

ITEM 1

Application Reference	DC/072623
Location:	Piccadilly Car Park Piccadilly Stockport
PROPOSAL:	REVISED PROPOSALS: Full planning application for the erection of a mixed-use commercial (use class E) and residential (C3 use) development comprising 98no. apartments including a mix of 1, 2 and 3 bedroom units with associated access, parking, landscaping and engineering works.
Type Of Application:	Full Application
Registration Date:	26.03.2019
Expiry Date:	20190625
Case Officer:	Daniel Hewitt
Applicant:	Alasasyah Development UK Ltd
Agent:	stephenson STUDIO ltd

DELEGATION/COMMITTEE STATUS

This application is before the Central Area Committee at the request of Councillor Sorton.

DESCRIPTION OF DEVELOPMENT

The proposals comprise the development of a single building in mixed use with two commercial, ground floor units (Use Class E) fronting Piccadilly together with 98 new homes.

The proposed mix of home types is as follows:

- 43 one-bedroom apartments
- 43 two-bedroom apartments
- 5 three-bedroom apartments
- 7 townhouses (6 with three-bedrooms and 1 with two-bedrooms)

The larger of the two ground floor commercial units (closest to St Petersgate) is 360m² in size and the smaller at the junction of Piccadilly and the car park access road is 200m².

The building comprises of two main elements:

1. a 'podium' or 'plinth' base element rising to 6 storeys housing the proposed commercial units, apartments and 7 multi-level townhouses fronting Fletcher Street and the unnamed access road between the site and the adjacent car park; and
2. a relatively slim tower element rising to eighteen storeys from the Piccadilly side of the podium base element – generally containing 3 apartments per floor from 6th floor level upwards. This tower element is coupled with a distinct but linked escape staircase running alongside it referred to as 'the chimney'.

The proposed new homes meet the nationally described minimum space standards and all benefit from their own private outdoor amenity space whether that be a balcony/balconies, ground floor terraces and in the case of three townhouses, additional roof terraces.

The design of the development is best understood by referring to the submitted plans.

The proposed palette of materials is predominantly handmade brickwork with a distinct lighter colour used on the tower element, generous amounts of glazing, black metal cladding used on the saw tooth roof and dark grey aluminium windows and doors. Importantly, the design proposals incorporate deeply recessed openings, an irregular fenestration pattern and the inclusion of an array of brickwork detailing across the building that add depth and interest to the elevations.

Pedestrian access to the building would appropriately be from the primary Piccadilly frontage with servicing access from Fletcher Street and the unnamed car park access road to the southeast. The proposed townhouses open onto the secondary Fletcher Street and access road frontages and all benefit from their own private accesses or 'front doors' from the street.

Internal cycle parking spaces are proposed within the building to serve both the proposed commercial uses and all of the new homes. No on-site car parking is proposed, although 10 disabled parking bays, including a car club bay are provided on Fletcher Street and the car park access road adjacent to the site.

The footprint and massing of the building enables additional public realm / open private forecourt to be created, including street trees to offset the loss of existing trees, which would better animate and activate the street scene.

The applicant has submitted the following documents in support of their application:

- Application forms
- Plans and drawings
- Design and Access Statement
- Statement of Community Involvement
- Heritage Statement
- Planning Statement
- Transport Assessment and Travel Plan Framework
- Energy / Sustainability Statement
- Wind Micro-Climate Assessment
- Noise Assessment
- Phase 1 Preliminary Site Investigation
- Drainage Strategy
- Crime Impact Statement
- Air Quality Assessment
- Waste Management Strategy
- Tree Survey

SITE AND SURROUNDINGS

The application site is currently a pay and display surface car park surfaced in bitmac and approximately 2000m² in size. Access to the car park is currently from Piccadilly.

The site is bound by Piccadilly to the west, Fletcher Street to the north-east, an unnamed access road serving the adjacent Council owned surface car park to the south east and the rear of the Grade II listed St Peter's Chambers fronting St Petersgate to the north west.

The site is essentially flat but the land rises steeply as you move southwards out of the river valley towards the Town Hall and Civic Complex.

The application lies adjacent to or in very close proximity to a series of designated heritage assets including:

- the St. Peter's Conservation Area to the north, east and west;
- the Grade II listed St Peter's Chambers fronting St Petersgate;
- the Grade II listed St. Joseph's RC Church to the north east;
- the Grade II listed St. Peter's Church in St Peter's square to the north west.

The setting of other, some more distant, designated and non-designated heritage assets are also affected by the development given its scale and height.

Despite the site being in close proximity to heritage assets, it is also located in close proximity to a number of existing and proposed tall buildings including:

- Regal House adjacent to the application site at 12 storeys;
- Heron House at 10 storeys;
- Hilton House at 8 storeys; and
- New 14 storey residential building on the site of the former Greenhale House approved January 2019.

The application site is located within the Cultural, Leisure and Heritage Quarter designation in the Stockport Unitary Development Plan under Policy TCG3.2. This designation supports the provision of the proposed commercial and residential uses in this location and improvements to the quality of the pedestrian environment.

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

TCG1 – Town Centre / M60 Gateway

TCG1.2 – Town Centre/M60 Gateway Transport Hub

TCG1.3 – Parking in the Town Centre

TCG1.4 – Sustainable access in the Town Centre/M60 Gateway

TCG3.2 – Cultural, Leisure and Heritage Quarter

EP1.10 – Aircraft Noise

CDH1.6 Day-Care Nurseries

MW1.5 – Control of waste from development

LDF Core Strategy/Development Management policies

SD1 – Creating sustainable communities

SD3 – Delivering the energy opportunities plans – new development

SD6 – Adapting to the impacts of climate change

SIE1 - Quality places

SIE2 - Provision of recreation and amenity open space in new development

SIE3 – Protecting, safeguarding and enhancing the environment

SD6 - Adapting to the impacts of climate change

CS2 - Housing provision

CS3 - Mix of housing

CS4 - Distribution of housing

H1 - Design of residential development

H2 - Housing phasing

H3 - Affordable housing

CS9 - Transport and development

CS10 - An effective and sustainable transport network

T1 - Transport and development

T2 - Parking in developments

T3 - Safety and capacity on the highway network

Supplementary Planning Documents and Guidance

Supplementary Planning Documents and Guidance do 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.

- Open Space Provision and Commuted Payments Supplementary Planning Document (2019)
- The Design of Residential Development Supplementary Planning Document
- Sustainable Transport Supplementary Planning Document
- Town Centre Housing Supplementary Planning Document
- Sustainable Design and Construction Supplementary Planning Document
- Affordable Housing Supplementary Planning Guidance and Explanatory Note
- Day Care Nurseries Supplementary Planning Guidance

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. 57 “Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”

Para.59 “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

Para. 62 “Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.”

Para. 64 “Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;*
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*
- c) is proposed to be developed by people who wish to build or commission their own homes; or*
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.”*

Para. 85 “Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth,

management and adaptation. Planning policies should...recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”

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

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- 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; and*
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”*

Para. 109 “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Para.117 “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.”

Para. 122 “Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*

Para. 123 “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and*

town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."

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.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. 193 "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Para. 196 "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.."

Para. 197 "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss

and the significance of the heritage asset.”

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

None relevant.

NEIGHBOUR'S VIEWS

The application has been publicised by way of a site notices, press notices and neighbour notification letters.

No representations have been received.

CONSULTEE RESPONSES

SMBC Heritage Conservation

This site, currently in use as a car park, lies immediately outside the St Peters Square Conservation Area, abutting its southern boundary between the junction of St Petersgate with Fletcher Street and St Peters Square. It is situated within the immediate setting of 2 Grade II listed buildings, St Peters Chambers and St Joseph's Church and, given the height of the current proposal (the proposed tower is 18 storeys), the development has the potential to impact upon the setting of other designated heritage assets within the historic town centre, including St Peter's Church (listed Grade II) and the historic skyline of the Hillgate and Market Underbanks Conservation Areas.

The current scheme represents a revised proposal following a comprehensive re-appraisal of the original submission, including independent, peer-based design review. The design of the revised scheme aims to better integrate the development within the context of the existing townscape, responding more sensitively to the setting of designated heritage assets and combining the various massing elements to achieve a coherent and well-designed scheme. It is acknowledged that careful attention has been paid to the proposed layout, form, scale, appearance, landscaping, materials and detailing.

The form and scale of the proposals means that it is inevitable that the development would become highly visible within the context of designated heritage assets. The site is tightly constrained by the existing street pattern and is located at a transitional point where the modest scale of historic buildings along St Petersgate and Fletcher Street (typically 2 or 3 storeys) contrasts dramatically with a zone of tall C20th commercial buildings clustered along Piccadilly, including Regal House (11 storeys),

Heron House (10 storeys) and Victoria House (5 storeys, but standing in an elevated position). The proposal reinforces this contrast in height, with the massing deliberately constrained along the north and east of the site in an acknowledgement of the existing character of the conservation area. The proposal seeks to reinforce and partially reinstate the historic character of the street scene along Fletcher Street in terms of height, scale and footprint, as well as providing an active frontage to the street. This represents an enhancement of a somewhat fragmented and incoherent area on the edge of the St Peters Conservation Area, reintroducing a sense of the original form of Fletcher Street by providing a sense of containment to the street scene as well as re-animation by placing building entrances so they open directly onto the street. The introduction of a tall and slender tower, set back to the south of the plot and away from the conservation area, will provide a sense of drama to the wider townscape of the town centre and care has been taken to ensure its orientation minimises any harmful impact upon views of the key listed buildings. The dramatic contrast in scale will act to highlight and positively reinforce the special historic townscape character of the town centre conservation areas. The modelling of the remaining building elements reflects this design philosophy, with massing reduced at the rear of St Peter's Chambers and the commercial frontage to Piccadilly representing a transitional massing element and a focus for activity at street level. Given the scale of the overall proposal, it is acknowledged that it has potential to bring positive regenerative impact upon the economic fortunes of St Petersgate and St Peters Square and this will assist in ensuring the future use and preservation of historic buildings in these areas.

The setting of a designated heritage asset can contribute positively to its special interest and significance and the design of the scheme has evolved with the aim of minimising harm to the setting of nearby listed buildings. Following careful consideration and exploration of alternative options for the form and siting of the development, and the tower in particular, I consider that the form and massing will minimise any harmful impact upon the aspects of setting that contribute to the significance of all designated heritage assets. These assets comprise St Peters Chambers, St Joseph's Church, St Peters Church, St Peter's Conservation Area, Hillgate Conservation Area and Market Underbanks Conservation Area (links to entries are provided below). The proposed extensive use of grey brick is questionable, given the dominance of red brick within the historic core, and it is recommended that the materials palette is subject to further consideration. Careful selection of materials could assist in providing a degree of disaggregation between the different building elements as well as introducing a stronger sense of transition within the streetscape, particularly along Fletcher Street, and would also assist in reinforcing the verticality of the tower through providing greater visual differentiation between the tower and podium. If approved, conditions will be required to ensure that the quality of architectural detailing illustrated on the plans is carried through at construction phase.

In conclusion, subject to the resolution of proposed palette of external materials, I consider that the scheme will have an overall neutral impact upon the significance of designated heritage assets and, indirectly, will bring positive regenerative benefits to Stockport's historic core that should assist in supporting the future preservation of the wider conservation area.

Greater Manchester Archaeological Advisory Service (GMAAS)

The application is accompanied by an Archaeological Desk Based Assessment. This provides an account of the history of the site and an understanding of potential below-ground archaeological interest. The report would have benefitted from

research visits to the GM Historic Environment Record held by GMAAS and the Stockport Local Studies Library. The sources used are very selective and more relevant and up to date ones would have been available at the GM HER and would have provided a more comprehensive understanding of the site's archaeological and historical context. However, the report correctly identifies the site of St Peters Gate Cotton Mill as holding especial archaeological interest and potential for below-ground remains. GMAAS consider that a row of early workers' housing in the south-west corner are also of archaeological interest and merit further investigation. In the first instance there should be an archaeological evaluation through targeted trial trenching. If significant remains are encountered that will be damaged/destroyed by development ground works then further, more detailed excavation and recording should be carried out. These site works would be followed by post excavation analysis, a report on the results, deposition of the investigation archive with Stockport Museum, and dissemination of the results for the benefit of the local and wider community. The latter would be determined by the significance of the results, but typically might include information panels commemorating the site's heritage and a published article.

GMAAS recommend that an archaeology condition is attached to planning consent to secure the programme of archaeological investigations and recording.

SMBC Highway Engineer

Following amendments and detailed discussion with the applicant, no objection subject to:

- 1) The submission of revised drawings that correspond with the revised highways layout shown on drawings 2127-F09 Rev B and 2127-F10 Rev C produced by Croft (including amendments to the red line boundary)
- 2) The submission of a Stage 1 Road Safety Audit (which does not raise any issues that cannot be addressed at detailed design stage) and Designer's Response.
- 3) