Whilst this is a narrower than is ideal and will have steps, as this will not need to be used by disabled persons, I would not object to this,



subject to the path being illuminated at night and handrails being provided. This could be dealt with by condition.

A public right of way (footpath 88BR) runs along the access track adjacent to the site, with the centre line of the recorded route passing within 300mm of the proposed site boundary (as shown on the plan below). Noting that the track is around 3-4m wide, if it is considered that the legal width of the right of way is the same, then the site will encroach onto the right of way. If this is the case, the scheme will need to be amended so that the public right of way is not affected or the right of way will need to be diverted. I would therefore recommend that this issue is brought to the applicant's attention and a solution is agreed with the Council's Public Rights of Way Officer.



Finally with respect to the access drive that will serve the site's car park, whilst I consider the width acceptable, it would appear that some of the works to raise the land to the east side of the drive (i.e. that to the east of the hedge) may be outside the site edged red. This therefore needs to be reviewed, as does the site edged red, in general, as it does not cover the whole access track (to Mill Pool Close). Notwithstanding this, details of the retaining structure that will retain the access road and car park will need to be agreed. This, together with other matters of detail design, however, can be dealt with by condition.

### Accessibility

The TS submitted in support of the previous application and included as an Appendix to the Technical Note submitted in support of this application outlines that the site is within 625m of Woodley Station, within 800m of Woodley Local Centre, a health centre, bank, pub and other local facilities, the Stockport-Ashton bus corridor is a well-served bus route, with buses every 10 minutes, Central Manchester, Stockport, Marple, Romiley, Cheadle, Denton, Ashton and Dukinfield can be accessed by public transport from the site in less than 45 minutes and Stockport, Romiley, Hyde, Denton and Bredbury are all within a 25 minute / 5km cycle ride of the site.

As outlined at the time of the previous application, although I would conclude that the site is not highly accessible (e.g. bus stops are in excess of the recommended walking distance and the site is not within 800m of a District Centre), it is sufficiently accessible (subject to some improvements being carried out) to not justify a recommendation of refusal on the grounds of accessibility. To ensure that it can be safely access by foot and cycle and sustainable travel is encouraged, however, I would recommend that any approval granted is subject to:

- 1) The access drive being improved as outlined above

- 2) Pedestrian improvements being carried out on Mill Pool Close as outlined above
- 3) Minor improvements being carried out to the pedestrian route from the site up to Riversdale View / the adjacent public open space (e.g. providing a surfaced path from the top of the steps to the road, cutting back vegetation in the vicinity of the steps, replacing a missing section of hand rail and tying in the path to the new hardstanding adjacent to the 3 parking spaces)
- 4) Implementing "travel plan measures"

These issues can all be dealt with by condition. With respect to the latter, the TS outlines that Travel Plan Welcome Packs will be provided to occupiers of the new apartments, containing information such as bus / train timetables and cycle maps and I would conclude that the provision of this information, together with information on car sharing, cycle training and other initiatives to encourage sustainable travel, should assist in reducing vehicle movements to / from the site.

### Construction

As with all developments, construction of the proposed development will have an impact on the local area and highway network, but the sub-standard nature of Bankfield Road means that access during construction will be more challenging than other sites. The applicant, however, has outlined that they have got the agreement of the adjoining business (Morrells Woodfinishes) to enable larger construction vehicles to access the site through their site, which should help to reduce construction impact and ensure larger vehicles can access the site via a more suitable access route. This, as well as other measures, will need to be agreed by means of a Construction Method Statement. The requirement to produce and implement such a statement can be secured by condition.

### Conclusion

Whilst I have no objection, in principle, to the proposed amended scheme to convert, extend and alter Thorn Works to form 12 apartments, I do not consider the revised access arrangements acceptable, nor certain matters of detail, such as the design of the cycle store or boundary treatment. These issues, however, would be able to be dealt with by amending the scheme along the lines recommended. In addition, it is not clear whether refuse vehicles would be able to get to within adequate distance of the bin store and therefore I consider there is a need for an additional vehicle swept-path diagram to be produced and submitted which shows that refuse vehicles would be able to get to within adequate distance of the bin store. As such, I recommend that the application is deferred and the applicant is advised to amend the scheme along the lines recommended.

### **Highway Engineer – updated comments**

I write with reference to the additional information and revised plans listed below that have been submitted with the aim of addressing the issues outlined in my Consultation Response of the 29<sup>th</sup> August 2019.

- 3246/10 Rev D 'Location Plan'
- 3246/15 Rev J 'Proposed Site Plan'
- 3246/19 Rev - 'Proposed Bike Storage Shelter'
- SCP/190279/SK01C Rev D 'Proposed shared surface access scheme'
- SCP/190279/ATR03 Rev A 'Swept Path Analysis - Large Refuse Vehicle'
- Transport Response Note Ref SCP/190279/TN01

After reviewing the information and plans, I would make the following comments:

- 1) Revised proposals for cycle parking have been submitted with two cycle stores now proposed. Subject to details relating to the cycle stands, internal lighting and security measures (e.g. door locks), I would consider the revised proposals acceptable.
- 2) A revised boundary treatment along the access road is proposed, in the form of a low brick wall and railings. Subject to the railings being of a form that can be viewed through at an angle (e.g. having narrow, reasonably well spaced bars), such a boundary treatment should not adversely affect visibility at the adjacent accesses. I would therefore consider the revised boundary treatment acceptable, in principle.
- 3) Improvements to Mill Pool Close which formed part of the previously approved scheme (widening and extending the existing narrow footway at the end of Mill Pool Close and the provision of an uncontrolled pedestrian crossing) have been reintroduced to the access improvement scheme, as requested.
- 4) The previously approved lighting scheme for the site access road (using 5m high columns) has been reintroduced, to address the issues raised in respect to the suitability of bollard lighting.
- 5) A speed hump, which formed part of the previously approved scheme, has been reintroduced to the access improvement, as requested.
- 6) As all the revised access improvement scheme includes all the key features of the previously approved scheme which had a Road Safety Audit carried out on it which did not highlight any issues that could not be dealt with at detailed design stage, it is considered that a new RSA is not required at this stage.
- 7) Revised proposals for the surfacing and drainage of the access road are now proposed. These will take the form of surfacing the access track in 'tarmac', with the existing drainage channel on the south of the road extended along the full length of the road and the road graded to drain into this channel. Subject to detail design, I would not object to this (the LLFA will, however, need to provide comments on these drainage arrangements), although I do consider it appropriate for the drainage channel to be of a form that will act as a soakaway (if ground conditions allow) and/or will attenuate water so as to limit downstream flows. This, however, can be dealt with at detailed design stage.
- 8) The applicant has confirmed that the access road will be maintained by a private management company to ensure that the drainage is maintained and the surface remains in good condition. Subject to details, which can be dealt with by condition, I would consider this acceptable.
- 9) The applicant has agreed to provide a handrail and lighting on the path between the lower and upper parking areas, as requested.
- 10) The site edged red has been amended and it appears to now include the area abutting the eastern boundary of the site (abutting the mill pond) which will need to be regraded slightly.
- 11) The applicant has demonstrated through the submission of a vehicle swept-path diagram that refuse and other larger vehicles will be able to service the site (although it should be noted that the bridge on Bankfield Road limits what vehicles can access the site and, as such, smaller refuse vehicles are used)

To conclude, the additional and revised information address the issues I previously raised and, as such, subject to matters of detail which can be dealt with by condition, I consider the proposal acceptable in respect to its impact on the highway network, access, parking, servicing and accessibility. I therefore raise no objection to this application, subject to conditions.

**Recommendation: No objection, subject to conditions.**

## Pre-commencement

No development shall take place until a method statement detailing how the development will be constructed (including any demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, access arrangements, turning / manoeuvring facilities, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures. Development of the site shall not proceed except in accordance with the approved method statement.

*Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.*

No development shall take place until a pre-construction condition survey of Bankfield Road and Mill Pool Close has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the construction of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.

*Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD. The details are required prior to the commencement of any development as the first survey needs to be carried out prior to the commencement of construction activities.*

## Other Conditions

No development shall take place until detail drawings outlining proposals to improve the access track that will serve the approved development and carry out associated access improvements have been submitted to and approved in writing by the Local Planning Authority, together with an associated Stage 2 Road Safety Audit and Designer's Response/Exemption Report. The works on Mill Pool Close and on access track between the access to the car park and Mill Pool Close shall be based on the layout indicated on drawing SCP/190279/SK01C Rev D 'Proposed shared surface access scheme' and shall include :-

- 1) Providing an uncontrolled pedestrian crossing point (dropped kerbs and tactile paving) at the turning area on Mill Pool Close;
- 2) Widening the existing footway on the West side of the Northern end of Mill Pool Close and extending it 2.0 metres past a ramp which shall be constructed at the end of the close;
- 3) Widening, re-surfacing, draining and lighting the access track from the end of Mill Pool Close to the end of the build-out to the West of the lower parking area (by space 2);

- 4) The provision of a hard-surfaced, drained and illuminated vehicular turning area (suitable for refuse vehicles and fire appliances) adjacent to the access that will serve the upper parking area;
- 5) The provision of a vehicular passing place and a minimum of 3 pedestrian passing/waiting areas along the access track;
- 6) The provision of at least one speed hump (or similar traffic calming device);
- 7) Removal/cutting back of vegetation/trees adjacent to the access track to allow for its widening and to improve forward visibility;
- 8) Associated drainage, street lighting, signage and carriageway markings.

Drawings to be submitted shall include :-

- i. A general arrangement/layout, based on a topographical survey and to a scale not less than 1:200, showing the existing and proposed layout, all pedestrian facilities and visibility splays, together with existing and proposed levels;
- ii. Typical highway cross-sections, showing a specification for each type of carriageway and footway;
- iii. Full details of the surface water drainage proposals;
- iv. Details of vegetation/trees to be removed (and any replacement planting to mitigate the loss);
- v. Details of all proposed street lighting, traffic calming, signage, markings, structures and street furniture.

The approved development shall not be occupied until the access track has been improved and the associated highway works on Mill Pool Close have been carried out in accordance with the approved drawings and the improved access road is available for use.

*Reason: In order that the site will benefit from safe and practical access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

No development shall take place until a method statement detailing how the access track that will serve the approved development will be managed and maintained has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the management organisation that will be responsible for this, how the road will be swept and maintained, details of street lighting operation/charging, arrangements for snow/ice prevention/removal and arrangements for repairs and future resurfacing/reconstruction. The development shall not be occupied until the access road has been constructed and is available for use. The access road shall then be managed and maintained in accordance with the approved method statement.

*Reason: In order that the site will benefit from safe and practical access arrangements for the life of the development in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gate or other means of obstruction shall be erected across the access that will serve the main / upper car park or the access that will serve the lower parking area at any time.

*Reason: In order to ensure that vehicles can enter and exit the site unhindered so that they are not required to stop of the highway and therefore be a threat to highway safety and / or affect the free-flow of traffic in terms of Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

The approved pedestrian gates to be erected at the pedestrian access into the site on the site's northern boundary shall be constructed so that they only open into the site and not out into the public highway.

*Reason: In order to ensure that any gates do not impinge on the adjacent access track when open in terms of Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

No work shall take place in respect to the construction of the boundary treatment (low level wall and railings) to be erected along the site's northern boundary (abutting the access track) until a detailed drawing of the boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be of a form that will ensure that an adequate level of visibility will be afforded at the accesses that will serve the site's main / upper car park and the lower parking area. The boundary treatment shall then be constructed/erected in accordance with the details indicated on the approved drawing.

*Reason: In order that the site will benefit from safe and practical access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

No work shall take place in respect to the construction of the car parking facilities to be provided for the approved development until a detailed drawing of the car parking facilities have been submitted to and approved in writing by the Local Planning Authority. Details shall include how both parking areas and the access drive to the main car park, as indicated on drawing 3246/15 Rev J 'Proposed Site Plan', will be surfaced, drained, marked out, signed and illuminated, together with details of retaining structures that will retain the access drive and parking area and associated boundary treatments. The approved development shall not be occupied until the parking areas and the access drive to the main car park have been provided in accordance with the approved drawing and are available for use. The car parking facilities shall thereafter be retained and shall remain available for use. The parking areas and the access drive to the main car park shall be illuminated at all times during the hours of darkness that the car park is in use (either permanently or using motion-controlled lighting).

*Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.*

No work shall take place in respect to the provision of parking spaces for electric vehicles until details of proposals to provide 2 parking spaces within the site for the parking and charging of electric vehicles have been submitted to and approved in writing by the Local Planning Authority, together with a method statement outlining how the spaces and electric charging equipment will be managed and operate. Details to be submitted shall include how the spaces will be signed and marked out and details of the electric charging equipment. The approved development shall not be occupied until the parking spaces and electric charging equipment have been provided in accordance with the approved details and are available for use. The parking spaces and electric charging equipment shall thereafter be retained, as approved, and shall remain available for use. The spaces and associated electric charging equipment shall be managed and operated at all times in complete accordance with the approved method statement (or alternative method statement as may have been approved in writing by the Local Planning Authority).

*Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.*

No work shall take place in respect to the provision of cycle parking within the site until full details of the cycle parking facilities to be provided for the development, as indicated on drawings 3246/19 Rev - 'Proposed Bike Storage Shelter' and 3246/15 Rev J 'Proposed Site Plan', have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- 1) Specification details of the cycle stands
- 2) Details of security measures to be provided for the cycle stores (e.g. door locks)
- 3) Details of lighting to be provided in the cycle stores.

The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

*Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.*

A detail drawing of the footpath to be provided between the lower and upper car parks within the site shall be submitted to and approved in writing by the Local Planning Authority. The drawing shall include details of:

- 1) How the footpath will be formed (including details of steps)
- 2) How the footpath will be surfaced
- 3) Proposals to illuminate the footpath
- 4) Proposals to provide a handrail/s along the length of the footpath.

The development shall not be occupied until the footpath has been constructed in accordance with the approved drawing and is available for use. The footpath shall thereafter be retained as constructed and remain available for use. The footpath shall be illuminated at all times during the hours of darkness that the footpath is in use (either permanently or using motion-controlled lighting).

*Reason: To ensure that the development has safe and good quality pedestrian / cycle access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD*

No development shall take place until a drawing illustrating a scheme to improve the pedestrian route from the site to Riversdale View has been submitted to and approved in writing by the Local Planning Authority. Improvements shall include :-

- 1) Constructing a kerbed build out at the bottom end of the steps with a dropped kerb access to it (as indicated on drawing 3246/15 Rev J 'Proposed Site Plan');
- 2) Cutting back vegetation in the vicinity of the steps;
- 3) Replacing any missing hand rails adjacent to the steps;
- 4) Constructing a hard-surfaced path between the top of the steps and Riversdale View.

The development shall not be occupied until the pedestrian route has been improved in accordance with the approved drawing.

*Reason: To ensure that the development has safe and good quality pedestrian access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD*

The development shall not be occupied until details of measures to be provided and implemented to encourage the use of sustainable modes of transport have been submitted to and approved in writing by the Local Planning Authority and have been brought into operation. Measures shall include the provision of information on sustainable travel in marketing information for the development and the provision of Resident's Welcome Packs which include transport information and maps and information on car sharing and cycle training. The measures shall then be implemented in accordance with the approved details.

*Reason: To ensure that measures are implemented that will enable and encourage the use of alternative forms of transport to access the site, other than the private car, in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 4 'Travel Plans' of the SMBC Sustainable Transport SPD*

### **Planning Policy – Housing**

Vacant Building Credit (VBC) will be relevant here. If there is no net (or only negligible) additional floorspace then VBC will mean that we will not be able to seek affordable provision anyway. In addition, Para 3.125 of Policy H-3 states, in part: Should any urban open space or Green Belt(58) sites be released for housing, at least 50% of the dwellings should be affordable housing. The footnote (58) says Excluding Major Existing Developed Sites and buildings in the Green Belt to be re-used for housing.

