

ITEM 2

Application Reference	DC/077358
Location:	Fir Tree Gorton Road North Reddish Stockport SK5 6LL
PROPOSAL:	Full planning application for the demolition of the former Fir Tree Public House.
Type Of Application:	Full Application
Registration Date:	12.08.2020
Expiry Date:	20201007
Case Officer:	Jeni Regan
Applicant:	Lidl Great Britain Limited
Agent:	Rapleys

DELEGATION/COMMITTEE STATUS

Heatons and Reddish Area Committee. Application referred due to receipt of 4 or more letters of objection, contrary to the Officer recommendation to grant.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the demolition of the former Fir Tree Public House building and associated structures.

The application has been submitted with the following information:

- Application Form;
- Demolition Justification Statement;
- Demolition Plan;
- Boundary Treatment Plan;
- Construction Method Statement;
- Demolition Method Statement – Risk Assessment; and
- Bat survey.

The submitted Demolition Method Statement confirms that the proposed works for the buildings to be demolished include the following:

- form a site compound, set up welfare facilities and muster points,
- secure the site to be demolished with a 2.5m high wooden panel hoarding,
- service disconnections,
- the appropriate survey and removal of any asbestos by a suitably approved licensed Asbestos Removal Contractor,
- carry out internal soft strip of the buildings,
- the hand demolition to separate any structures which adjoin the structure to be demolished; and

- the mechanical demolition of all three structures and outbuildings down to ground slab level.

In terms of site restoration following the demolition works, it is also confirmed that all demolition materials will be removed, the site will be cleared and the site hoardings will be retained to secure the land.

Members should note that even though the applicant for the application is Lidl GB Ltd. and representations have been made by local residents (see below) about the use of the site as a supermarket, this application only relates to the demolition of the existing buildings on the site and not the redevelopment of the site for a new supermarket. Therefore, the only matters being considered in this case are the loss of the existing public house, the proposed method of demolition and the restoration of the site following the works.

SITE AND SURROUNDINGS

The application site comprises the site of the former Fir Tree Public House and associated external drinking areas and customer car park. The site is located on the north western corner of Gorton Road and Longford Road West, in North Reddish.

The former Fir Tree Public House occupies the southern part of the site fronting Longford Road West, with the northern area previously used as the customer car park. Vehicular access into the site is from two points off Gorton Road, with pedestrian access gained from both Gorton Road and Longford Road West.

The application site is bounded to the north by the former residential property (289 Gorton Road) and builder's merchants (291 Gorton Road), both of which are now vacant and have been subject to recent vandalism, arson and anti-social behaviour, resulting in the whole site being secured. The application site is then bounded to the west by the Park View Medical practice, and the associated buildings and car parking areas.

The site is located within a Predominantly Residential Area as allocated within the UDP, however it contains a mix of uses within the immediate vicinity. There are residential properties to the south located across Longford Road West and to the east of the site there are a number of commercial units fronting Gorton Road some with residential accommodation above. Behind and beyond the site is North Reddish Park.

The site is not located within or adjacent to a Conservation Area and does not contain any Listed Buildings.

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 31st 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 17th March 2011.

Saved policies of the SUDP Review

- CTF1.1 Development of Community Services and Facilities

LDF Core Strategy/Development Management policies

- AS-2 Improving Indoor Sports, Community and Education Facilities and their Accessibility
- Policy CS8 Safeguarding and Improving the Environment
- SIE-1 Quality Places
- SIE-3 Protecting, Safeguarding and Enhancing the Environment
- T-1 Transport and Development
- T-2 Parking in Developments
- T-3 Safety and Capacity on the Highway Network

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”.

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. 92 “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.”

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

There are a number of historic applications associated with the former Public House use of the site including elevational alterations and extensions to the building, advertisements and a satellite dish and boundary treatments. However, none of these have any specific relevance to this planning application for demolition.

NEIGHBOUR'S VIEWS

The owners/occupiers of 45 surrounding properties were notified in writing of the application. The neighbour notification period expired on the 6th September 2020.

The application was advertised by way of display of notice on site and in the press, the consultation periods for which expired on the 8th September 2020 and the 9th September 2020 respectively.

In response to the above, 21 letters of representation have been received for the application. 16 of these are in objection to the application and 5 are in support. The comments made are now summarised below:

Objections

- The proposal to demolish the former Fir Tree Pub to allow a new supermarket to be built on the land is absurd.
- In the Demolition Justification Statement dated 11/08/20, the justification is that there are 9 other public houses within 2km of the site. There are also 11 supermarkets within 4km of the site, all with great transport links.
- The traffic flow through Reddish, particularly at the junction of Longford Road West and Gorton Road, is exceptionally bad especially during rush hours. Traffic on Longford Road West can sometimes be stretched all the way back to the junction of Ruskin Road. This creates traffic chaos with cars using the wrong side of the road to cut through onto Harrogate Road. Traffic is a nightmare and adding another supermarket to the mix, especially one that isn't currently present in the area, would only add to this chaos.
- Lidl have already submitted a planning application to build another store in a neighbouring area, Heaton Norris, which is less than 2.5 miles away from this site. Adding another supermarket to this area is definitely not needed and will also have an adverse effect on the smaller independent shop owners in the area. The shop owners will already be struggling due to the current global pandemic and building another supermarket to rival them will, inevitably, mean that a lot of local businesses will be forced to close.
- The main road has horrific traffic almost all the time and this will only encourage more. Resulting in more pollution, time delays and very likely more accidents.
- The Fir Tree was once a thriving pub at the heart of the community and with the right management team, staff and security in place, it could thrive once again. The Fir Tree is sorely missed by the people in the community, especially in North Reddish, where there isn't a single pub. Pub's are the heart of any community and something that North Reddish is currently missing.
- This should reopen as a pub as there are no pubs left in Reddish now.

- The community has been ripped apart since the Fir Tree closed, the pubs sited in the letter are a long walk for some people and some even require driving to.
- Bearing in mind that there is nothing left in North Reddish to do since the baths were closed, keeping the site as a pub should be top of the Councils agenda, not yet another supermarket
- Please don't demolish our pub this is the last pub left in the north reddish area, it means so much to the Community. The last year has been horrible without a place for the local population of north reddish to meet up and socialise. it has so much potential if it was right.
- If there's a chance we can save this establishment why not give it a chance.
- Interested to understand why Stockport Council feel Reddish is a corridor for shops. Why have our local community resources been taken away. The plans state there are many public houses in the area but all immediate pubs were also demolished. The Dane bank and windmill are not local. The vale, bulls head, railway and Pomona all now demolished in North Reddish. Stockport council should have allowed this building to be bought by someone who wanted to bring a community pub back to life like it once was circa 2009. It could have been a great gastro pub with a kids play area and family entertainment. Strict licences and security would ensure the proper running unlike the previous owners who let this pub deteriorate.
- It's about time money was put back into the area, by way of housing, sports facilities, meeting places, kids clubs etc... Reddish does not have the right infrastructure to accommodate another supermarket on what is already a bottle neck junction with surrounding grid locked road systems.
- The locals are crying out for somewhere to go and have a nice drink/meal with family and friends.
- Why should people who have frequented the Fir Tree for years have to endure another pub closure, especially with it being the only one within reasonable walking distance for many local residents
- This is a beautiful building that should be respected and something the council are proud to keep. Don't make it a pub, make it anything else but preserve the building. Demolition of this would be wrong on all cases.

Support

- People without transport desperately need a supermarket in North Reddish as currently they have to take a bus to Morrisons in South Reddish or Asda near Gorton.
- This will provide a good community facility and jobs for local people and assist the local economy.
- It will also be better than the run down buildings on site at present which are attracting flytipping and anti social behaviour.
- North Reddish needs an injection of decent commerce.
- It will not adversely affect other traders who are mostly chemist's and hairdressers.
- People will be able to walk to this shop for groceries and buy staples like bread and milk in safety.
- Totally support this as Lidl provide quality shopping at affordable prices and I know a lot of my neighbours feel the same.
- Do think the development might bring more road traffic to the vicinity but this is likely to be well controlled by the crossroad traffic lights at the corner of Longford Road and Gorton Road and will assist drivers exiting the car park.
- For those local households who would prefer to drive to their supermarket, this would reduce the distance they are to travel, thereby reducing exhaust

emissions and helping the local authority to achieve their targets for Climate Control.

- Believe the proposal represents an improvement on the current state of the site. It will enable people to do their shopping within reach of their own doorstep, without adversely affecting existing businesses nearby.

CONSULTEE RESPONSES

Highways

Original Comments 25.08.2020

Although I have no objection, in principle, to the demolition of the former Fir Tree Public House, this is subject to the demolition works being carried out in a safe manner, in a manner that minimises impact on the local highway network and with the site being left in an acceptable manner.

In respect to this, although a Demolition Method Statement has been submitted, this does not include all the information required to enable the method of demolition to be assessed from a highway perspective. In addition, a detailed site layout plan for the demolition works is required. As such, I would recommend that the application is deferred and the applicant is advised to submit:

- 1) A Demolition Method Statement which deals with issues such as access, parking and highway impact. In order to ensure that all the required information is submitted, the applicant is advised to complete and submit a completed copy of the Council's template Construction Method Statement (which can also be used for demolition works). This can be downloaded from the 'Highways and transport advice for new development' page on the Council's web-site (www.stockport.gov.uk).
- 2) A detailed 'demolition phase site layout plan', which shows access arrangements, pedestrian routes within the site, parking, loading / unloading and material storage areas, site cabins / welfare facilities, location of site fences / hoardings, the location of wheel wash facilities and the location of traffic management signage.

In addition, with respect to how the site will be left, the 'Boundary Treatment Plan – Post Demolition' indicates that a timber hoarding will be erected across the site frontage. This, it is assumed, will replace the existing brick wall. The wall, however, retains the back of the footway and therefore if this is fully removed, the footway abutting the site could be undermined. I therefore consider there is a need for further information on boundary treatment to be submitted. One option would be to leave the boundary wall in place (in full or in part).

Recommendation: Defer

Further comments 22.10.2020

I write with reference to the completed SMBC Construction Method Statement and revised Demolition Method Statement, which have been submitted with the aim of addressing my previous comments of the 12th October 2020.

After examining the completed SMBC Construction Method Statement I can confirm that it includes the majority of the outstanding information. There will be a need for the applicant to provide details of the site manager and the date of the works to the LPA once these are known, but the Statement outlines that this will be carried out.

I can also confirm that the revised Demolition Method Statement is considered acceptable, noting that site layout drawing on Page 15 shows 2 accesses and gates at these accesses set back and adjacent fences splayed as requested.

Following the receipt of this additional / revised information, I can confirm that I raise no objection to this application.

Recommendation: No objection.

Nature Development Officer

The site is located at the corner of Gorton Road and Longford Road West in Reddish. The application is a full planning application for the demolition of the former Fir Tree Public House.

Nature Conservation Designations - The site has no nature conservation designations, legal or otherwise.

Legally Protected Species - Many buildings and trees have the potential to support roosting bats. All species of bats, and their roosts, 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.
 - b) the local distribution of that species.
- 3) Damage or destroy a breeding place or resting site of such an animal

Buildings and vegetation also offer suitable nesting habitat for breeding birds. All breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended).

A bat roost assessment has been carried out and submitted as part of the application. The survey was carried out in June 2020 by a suitably experienced ecologist and followed best practice survey guidelines (Enzygo Ltd, 2020). An internal and external inspection of buildings on site was undertaken to search for signs of bats and assess the potential for bats to be present. No signs indicative of bat presence were observed during the survey. The old Fir Tree Pub was assessed as offering low bat roost potential owing to some gaps in mortar along roof verges and between ridge tiles. Gaps under lead flashing were also observed. The other buildings on site were assessed as offering negligible potential to support roosting bats. The trees on site are not considered to offer bat roosting potential on account of their young age.

A dusk bat activity survey was carried out in June 2020 in accordance with best practice survey guidance. No bats were observed roosting on site but pipistrelle sp. bat foraging activity was recorded.

Recommendations:

No evidence of roosting bats was recorded during the surveys and so the proposed works are considered to be of low risk to roosting bats. Bats can be highly cryptic in

their roosting behaviour and can regularly switch roost sites. It is therefore recommended that an informative is attached to any planning consent granted so that the applicant is aware of the (low) potential for roosting bats to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats (or any other protected species such as nesting birds) is discovered on site, works must cease and a suitably experienced ecologist contacted for advice.

Ecological conditions can change overtime and so should works have not commenced within 2 years of the June 2020 survey an update survey may be required to ensure that the ecological impact assessment is based on sufficiently up to date baseline data. This can be conditioned if necessary.

In relation to breeding birds the following condition should be used: No demolition/vegetation clearance works should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of buildings / trees and vegetation for active birds' nests immediately before demolition/vegetation works commence and ensured there are appropriate measures in place to protect nesting bird interest on site.

It is acknowledged that the current application relates to demolition only, however as part of the future redevelopment of the site replacement planting would be required for any trees to be lost. Moreover, developments are expected to achieve net gains for biodiversity. Biodiversity enhancements should therefore be incorporated into the future scheme design in accordance with national and local planning policy. For example: inclusion of green roofs and/or green walls; integrated bat roosting and bird nesting features within the proposed development and; a sympathetic landscaping scheme to maximise biodiversity benefits. Such measures would be required to ensure the proposed development is in accordance with local and national planning policy (including 3.286 and 3.296 of CS8 in the LDF and the NPPF).

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).

Environmental Health (Noise)

Environmental Health have assessed the application for the demolition of the Fir Tree Pub. We are happy with the details provided however, it is requested that hours of construction works are within Stockport council guideline hours of 07.30-18.00 Monday-Friday and 08.00-12.30 Saturday.

ANALYSIS

Principle

Following the introduction of the Neighbourhood Planning Act in 2017 and a calling for greater protections for public houses and other local community services, the permitted development rights for the demolition of public houses were removed. This was to ensure that there could be local consideration of the demolition of drinking establishments through the planning application process and provides an opportunity for the local planning authority to consider the full planning merits rather than just the method of demolition and restoration of the

site, as is considered through the prior approval process. It also gives an opportunity for the community to comment on the future of their local pub. Therefore, full planning permission is required in this case for the demolition of a former public house.

The matters for consideration in this case are the loss of the public house, the loss of the existing building and the potential impact of the proposed demolition works on the highway, on the amenities of the surrounding residential properties and on ecology.

As outlined above, a number of objections and comments of support have been made in relation to the proposed future use of the site as a Lidl supermarket. It is acknowledged that the applicant for the application is Lidl GB Ltd. However, planning permission is only sought through this application for the demolition of the existing buildings on the site. Permission is not being sought under this application for the redevelopment of the site for a Lidl foodstore. Therefore, although the comments made are acknowledged, the only matters permitted to be considered under this application are those outlined in the paragraph above relating to the demolition works. The matter of the potential future use of the site is not under consideration at this stage.

Loss of the Public House

Paragraph 92 of the NPPF supports the retention of community facilities, which should be retained for community use. It states: To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.

Unitary Development Policy CTF1.1 'Development of Community Services and Facilities' states that development which would result in the loss of existing community services and facilities will only be permitted where adequate replacement is provided or special justification can be shown.

Finally, Core Strategy Policy AS-2 'Improving Indoor Sports, Community and Education Facilities and their Accessibility' states that 'sufficient indoor sports, community (including health care facilities) and education facilities will provide community facilities that are well located to serve the relevant population. The redevelopment of existing community uses (excluding children's indoor play centres and health care facilities) for other uses will be permitted where one or more of the following applies:

- It is sufficiently demonstrated that replacement provision of no less quality and of appropriate scale is provided elsewhere within the relevant catchment area;
- It is sufficiently demonstrated that replacement provision of no less quality and of appropriate scale is provided elsewhere within an alternative catchment area within the borough where this would contribute to addressing inequalities;
- It is of no beneficial use;
- There is an oversupply of the community use involved and therefore no need for replacement;

- Insufficient resources are available to maintain the operation of the community use or it is not viable to retain;
- A lack of interest in occupancy of the site for the existing use is satisfactorily demonstrated by marketing information or community engagement;
- A comprehensive and efficient service would remain;
- Special justification is demonstrated to the satisfaction of the Council

However, in the case of the development plan policies outlined above, it is important to note that within the Glossary, the definition of a 'Community Use' does not include public houses. It states that Community uses includes health care facilities (e.g. Hospitals, clinics, dental practices), drop-in centres, facilities for emergency services, fire, ambulance and police, children's centres, libraries, creches, day nurseries, children's indoor play centres, youth centres, community meeting halls, places of worship, places of religious instruction and church halls. Excludes education facilities. Therefore, the above UDP and Core Strategy policies cannot be given any significant weight in the consideration of this case, as a public house does not fall under the definition of a community use for the application of these policies.

Therefore, the most important area of policy in this case is Paragraph 92 of the NPPF.

The comments made by local residents about the loss of this valued community pub are fully acknowledged. Public houses do form an integral part of a local community and provide a space for residents to come together and socialise. However, this has to be balanced against the associated problems of anti-social behaviour and crime that have been experienced in the past with this public house and the detriment this can cause within a community. Furthermore, the former Fir Tree Public House has been closed and vacant for some time, leading to significant antisocial behaviour being associated with the closed site such as vandalism, arson and drug related crimes. The public house is therefore not considered to be an active community facility and has not been meeting the needs of the community in recent times since it has been closed.

A full assessment has been made of the other operational public houses in the local area, which have similar or greater facilities than those which the Fir Tree Public House provided when it was open. There are 9 public houses within a 1.8km radius of the application site, which between them are open, provide car parking, serve food and have outdoor seating areas or beer gardens. The closest of is The Houldsworth Arms in Reddish, which is located approximately 930m (approx. 10 min walk) to the south of the former Fir Tree Public House. This pub has car parking for patrons and a beer garden. Other local pubs include The Thatched Tavern, the Union Inn and the Grey Horse in Reddish and The Dane Bank and The Windmill in Denton. Others listed but that are further away include The Stable Gate in Denton and the Blue Bell Inn and the Sidings in Levenshulme.

Therefore, on the basis of the requirements under paragraph 92 of the NPPF, it is considered that there is a number of existing public houses within close proximity to the application site that have the ability to meet the community's day-to-day needs. Furthermore, material weight should be given to the significant anti-social behaviour problems that this former use and currently vacant site bring to the local community. Therefore, it is considered that this and the

potential benefits a future redevelopment would bring to this community, should outweigh the loss of the public house in this case.

On this basis, it is considered that the loss of the public house is acceptable in this case, and that the loss of the former Fir Tree Public House building does not conflict with the provisions of paragraph 92 of the NPPF.

Loss of the Building

The existing Fir Tree Public House building comprises a red brick construction with a pitched grey tile roof. It has been extended a number of times in the past, including a two storey, a single storey and a conservatory extension to the side and rear. The building has a traditional appearance, however it does not comprise anything of particular architectural merit.

The building is not located within a Conservation Area, nor is it a designated Listed Building or a non-designated Locally Listed Building. Therefore, the loss of the building does not require any assessment from a heritage asset perspective.

Core Strategy Policy CS8 (Safeguarding and Improving the Environment) states that Development proposals which seek to make environmental improvements and enhancements will be given positive consideration, especially where they bring derelict, vacant or contaminated previously developed land back into safe, active use. It is considered that the proposed demolition allows for the site to be secured to the benefit of nearby residents, in preparation for a new development, whatever form that may take. If this is through the provision of a different commercial, recreational or residential use, this would potentially provide a more attractive development than is currently seen at the site to the benefit of the immediate street scene or character of the wider area.

Therefore, it is not considered that the public house building itself enhances the quality of the street scene in this location and its architectural style and quality is not such that it should be protected from demolition. The building is not a protected designated or non-designated heritage asset and therefore, it is considered to be justified for the building to be demolished to make way for a potential future better quality redevelopment.

Ecology

Development Management Policy SIE-3 'Protecting, Safeguarding and enhancing the Environment' states that the borough's varying urban and rural landscapes, biodiversity, geodiversity and soils combine to create a unique and distinctive local character of considerable value to residents and visitors alike.

As permission is sought for the demolition of an existing building, the application is accompanied by supported by a bat survey completed by Enzygo Environmental Consultants. The application has been fully assessed by the Council's Nature Development Officer and the comments made can be seen in the Consultations section above.

The Bat Survey concludes that there is a negligible risk of roosting bats at the buildings to be demolished. No further survey or mitigation measures are necessary to avoid potential impacts on bats, or to demonstrate 'no biodiversity net loss' in accordance with NPPF and local planning policy.

The proposed works are considered to be of low risk to roosting bats. Bats can roost in seemingly unlikely places however and so the applicant will be advised of the potential for buildings and trees to support bats. It should also include information stating that the granting of planning permission does not negate the need to abide by the laws in place to protect biodiversity. Should at any time bats, or any other protected species be discovered on site, work should cease immediately and a suitably experienced ecologist/Natural England should be contacted for advice.

The applicant will also be advised of the need to avoid building, demolition and vegetation clearance during the bird nesting season, unless it can be confirmed that nesting birds are not present by way of informative. Conditions have also been recommended in relation to a re-survey after 2 years if the proposed demolition works have not commenced, and 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).

In view of the above, in the absence of objections from the Nature Development Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on protected species, biodiversity and the ecological interest of the site, in accordance with Core Strategy DPD policy SIE-3.

Traffic Generation, Access, Highway Safety and Parking

The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

At the outset, the Highways Engineer confirmed that there was no objection, in principle, to the demolition of the former Fir Tree Public House. However, this was on the basis that the demolition works were carried out in a safe manner. Additional information was requested from the applicant in this regard to ensure that the proposed demolition works would minimise any impact on the local highway network and that the site would be left in an acceptable manner.

In respect to this, a more detailed Demolition Method Statement which dealt with issues such as access, parking and highway impact was requested. A detailed demolition phase site layout plan was also requested, to show access arrangements, pedestrian routes within the site, parking, loading / unloading and material storage areas, site cabins / welfare facilities, location of site fences / hoardings, the location of wheel wash facilities and the location of traffic management signage.

Following these comments, the applicant subsequently submitted a SMBC Construction Method Statement, a Site Arrangements Plan and revised Demolition Method Statement. This has been fully assessed by the Highways Engineer and it has now been confirmed that this includes and addresses the majority of the outstanding information. It is confirmed that there will be a need for the applicant to provide details of the site manager and the date of the works to the LPA once these are known, but the submitted Statement outlines that this would be carried out as a matter of course.

Therefore, following the receipt of this additional / revised information, Highways have confirmed that the proposal is considered acceptable with regard to the issues

of traffic generation, parking and highway safety and there are no objections to this application.

On the basis of the above, it is considered to be reasonable that with conditional control, the development is in compliance with policies T-1, T-2 and T-3 of the Core Strategy.

Residential Amenity

Policy SIE-1 of the Core Strategy outlines that development must pay regard to the built and/or natural environment within which it is sited, and account should be had to the provision, maintenance and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents.

The site is located close to existing residential properties on both Gorton Road and Longford Road West and therefore, the potential impact of the demolition works on these properties must be considered.

The application has been submitted with a Demolition Method Statement, which provides detailed information about the demolition processes and phases of work. This outlines that the following measures would be put in place to protect the amenity and health of the residents living around the site:

- Any asbestos removal will be undertaken by a suitably approved licensed Asbestos Removal Contractor to remove / strip all ACM prior to demolition commencing.
- Take all reasonable steps to minimise the creation of dust, using water sprays to dampen buildings being demolished and the demolition arisings.
- Install debris netting along all perimeter elevations to prevent / dust and debris to nearby residential and commercial properties.
- Pay attention to wind direction so as to anticipate the impact of any work downwind of the working area.
- Curtail, suspend or re-arrange work as necessary to allow the demolition to proceed if possible whilst reducing its impact on any the occupiers of neighbouring properties / premises.
- Ensure all plant is fit for its purpose and adequately maintained so that noise generation is within the manufacturer's stated maximum noise level.
- Give particular consideration to activity on site at the start of the day to minimise disturbance of the neighbours. Reversing manoeuvres will be avoided in the early morning to prevent reversing sirens sounding. Mobile plant, which requires approximately 20 minutes idling to warm-up before a shift, will be parked sensibly away from houses. A super-silenced generator is being used to provide electrical power to the site compound. Any particularly noisy operations (e.g. use of hydraulic breakers) will be programmed to minimise disturbance.
- Contractors sign up to the approved Considerate Contractors Scheme for all Lidl construction projects.
- Construction hours are in compliance with SMBC guidance at 07:30 - 18.00 Monday-Friday, 08.00 – 12.30 Saturday, and no working hours on a Sunday.
- Warning signs (as described below) will be displayed at the appropriate points around the perimeter and inside the site.

A site arrangements plan has also been submitted to accompany the application and this shows that the contractor's vehicular access into the site is from Gorton Road, the storage compound, the welfare cabins, the car park for workers and the wheel wash facilities are located to the north of the site furthest away from residential properties.

On the basis of the above, it is acknowledged that the proposed demolition works may result in some short term impacts on the surrounding residential properties. However, these are considered to be short term only, and multiple measures are proposed to be put in place to minimise the disruption of the works on the surrounding properties as much as possible. Therefore, subject to conditional control in relation to the issues outlined above, the proposed method of demolition is considered to be acceptable in this case from an amenity perspective and compliant with development plan policies.

CONCLUSION

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.

It is acknowledged that the proposed demolition of this former public house building would involve the loss of a community building that once served the community and provided a location for local people to meet and socialise. However, the pub has been closed for some time, historically had significant anti-social behaviour problems and is currently subject to further problems such as vandalism and drug related crimes. It has been shown that there are a number of other existing public houses in the vicinity of the site that will continue to serve local residents day to day needs. Therefore, the loss of the public house is considered to be acceptable and in compliance with the requirements of the NPPF.

The loss of the building itself is also considered to be acceptable due to the lack of any heritage protection and the architectural style and quality not warranting the refusal of the demolition in this case. It is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the visual amenity of the area or the residential amenity of surrounding properties. In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of noise, dust, traffic generation and highway safety.

Therefore, on the basis of the matters discussed in detail above, it is considered that the proposed demolition of the former Fir Tree Public House is acceptable and appropriate in this location and can be justified in relation to the loss of the employment use at this site. The proposal is therefore considered compliant to policies AS-2, CS7, AED-3 and AED-5 of the Core Strategy, Policy E3.1 and CTF1.1 of the Unitary Development Plan and paragraphs 82 and 92 of the NPPF.

In view of the above, the proposal is considered to represent sustainable development. On this basis, in accordance with the requirements of Section

38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

RECOMMENDATION

GRANT