Therefore, given that this is for the re-use of the building we would not normally seek to reduce the threshold to 5 units and the requirement (if there is one) would be whatever it is for the area and not 50% as it would be for a vacant site in the Green Belt. The site is located in a moderate area so the threshold is 15 and we would not be asking for affordable units on this proposal. All in all we are not able to seek any affordable provision.

### **Rights of Way Officer**

my comments are ;

No change to the surface of the right of way should be made without consultation with the council. The developer should be made aware of their obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed. The developer must ensure -

- There is no diminution in the width of the public right of way available for use by members of the public;
- No building materials to be stored on the right of way;
- No damage or substantial alteration, either temporary or permanent, is cause to the right of way;
- Vehicle movements are arranged so as not to interfere with the public use of the way;
- No additional barriers (i.e. gates) are placed across the right of way, either temporary or permanent nature;
- The safety of member of the public at all times;



The public right of way must be kept open and available for public use at all times. If a temporary closure is required the appropriate order must be applied for and agreed before work commences.

### **Arboricultural Officer**

I have the following comments to make:

#### *Site Context*

The proposed development site is located within a former industrial/commercial mill building and site predominantly on the former hard standing areas and formal grounds of the buildings. The plot is comprised largely of informal grounds and associated infrastructure.

#### *Legislative and Policy Framework*

##### *Conservation Area Designations*

The proposed development is not within a conservation Area.

##### *Legally Protected Trees*

There are legally protected trees within this site or affected by this development (Wellington Works 1985).

##### *Invasive Species*

Please refer to Nature Development Officer comments

#### Stockport's Core Strategy DPD

CS – 8 Biodiversity and Nature Conservation

SIE-1 Development Management

SIE-3 Protecting, Safeguarding and enhancing the Environment 3.345/3.346/3.347

Stockport's Unitary Development Plan (Retained Policy)

NE1.1 SITES OF SPECIAL NATURE CONSERVATION IMPORTANCE

NE1.2 SITES OF NATURE CONSERVATION IMPORTANCE

NE3.1 PROTECTION AND ENHANCEMENT OF GREEN CHAINS

#### *Recommendations:*

The buildings footprints predominantly sits within the hard standing and former buildings area of the site and the proposed new developments will impact on the trees.

A full tree survey has been supplied as part of the planning application to show the condition and amenity levels of the existing trees and where applicable which trees could be retained to increase the amenity levels of the site with retained mature trees, which is all acceptable.

A detailed landscaping scheme has also been submitted as part of any planning application submitted which clearly shows enhancements of the site and surrounding environment to improve the local biodiversity and amenity of the area, and with some small changes this would be acceptable too.

In principle the main works and design will have a minor negative impact on the trees on site and within neighbouring properties, therefore it could be accepted in its current format with some improved landscaping design to include the alterations detailed in these comments to address the tree loss and site enhancement for the local community and borough wide, this should include a greater number of new trees to improve the amenity and aesthetics of the site including the loss of the protected trees over the years within the scheme making sure a percentage of these are native large species, as well as increased native hedgerows at every opportunity.

The tree loss in and around the mill pool is acceptable as these are trees that have self-seeded within the structures and have limited aesthetical or biodiversity value and would in fact be encouraged to safeguard the mill pool wall and can easily be lost and replaced through the landscaping scheme as a new appropriate species avenue along the mill pool boundary.

As the site is slightly isolated a community orchard scheme should also be considered to allow access for all to a supply of free fruit and act as an education site for local school children and hub for community events, this has been picked up with some fruit tree planting from the initial pre-application discussions but it is felt further fruit tree planting could be achieved throughout the site.

The southern and western area of the site is where the predominant tree loss is occurring and this needs to be assessed and arboriculture reasoning to justify the loss as this will have a major negative impact on the existing woodland on site and as such should be considered for retention where possible if there is any opportunity to under arboriculture reasoning. If the trees are to be lost, then woodland management needs to be considered to enhance the site and detail further woodland under-storey planting including bulbs and wildflowers.

The final comment relates to the species *Populus tremulus* which need to be altered to more appropriate native woodland species such as *Betula* or similar as these will offer greater biodiversity enhancement for the site.

The following conditions would be relevant to any planning application relating to the site;

#### Condition Tree 1

No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

#### Condition Tree 2

No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

#### Condition Tree 3

No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use

### **Nature Development Officer**

I have the following comments to make:

#### *Site Context*

The site is located off Mill Pool Close in Woodley. The application proposes conversion of the existing building to form 12 no. apartments, additional fenestration,

installation of dormers and roof lights, erection of an additional level to the stairwell, alterations to ground levels to east and improvements to the access road and associated infrastructure. The site is subject to extant planning consent DC060451 (dating from 2016).

### *Legislative and Policy Framework*

#### Nature Conservation Designations

The application site itself is not subject to any nature conservation designations, legal or otherwise. Botany Mill Wood Site of Biological Importance (SBI) is located adjacent to the north of the site. Additionally, the application area encroaches into an area designated as Green Chain at the east of the site. Provided that precautions are taken during works, I would not anticipate any significant adverse impacts on the integrity of these designated areas as a result of the proposals.

#### Legally Protected Species

An extended Phase 1 habitat survey has been carried out and submitted with the application. The survey was carried out in April 2019 and updates surveys undertaken in 2015. The survey aimed to identify and map the habitats present and assess the potential for protected species to be present on site. All survey work has been carried out by a suitably experienced ecologist.

The site currently comprises of a large mill building (Thorn Works), hardstanding, woodland, ephemeral vegetation, spoil, scrub, and tall, ruderal herb. Many buildings and trees have the potential to support roosting bats. In addition the application site is located amid suitable bat foraging habitat which increases the likelihood of bats being present within the application site.

All species of bat are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. Bats are included in Schedule 2 of the Regulations as 'European protected species of animals' (EPS). Under the Regulations it is an offence to:

- 1) Deliberately capture or kill a wild EPS
- 2) Deliberately disturb a wild EPS in such a way that significantly affects:
  - a) the ability of a significant group to survive, breed, rear or nurture young, or to hibernate or migrate.
  - b) the local distribution of that species.
- 3) Damage or destroy a breeding place or resting site of such an animal.

A bat roost assessment survey was carried out and involved an internal and external survey of the building together with an assessment of trees on site to search for evidence of bat presence and assess potential roosting features. No evidence of roosting bats was discovered although numerous potential roosting features were observed within the building. This corresponds with the survey findings from 2015. No access was possible to the basement and the top floor of the building during the 2019 survey but the basement was subject to an inspection survey in 2015. Bat activity surveys have been carried out at the site. No bats were recorded emerging from the mill building in 2015, but in 2019 common pipistrelle bats were observed emerging from the building. A max. of three common pipistrelle bats together with one non-echolocating bat were recorded roosting within the mill building. The report therefore concludes that the building supports a summer non-breeding day roost used by low numbers of common pipistrelle bats.

A number of trees within the woodland area and along the access track to the site, support features which could be used by bats, such as dense ivy. One tree within the

woodland was identified as supporting a cavity and was surveyed as part of the 2019 activity surveys but no signs indicative of roosting bats was recorded and these trees will be directly impacted by the proposals. The ecology report states that of the trees to be felled to facilitate the development, they do not support suitable bat roosting features (Tree T10 and clusters of semi-mature trees and saplings). Should proposals change and works be required to any of the mature trees along the access track, further assessment may be required (e.g. climb and inspect).

The woodland, scrub, trees and building all provide suitable nesting sites for birds. A disused birds nest was recorded within the mill building during the bat inspection survey. All breeding birds and their nests are legally protected under the Wildlife and Countryside Act 1981 (as amended).

Badgers are known to be present within the local vicinity. No badger setts were recorded within or immediately adjacent to the application site. Evidence of badger activity was observed to the south of the mill building, within the woodland and scrub habitats which will be retained under the proposals. Badgers and their setts are legally protected under the Protection of Badgers Act 1992.

Ponds and their surrounding terrestrial habitats can support amphibians such as great crested newts (GCN). GCN receive the same level of legal protection as bats (outlined above). Potentially suitable terrestrial habitat for GCN exists on site, however the mill pond no longer holds water and so would be unsuitable as a breeding pond. No other ponds have been identified within 250m and so in light of this and given that the development will take place on mainly hardstanding or open habitats, the risk to GCN is considered to be low. Paragraph 016 of the Natural Environment Planning Practice Guidance (<https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems>) states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development. I do not therefore consider it reasonable to request further GCN survey in this instance as part of the current application.

The stream has been assessed for its suitability to support water vole. The stream is not considered to offer suitable water vole habitat as the water and banks are extremely shallow and no aquatic vegetation is present. Water voles are legally protected under the Wildlife and Countryside Act 1981 (as amended).

#### Invasive Species

Himalayan balsam and Montbretia were recorded within the application site. These species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to grow these invasive species in the wild.

#### LDF Core Strategy

Core Policy CS8 Safeguarding and Improving the Environment

Green Infrastructure

3.286

#### Biodiversity and Nature Conservation

3.296

#### DEVELOPMENT MANAGEMENT POLICY SIE-3

A) Protecting the Natural Environment

Protecting, Safeguarding and Enhancing the Environment

3.345, 3.346, 3.347, 3.361, 3.362, 3.363, 3.364, 3.365, 3.366, 3.367 and 3.369

Stockport's Unitary Development Plan (Retained Policy).

## NE1.2 SITES OF NATURE CONSERVATION IMPORTANCE

The habitats and biodiversity of sites of biological importance, geological conservation sites and local wildlife sites will be protected and enhanced where possible. Proposals for development on sites so designated must demonstrate that there is a justification which overrides any harm to the nature conservation value of the site.

## NE3.1 PROTECTION AND ENHANCEMENT OF GREEN CHAINS

Development which would detract from the wildlife or recreation value of the Green Chains identified on the Proposals Map will not be permitted.

### Recommendations:

The mill building was found to support a common pipistrelle bat roost. Survey results indicate that the roost is a summer day roost: used by low numbers of non-breeding bats.

The proposed development would result in the destruction of a bat roost with the potential to kill or injure bats/ and damage their habitat without appropriate mitigation and compensation measures. As a result a European Protected Species Licence (EPSL) or a Low Impact Class Licence (LICL) will be required from Natural England. The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats.

When determining the application, it is advised that the Council has regard to the 3 Habitats Regulation derogation tests: -

- Imperative reasons of Over-riding Public Importance (IROPI)
- No satisfactory alternative solution
- Maintenance of the favourable conservation status (FCS) of the species

The need for consideration of the three tests has been demonstrated by a number of judicial reviews, including R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) and Morge (FC) (Appellant) v Hampshire County Council (2011).

The first two tests are outside my area for comment, however in terms of the favourable conservation status test, the proposed mitigation measures outlined in section 4 of the bat activity survey report (Rachel Hacking Ecology Ltd, 2019) should be followed – including supervision of works by a licensed bat ecologist and provision of replacement roost sites on site during works to give bats an available roosting site whilst works are completed. Implementation of these measures will satisfy the favourable conservation status test and can be secured by condition.

In relation to the bat licence, the following condition can be used: the works hereby approved shall not commence until the local planning authority has been provided with either: -

- a) A licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats & Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/developments will require a licence.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html)).

The trees to be impacted by the proposals are not considered to offer suitable roosting opportunities for bats. It is recommended that an informative is attached to any planning consent granted to state that should proposals change and any of the mature trees along the access track be affected by the proposals, further assessment will be required in advance of works (such as a climb and inspect survey). Any required survey work must be carried out by a suitably experienced ecologist and in accordance with best practice guidance.

In relation to breeding birds, the following condition should be used: [BS42020: D.3.2.1] No vegetation clearance/demolition works should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation/buildings for active birds' nests immediately before vegetation clearance/demolition works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the LPA.

An informative should also be attached to any planning permission granted so that the applicant is aware of the potential for protected species (such as badger) to be present on site. It should also state that the granting of planning permission does not negate the need to abide by the laws which are in place to protect biodiversity. Should at any time badgers or any other protected species be discovered on site, work should cease immediately and Natural England/a suitably experienced ecologist should be contacted.

The following condition should be attached to any planning permission granted: [BS42020: D.3.10] Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the LPA, detailing the containment, control and removal of Himalayan balsam and Montbretia on site. The measures shall be carried out strictly in accordance with the approved scheme.

Developments are expected to provide net gains for biodiversity in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Suitable measures include enhancement of the mill pond, sympathetic management of woodland habitats and the provision of bat and bird boxes within the building and on retained trees around the site. Details of biodiversity enhancement measures should be submitted to the LPA for review. The following condition could be used: A scheme for the Biodiversity Enhancement Measures for all areas of the built development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

A replanting scheme for the site to ensure mitigation for the loss of the trees should be submitted for approval by the LPA, and include locally native species to complement the existing woodland. The retained trees and woodland habitats should be adequately protected from any adverse impacts of the proposed development (this is particularly important given the Green Chain designation). The landscape proposals submitted within the application include a hornbeam hedge. This species is not locally native to Stockport and so should be replaced with a mix of locally native species (such as holly, hawthorn, guelder rose, blackthorn, hazel, dog rose)

I have reviewed the Phase 2 investigation for soil and gas, the investigation has recommended remedial proposals.

As such could I please request the CTM3 condition for the decision notice.

### **Environmental Health – Air Group**

I have looked at this application and the development is outside the air quality management area. Also due to the size of the development it will not impact on the management area so I have no objections.

### **Lead Local Flood Authority (LLFA)**

The applicant has provided a drainage plan in support of this application. The application covers the access road which is not shown on the drainage plan. The applicant has opted for a hybrid option of infiltration and discharge to the watercourse which runs close to the site. This is acceptable in principle however, at detailed design the LLFA would expect to see infiltration to BRE 365 being undertaken to explore the possibility for full infiltration. The applicant has not demonstrated the pre and proposed discharge rates from the site. Note it is SMBCs policy for a 50% reduction. It is also SMBCs policy that all areas of hardstanding are to be of a permeable construction. It appears that foul flows are being directed to the watercourse, we presume this to be a mistake as this would not be consented too.

### **Greater Manchester Archaeological Advisory Service (GMAAS)**

National Planning Policy Framework 2018 (NPPF) paragraph 189 states,

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected”

And

“As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise”

And

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”

Thorn Works, formerly known as Middle Mill, is entered on the Greater Manchester Historic Environment Record (2519.1.0) and is a locally listed building. The application has been submitted with a Heritage Impact Assessment (HIA) prepared by The Architectural Historian. The HIA is a useful document. It provides a brief historic background (4.0) drawing upon a range of documentary sources. This includes a review of historic mapping charting the first cartographic evidence for a mill (pre-1841). It recognises that the mill is one of a group of mills built for crushing bone to supply local agriculture. This original ‘Middle Mill’ was powered by a water wheel. Middle Mill was rebuilt around 1883 and apparently converted into a woollen mill (4.5). It is possible this was to supply wool to the local hatting trade. This is the building that had been renamed Thorn Works by the early 1930s. At this point it was no longer in use as a mill.

The HIA goes on to provide (5.0) a description and interpretation of the building and an assessment of historic interest (6.0) including archaeological interest (6.2). It does not provide an assessment of the likely survival of physical remains, either incorporated in the present building or as buried remains, relating to the original Middle Mill. That said, 5.11, 5.14 and 5.17 state there is no archaeological evidence

of historic equipment “or anything which links the building to an original or historic purpose”. This comment appears to be in reference to the rebuilt mill and the historic purposes of the wool trade rather than the pre-1883 Middle Mill and bone crushing. No discussion is given to where the water wheel may have been mounted. There is then a statement of significance (7.0), an account of the building’s current status (8.0), a review of the proposals (9.0, 10.0) and conclusions (11.0).

GMAAS finds that the HIA is a useful account and broadly meets the requirements set-out in NPPF paragraph 189. Whilst it does not consider the archaeological heritage of the site in any meaningful detail this is perhaps understandable given that the proposals do not include extensive demolition or new build involving groundworks. It is clear, however, that the subdivisions that will be introduced internally will influence the readability of the spaces within the mill. It is not clear how reversible any such interventions will prove. It is also clear that the proposed conversion has the potential to expose concealed physical evidence that “links the building to an original or historic purpose’. For these reasons, whilst supporting the proposals as offering an appropriate and viable future for a locally significant heritage asset GMAAS recommends that before any development work commences the mill building is subject to an archaeological building survey and that a watching brief is maintained to record any remains that may be exposed during the development works.

GMAAS recommend that prior to any soft-strip or development activity an archaeological contractor is appointed to undertake (HE Level 2) archival historic building recording, followed by a targeted watching brief to be maintained on any internal soft-strip, fabric exposure or removal, or external groundworks around the current building. GMAAS recommend that an archaeology condition is attached to planning consent to secure the programme of recording. The condition should take the following form:

*No soft-strip or development activity shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Stockport Planning Authority. The WSI shall cover the following:*

- 1. A phased programme and methodology of investigation and recording to include:*
  - an archaeological historic building survey (English Heritage Level 2) - an archaeological watching brief;*
- 2. A programme for post investigation assessment to include:*
  - analysis of the site investigation records and finds; and*
  - production of a final report on the significance of the heritage interest recorded.*
- 3. Dissemination of the results of the site investigations commensurate with their significance;*
- 4. Provision for archive deposition of the report, finds and records of the site investigation;*
- 5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.*

*Reason: In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible and SIE-3 "Protecting, Safeguarding and Enhancing the Environment" of the adopted Stockport Core Strategy DPD.*



## **Drainage**

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website

<http://www.unitedutilities.com/buildersdevelopers.aspx>

Please note we are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for you to discuss with the Lead Local Flood Authority and / or the Environment Agency if the watercourse is classified as main river.

## **Water supply**

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.

Although water supply in the area is compliant with current regulatory standards, we recommend the applicant provides water storage of 24 hours capacity to guarantee an adequate and constant supply.

The applicant should be instructed to lay their own private pipe, to United Utilities standards, back to the existing main. If this should involve passing through third party land United Utilities must receive a solicitor's letter confirming an easement, prior to connection.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest

opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk).

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

### **United Utilities' property, assets and infrastructure**

**The applicant should be aware of water mains in the vicinity of the proposed development site. Whilst this infrastructure is located outside the applicant's proposed red line boundary, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines'. We provide this information to support the applicant in identifying the potential impacts from all construction activities on United Utilities infrastructure and to identify mitigation measures to protect and prevent any damage to this infrastructure.**

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities' assets, the applicant should contact the teams as follows:

Water assets – [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets – [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

**It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.**

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>. You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

For any further information regarding Developer Services and Planning, please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>.

### **Coal Authority**

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: **Material Consideration**

I have reviewed the site location plans and the proposals and supporting information submitted and available to view on the LPA website and can confirm that the site falls within the defined Development High Risk Area.

The Coal Authority records indicate that the application site lies in an area likely to have been subject to unrecorded underground coal mining that may have been historically worked at shallow depth. This could be attributed to the two thick coal seams that are conjectured to outcrop within or within close proximity to this site.

The planning application is accompanied by a Preliminary Risk Assessment and a Phase 2 Geo-Environmental Investigation and Risk Assessment Report; however these reports have been prepared primarily to assess the ground conditions relative to contaminated land. However we note that within the Preliminary Risk Assessment, dated February 2011 prepared by Pearl Environmental (Section 3.5) the report author has identified that... *the Coal Authority believe there is coal at or close to the surface. This coal may have been worked at some time in the past.*

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant submit a Coal Mining Risk Assessment in order to identify and assess the risk to the development being proposed.

However, when considering the nature of this particular development proposal, it does not appear that the development will result in any substantial foundations or earthworks. On this basis we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of the development proposed (change of use only) in this particular case and **do not object** to this planning application.

However, the Coal Authority does recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

***The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.***

***It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).***

***Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.***

***Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.***

***If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)***

**Canal and River Trust**  
No comments to make.

## **ANALYSIS**

### **Green Belt**

The application site is located within the Green Belt, as defined on the UDP Proposals Map.

Paragraph 133 of the NPPF confirms that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states 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 way of inappropriateness, and any other harm, is clearly outweighed by other considerations.

### **Proposed conversion to residential use**

Saved UDP policy GBA1.6 states that the change of use or conversion of buildings of permanent or substantial construction will be permitted provided that the building :-

- (i) Would be used for economic or other purposes other than wholly residential ones;
- (ii) Would maintain openness and would not conflict with the purposes of including land within the Green Belt; and
- (iii) Would safeguard or improve the appearance of the rural environment.

In addition, all buildings should be structurally sound, well related to their surroundings and capable of :-

- (iv) Accommodating the new use without the need for major rebuilding or extension;
- (v) Being provided with an adequate curtilage without adverse impact on the Green Belt; and
- (vi) Being satisfactorily accessed and serviced without adverse impact on the Green Belt.

The structural report submitted with the application confirms that the existing building is of permanent and substantial construction and is structurally sound. It is considered that the proposed conversion would maintain openness and would not conflict with the purposes of including land within the Green Belt. The conversion of

the existing vacant and previously vandalised building is considered to safeguard and improve the appearance of the rural area. The proposed residential use could be accommodated without the need for major rebuilding or extension, would incorporate the curtilage of the existing building to ensure no adverse impact on the Green Belt and would be satisfactorily accessed and serviced without adverse impact on the Green Belt, utilising the existing access track, albeit to include improvements and alterations. As such, the proposal is considered to comply with sections (ii), (iii), (iv), (v) and (iv) of saved UDP policy GBA1.6

It is however noted that the proposed conversion would be used for wholly residential purposes. As such, when assessed against section (i) of saved UDP policy GBA1.6, the proposed conversion is considered to represent inappropriate development within the Green Belt and should therefore be considered as a departure from the development plan.

Notwithstanding the requirements of section (i) of saved UDP policy GBA1.6, paragraph 146 of the NPPF states that certain forms of development are not inappropriate in Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. These forms of development not considered to be inappropriate within the Green Belt include :-

- Engineering operations;
- The re-use of buildings provided that the buildings are of permanent and substantial construction.

Members are advised that due weight should be given to saved UDP policies according to their degree of consistency with the NPPF. The NPPF, introduced in 2012 and revised in 2018, is the overriding policy framework and effectively superseded the requirements of saved UDP policy GBA1.6, which was adopted in 2006, in this particular case. As such, the proposed conversion of the existing building to residential use complies with Paragraph 90 of the NPPF and is therefore considered to be not inappropriate within the Green Belt.

### **Proposed extensions to the existing building**

Saved UDP policy GBA1.2 states that within the Green Belt, there is a presumption against the construction of new buildings unless it is for the following purposes :-

- (i) Agriculture and forestry (unless permitted development rights have been withdrawn);
- (ii) Essential facilities for outdoor sport and recreation, for cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;
- (iii) Limited extension, alteration or replacement of existing dwellings;
- (iv) Limited infilling or redevelopment of Major Existing Developed Sites identified on the Proposals Map.

It is clear that the proposed dormer roof extensions and the addition to the falt roof element to the existing building would not be for any of the forms of development considered to be appropriate development, as defined by saved UDP policy GBA1.2 listed above, which allows for extensions to existing *dwellings* but not existing *buildings* more generally. As such, when assessed against saved UDP policy GBA1.2, the proposed extensions to the existing building is considered to represent inappropriate development within the Green Belt and should therefore be considered as a departure from the development plan.

Notwithstanding the requirements of saved UDP policy GBA1.2, Paragraph 145 of the NPPF sets out the forms of buildings that are not inappropriate within the Green Belt. Unlike saved UDP policy GBA1.2, the NPPF establishes that new *buildings* within the Green Belt are inappropriate unless amongst other things, it involves an extension or alteration to a *building* provided that it does not result in disproportionate additions over and above the size of the original building.

Again, Members are advised that due weight should be given to saved UDP policies according to their degree of consistency with the NPPF. The NPPF, updated in 2018, is the overriding policy framework and effectively supersedes the requirement of saved UDP policy GBA1.2, which was adopted in 2006, in this particular case.

The proposed extensions to the existing building, in the form of small, dormer roof extensions and the addition to existing flat roof element are not considered to result in a disproportionate addition to the existing building and, as such, is not considered to represent inappropriate development in the Green Belt, when assessed against Paragraph 145 of the NPPF.

### **Ancillary development**

With regard to the proposed improvements and alterations to the access track, the submitted Transport Statement confirms that only minor ground remediation and minor vegetation removal abutting the track is required, which is considered to comprise an 'engineering operation' and therefore constitutes not inappropriate development, as defined by the NPPF. The proposed car park would be sited within the curtilage of the building on an existing hardstanding area, therefore comprises 'limited infilling' within a previously developed site, which constitutes appropriate development as defined by saved UDP policy GBA1.2 and the NPPF.

### **Summary of Green Belt issues**

To summarise Green Belt issues, it is noted that both the proposed conversion of the existing building to residential use and the proposed extensions to the existing building would represent inappropriate development within the Green Belt, when assessed against saved UDP policies GBA1.6 and GBA1.2 respectively, and on this basis the proposal is effectively considered to be a departure from the development plan. However, when assessed against the provisions of the NPPF, the conversion of the existing building to residential use and the proposed extensions to the existing buildings which would not result in a disproportionate addition to the existing building is not considered to represent inappropriate development. As such, the proposed development is now considered to represent appropriate development within the Green Belt by the NPPF, which was introduced at a later date than the adoption of saved UDP policies, supersedes the requirements of such policies and is the overriding policy framework, therefore the proposal is considered acceptable within the Green Belt.

### **Impact on Landscape Character Area**

The application site is located within the Tame Valley Landscape Character Area. It is noted that the proposal would result in the re-use of an existing vacant building with minimal external alterations and the conversion itself is considered to enhance the area. The proposed parking, private amenity space and hard and soft landscaping would predominantly be within the curtilage of the existing building and minor alterations are proposed to the form of the existing access track to

serve the proposed development, with limited vegetation loss required to accommodate the proposed development. As such, it is considered that the proposed development could be successfully accommodated on the site without adverse impact on the landscape character of the Tame Valley Landscape Character Area, in accordance with saved UDP policies LCR1.1 and LCR1.1A and Core Strategy DPD policy CS8.

### **Loss of employment site**

The existing building is considered to comprise an employment site outside a protected employment area and the loss of such an employment site is not normally permitted by Core Strategy DPD policy AED-6, unless it can be clearly demonstrated that it is no longer viable as an employment use. The site is now vacant and the owner undertaking the previous shop fitting operations at the site wished to redevelop the building for sale to enable a move to more appropriate premises. The property has been vacant since 2012. The loss of the former employment use has previously been conceded through the granting of the previous planning consent for 9 units and which is a material consideration in respect of this application.

### **Housing policy**

The comments of the Council Planning Policy Officer are contained within the consultee responses section above.

It is noted that the site is located outside the two first spatial priority areas for residential development, as defined by Core Strategy DPD policy C4. However, the Council is currently in a position of housing under-supply, against the NPPF minimum requirement of 5 years plus a buffer. In these circumstances, Core Strategy DPD policy H-2 can be applied for residential development proposals which do not meet the locational criteria, as defined by Core Strategy DPD policy CS4. Furthermore, the proposal would result in a regeneration benefit in the form of the re-use of a locally listed building, in accordance with Core Strategy DPD policy H-2, as well as adding to the housing supply, in accordance with CS policy CS2.

The site is located within a 'moderate area', where Core Strategy DPD policy H-3 requires affordable housing provision on developments of 15 units or sites of 0.5 Hectares or more. As the proposal does not exceed this threshold, there is no requirement for the provision of affordable housing in this particular case.

In view of the above, the principle of residential development on the site is considered acceptable, in accordance with Core Strategy DPD policies CS2, CS4, H-2 and H-3.

### **Heritage issues**

The existing Thorn Works building is a locally listed building and has an entry on the Greater Manchester Historic Environment Record. A Heritage Assessment has been submitted in support of the application and the detailed comments of the Council Conservation Officer are contained within the consultee responses section above.

The proposed conversion of the locally listed building is supported by the Conservation Officer, which would have the potential to provide a mechanism for bringing the building back into use and securing a long term viable future for the

building which, despite some neglect and damage, is of architectural and historic interest.

Following pre-application discussions and ongoing discussion during consideration of the application, a number of issues raised by the Conservation Officer have been addressed within the submitted scheme through the submission of amended plans. The visual impact of introducing dormers and rooflights within the roof to serve living space within the attic has been significantly reduced following discussions with the applicant. The conservation officer considers the revised plans represent an appropriate response to the physical constraints of the building, its heritage interest and the need to provide attractive living accommodation that will support the viability of the overall scheme. The access arrangements and lightwells have also been amended adjacent to the south western corner of the building, resulting in an improved visual relationship and a less harmful impact upon the mill pond and historic setting of the mill. The design of boundary walls/fences/railings and landscaping have also been satisfactorily amended. It is acknowledged that there are limited options to re-locate the bicycle store and it is recommended that the design is reserved by condition in order to ensure that an appropriate external design is achieved.

In summary, the Conservation Officer is supportive of the proposed re-use of the locally listed building for residential purposes, which would result in the regeneration of a heritage asset. Detailed matters relating to the external appearance of the conversion and associated development including archaeological/building recording, boundary treatments and materials of external construction would be secured by conditional control. As such, the principle of the proposal is considered acceptable in terms of its impact on the architectural and historic interest of the locally listed building, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### **Highways issues**

A Transport Statement and Stage 1 Road Safety Audit have been submitted in support of the application. The detailed comments of the Council Highway Engineer are contained within the consultee responses section above. The application site is accessed from the strategic highway network (Hyde Road), via Bankfield Road, Mill Pool Close and a private access track, along which runs a public footpath. It is noted that Bankfield Road is narrow, lacks footways, cannot be used by larger vehicles, is subject to a large level of on-street parking and has a sub-standard junction with Hyde Road. The access track is also narrow and is unlit, has loose surfacing and no turning area. The highway engineer has stated that the Transport Statement submitted with the previous application outlined that, that surveys carried out in 2009 before the shop fitting business which previously occupied the building relocated showed that the business generated 5 two-way vehicle movements during the AM peak and 2 two-way vehicle movements during the PM peak. It also estimated that 9 apartments would be expected to generate around 2 two-way vehicle movements during the AM peak and 3 two-way vehicle movements during the PM peak. As such, it was concluded that the proposal should not result in a material increase in vehicle movements on the local highway network and although Bankfield Road is sub-standard, a recommendation of refusal could not be justified.

Increasing the number of apartments by 3 to a total of 12 units would be expected to increase the number of vehicle movements during the AM and PM peak hours by a single vehicle per hour. This number of vehicles would still be less than



would have been generated by the shop fitting business during the AM peak and, although slightly more than would have been generated during the PM peak, it will be less than would have been generated between 16:15 – 17:15 and the impact of the increase between 17:00 and 18:00 could not be regarded as being at a level that would warrant a recommendation of refusal. As such, providing the improvements to the site's access are implemented along the lines as previously approved, a recommendation of refusal could not be justified

In terms of access improvements the previous scheme included proposals to improve the access track that serves the site and pedestrian access to the site, with improvements comprising of:

- 1) Widening and resurfacing of the track (to 3.7m in width), with permeable surfacing and associated kerbing / edging;
- 2) The provision of street lighting columns;
- 3) The provision of a speed hump at the start of the track and midway along;
- 4) The provision of a vehicular passing place and 3 pedestrian waiting areas;
- 5) Removal of vegetation to improve forward visibility;
- 6) Widening and extending the existing narrow footway at the end of Mill Pool Close;
- 7) Provision of an uncontrolled pedestrian crossing on Mill Pool Close;

Some of these improvements, however, are not proposed as part of the current scheme for 12 units, and others have been amended, including:

- 1) The access track is now proposed to be surfaced in a non-permeable surface, draining to the track's existing drainage channel;
- 2) No new kerbing / edging is proposed;
- 3) Bollard lighting is proposed, rather than street lighting columns;
- 4) A speed hump has been removed from the scheme;
- 5) The pedestrian improvements on Mill Pool Close have been removed from the scheme.

The amendments required to address the issues raised by the highway engineer (under consultee responses above) have been addressed and submitted as follows:

- 1) Revised proposals for cycle parking with two cycle stores.
- 2) A revised boundary treatment along the access road is proposed, in the form of a low brick wall and railings.
- 3) Improvements to Mill Pool Close which formed part of the previously approved scheme (widening and extending the existing narrow footway at the end of Mill Pool Close and the provision of an uncontrolled pedestrian crossing) have been reintroduced to the access improvement scheme, as requested.
- 4) The previously approved lighting scheme for the site access road (using 5m high columns) has been reintroduced, to address the issues raised in respect to the suitability of bollard lighting.
- 5) A speed hump, which formed part of the previously approved scheme, has been reintroduced to the access improvement, as requested.
- 6) As all the revised access improvement scheme includes all the key features of the previously approved scheme which had a Road Safety Audit carried out on it which did not highlight any issues that could not be dealt with at detailed design stage, it is considered that a new RSA is not required at this stage.
- 7) Revised proposals for the surfacing and drainage of the access road are now proposed. These will take the form of surfacing the access track in 'tarmac', with the existing drainage channel on the south of the road extended along the full length of the road and the road graded to drain into this channel and

be subject to detail design. The drainage channel to be of a form that will act as a soakaway (if ground conditions allow) and/or will attenuate water so as to limit downstream flows which would be dealt with at the detailed design stage.

- 8) The applicant has confirmed that the access road will be maintained by a private management company to ensure that the drainage is maintained and the surface remains in good condition.
- 9) The applicant has agreed to provide a handrail and lighting on the path between the lower and upper parking areas, as requested.
- 10) The applicant has demonstrated through the submission of a vehicle swept-path diagram that refuse and other larger vehicles will be able to service the site (although it should be noted that the bridge on Bankfield Road limits what vehicles can access the site and, as such, smaller refuse vehicles are used).

The revised information addresses the issues raised and, as such, subject to matters of detail which can be dealt with by condition, the highway engineer considers the proposal acceptable in respect to its impact on the highway network, access, parking, servicing and accessibility and raises no objection to subject to conditions.

Parking is proposed for 18 cars (including two spaces for disabled badge holders) in two parking areas within the site. In line with adopted standards and the Highway Engineer considers that this level of parking should meet demand. The spaces should be delineated and available for use on a communal basis, which would be secured by condition. The Highway Engineer raises no objections to the proposed cycle parking arrangements.

In order to ensure that the site can be safely accessed by foot and cycle and sustainable travel is encouraged, it is recommended that the access drive should be improved, a dropped kerb and tactile paving crossing should be provided across the turning area at the end of Mill Pool Close, improvements should be carried out to the pedestrian route from the site up to Riverside View/the adjacent public open space and travel plan measures should be implemented. Such improvements would be secured by suitably worded planning conditions.

Due to the constrained nature of Bankfield Road and the access track which serves the site, how the development will be constructed will need to be carefully planned and co-ordinated to minimise the impact on the local area and ensure that it is carried out in a safe and practical manner. This would need to include access routes to be used, what vehicles will be used to deliver materials and times of deliveries. As such, the Highway Engineer recommends the imposition of a condition to require the submission, approval and implementation of a Construction Method Statement and to require the repair of any damage caused by construction traffic.

In summary of the highways considerations, no objections are raised to the proposal from the Highway Engineer, subject to the imposition of the conditions contained within the consultee responses section above. On this basis, the proposal is considered acceptable with regard to access, impact on the highway network, traffic generation, parking, accessibility and detailed site layout, in accordance with Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-3, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

### **Impact on Public Right of Way**

The access track which serves the existing Thorn Works building to the North East and served from Mill Pool Close is a Public Right of Way (88BR). This

Public Right of Way passes to the North of the building and on towards the North West. The detailed comments of the Council Public Right of Way Officer are contained within the consultee responses section above. No objection is raised

In view of the above, it is considered that the proposal would not unduly impact on the adjacent Public Right of Way, in accordance with saved UDP policies L1.7 and L1.9.

### **Impact on residential amenity**

The application site is located in a relatively isolated position, well separated from the nearest residential properties on Mill Pool Close and Woodlands Drive to the South East, Braddon Road to the South and Riverside View to the South West.

Although currently vacant, the existing building has a lawful use for General Industrial (B2) purposes, with no planning conditions limiting the hours of operation. As such, it is considered that the use of the existing building for residential purposes would not result in any additional loss of amenity to surrounding residents than the existing lawful use of the building, which could be re-commenced at any time without the requirement for planning permission.

Neighbour concerns regarding highway safety, traffic movements, noise, disturbance and pollution from the use of the access track to serve the proposed development are noted. However, Members are advised that the access track has been used historically to serve the previous industrial premises, including use by large, heavy vehicles. Members are reminded of the previously approved residential scheme for conversion to 9 units which is a material consideration. The additional 3 units proposed as part of this scheme is not considered to unduly harm the amenity of nearby residential properties on Mill Pool Close and Bankfield Road.

In view of the above, it is considered that the use of the existing industrial building for residential purposes and the use of the proposed access track to serve the proposed residential development would not unduly impact on the residential amenity of surrounding properties, in accordance with Core Strategy DPD policies CS8, SIE-1 and SIE-3.

### **Impact on trees**

The detailed comments of the Council Arboricultural Officer are contained within the consultee responses section above.

The application site is not located within a Conservation Area, however there is a Tree Preservation Order on the opposite side of the access track to the North (Wellington Works 1985). A Tree Survey has been submitted in support of the application, showing the condition and amenity levels of existing trees and, where applicable, which trees could be retained, which is considered acceptable. It is considered that the proposed development would have a minor negative impact on trees, however this would be acceptable with improved landscaping to address tree loss which should include a greater number of new trees, including native large species and increased native hedgerows. The proposed tree loss in and around the mill pool is considered acceptable as these trees are self-seeded with limited aesthetical or biodiversity value. Predominantly tree loss would occur to the Southern and Western areas of the site which would have a negative impact on existing woodland. Trees here should be considered for retention where possible and, if trees are to be lost, woodland management would need to

be considered. This would be secured by the imposition of a suitably worded planning condition to require the submission, approval and implementation of a landscaping scheme.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control to ensure that retained trees are not worked to, the provision of protective fencing to retained trees and the submission, approval and implementation of a landscaping scheme, the proposal is considered acceptable in terms of its impact on existing trees within the site, in accordance with Core Strategy DPD policies CS8, SIE-1 and SIE-3.

### **Impact on protected species and ecology**

An extended Phase 1 habitat survey and bat emergence survey have been submitted in support of the application. The detailed comments of the Council Nature Development Officer are contained within the consultee responses section above.

It is noted that the site itself has no Nature Conservation Designations, legal or otherwise. However, the adjacent mill pond is designated as Green Chain and the woodland approximately 5 metres to the North of the site is a Site of Biological Importance (Botany Mill Wood). Although these designations were not detected within the Ecological Report, the proposed works would not encroach into these designated areas and a suitably worded condition to ensure that they are protected is sufficient. The site has the potential to support protected species, including bats, badgers and nesting birds. There are no water bodies on the site or within 250 metres which are suitable to support great crested newts and the stream is not suitable to support water voles. The Ecological Survey did not find any badger setts on or adjacent to the site. No bats or evidence of bats was discovered from the Bat Survey of the mill building and trees. The trees along the access road were not surveyed, therefore if any tree works are proposed in this area, further bat survey work will be required (e.g. climb and inspect). The mill, trees and vegetation on site could support breeding birds.

The Nature Development Officer considers that the ecological information submitted is sufficient to determine the application. Conditions are recommended to ensure that a replanting scheme for the site is submitted, approved and implemented, retained trees and woodland should be adequately protected, no demolition or tree removal should be undertaken in the bird nesting season and biodiversity enhancements should be sought. The applicant should also be made aware of legislation in place to protect biodiversity by way of informative.

In view of the above, on the basis of the submitted ecological information, no objections are raised from the Nature Development Officer. Subject to the imposition of suitably worded planning conditions, the proposal is considered acceptable in terms of its impact on ecology, protected species and biodiversity, in accordance with saved UDP policies NE1.2 and NE3.1 and Core Strategy DPD policies CS8 and SIE-3.

### **Drainage**

A schematic drainage layout, existing drainage plan and existing and proposed surface water run-off plan have been submitted in support of the application. The detailed comments of the Council Drainage Team are contained within the consultation responses section above.

The Drainage Team is satisfied that the requirements for a suitable surface and foul water drainage scheme for the development can be secured by the imposition of suitably worded planning conditions.

In view of the above, on the basis of the submitted information and subject to conditional control, it is considered that the development could be drained in an appropriately sustainable manner, in accordance with the requirements of Core Strategy DPD policies SD-6, CS8 and SIE-3.

### **Land Contamination**

Core Strategy DPD policies CS8 and SIE-3 seek to protect development from matters relating to contaminated land. A Phase 2 Risk Assessment has been submitted in support of the application. The detailed comments of the Council Environment Team are contained within the consultee responses section, above.

No objections are raised to the principle of the proposal from the Environment Team. It is recommended that conditions are imposed, which should be applied as a phased approach, to require the submission, approval and implementation of a remediation scheme and remedial action into contamination at the site. As such, it is considered that the proposed development would not be at risk from land contamination, in accordance with Core Strategy DPD policies CS8 and SIE-3.

No objections are raised by the Coal Authority having regard to the Phase 2 study and Preliminary Risk Assessment. Noting that the development will result in any substantial foundations or earthworks. And they consider that requiring a Coal Mining Risk Assessment would be required for this change of use application. However, the Coal Authority does recommend that, should planning permission be granted for this proposal, an Informative Note be included on any planning permission granted.

### **Energy efficiency**

An Energy Statement has been submitted with the application. The Energy Statement highlights the proposed energy efficiency measures that could be incorporated within the proposed development in order to reduce energy consumption and assesses the potential for the inclusion of available renewable and low and zero carbon technologies within the proposed development. It is noted that energy efficiency measures would be incorporated within the fabric of the building in order to comply with current Building Regulations. In terms of proposed low and zero carbon technologies, ground source heat pumps, solar PV, wind energy, micro-hydro energy, district heating, solar hot water, air source heat pumps and biomass are discounted on the grounds of technical feasibility, viability and due to planning restrictions at the site. On this basis, it is considered that the Energy Statement is compliant with the requirements of Core Strategy DPD policy SD-3.

### **Impact on adjacent canal**

No objections are raised to the proposal from the Canal and River Trust in terms of the potential impact of the proposal on the Peak Forest Canal to the North East of the access track. The applicant will be advised of the requirements for necessary consents for works by way of informative.

## **Archaeology**

Core Strategy DPD policies CS8 and SIE-3 seek to protect archaeological interests. The detailed comments from GMAAS are contained within the consultee responses section above. No objections are raised to the proposal from GMAAS subject to the imposition of a condition seeking the submission of a written scheme of investigation prior to the commencement of development.

## **Open space and Children's Play and viability**

Saved UDP policy L1.2 and Core Strategy DPD policy SIE-2 identify the importance of open space and children's play facilities to meet the community. With regard to children's play, a three tiered structure identifies the need for large residential developments to include provision for recreation and amenity open space on or off site, dependent upon the population of the proposed development.

The proposal would be required to provide off-site provision to meet the requirements of the policy in the form of a commuted sum based on the population capacity of 36. This would command a total of £53,865 and is broken down as follows:

### **Population Capacity**

12 x 2 bed (Pop 36) Overall Pop Capacity 36

### **Provision**

Formal 36 x £561 = £20,196

Children's 36 x £402.50 = £14,490

### **Maintenance**

Formal 36 x 17 (m<sup>2</sup>) x £20 = £12,240

Children's 36 x 7 (m<sup>2</sup>) x £27.50 = £6,930

**Total - £53,865.**

## **Viability**

In this instance, the application has been supported by an economic viability appraisal, which seeks to demonstrate that the development would not be viable if there was a policy requirement to provide any open space provision and children's play. Simply put it indicates that it would not be possible to deliver the wider regenerative benefits of the scheme, i.e. the change of use and conversion of this locally listed building, and pay a commuted sum to address the policy requirement of L1.2 and SIE-2.

The viability appraisal submitted by the applicant in support of the application has been independently assessed by a suitably qualified professional, appointed by the Council, and the scheme before members is considered commercially unviable to be policy compliant, in terms of providing a commuted sum for off-site open space and recreation provision with the cost of delivering the scheme being higher than the value of the property created.

The assessment of the viability appraisal also recommends that the Council ***'secure a retrospective review mechanism as to ascertain if a contribution towards policy is justified from the scheme'***. As such the applicant would be required to enter into a legal agreement with the Council to secure this and has confirmed his agreement to this.

Based on the assessment of the information submitted, it is concluded that the applicant has demonstrated that it would not be viable for the scheme to include any open space and children's play and still deliver wider regenerative benefits of the proposal.

## **SUMMARY**

In conclusion, the site is located in an accessible and sustainable location, therefore the principle of the use of the building for residential purposes is considered to be acceptable. Subject to conditional control relating to the external appearance of the conversion and associated development, the principle of the proposal is supported by the Conservation Officer, which would have the potential to regenerate and secure a long term viable future for this locally listed building, a heritage asset of architectural and historic interest. In the absence of objections from relevant consultees, the proposal is considered acceptable with regard to the loss of the existing employment site, impact on the Landscape Character Area, impact on the Public Right of Way, impact on residential amenity, impact on the nearby Peak Forest Canal and energy efficiency. Subject to the imposition of suitably worded planning conditions, the proposal is considered acceptable in terms of its impact on trees, impact on protected species and ecology, drainage and land contamination.

Neighbour concerns relating to the existing access to the site, traffic generation, highway safety and parking are noted. However, subject to conditional control, no objections are raised to the proposal from the Highway Engineer with regard to access, impact on the highway network, traffic generation, parking and accessibility and, as such, it is considered that a refusal of the application on these grounds would not be sustainable at appeal.

It is noted that both the proposed conversion of the existing building to residential use and the proposed extensions to the existing building would represent inappropriate development within the Green Belt when assessed against saved UDP policies GBA1.6 and GBA1.2 and on this basis the proposal is effectively a departure from the development plan. However, when assessed against the NPPF, which was introduced at a later date than the adoption of saved UDP policies, the conversion of the existing building to residential use and the proposed extensions to the existing building which would not result in a disproportionate addition to the existing building, is not considered to represent inappropriate development within the Green Belt. As the NPPF supersedes the requirements of saved UDP policies and is the overriding policy framework, the proposal is therefore considered acceptable within the Green Belt.

In view of the above factors, the application is recommended for approval. Should Members agree the recommendation, it will be necessary to defer and delegate the decision to Officers, pending the applicant entering into a Section 106 agreement to secure a retrospective review mechanism or clawback.

## **RECOMMENDATION**

Grant. - defer and delegate the decision to Officers, pending the applicant entering into a Section 106 agreement to secure a retrospective review mechanism or clawback.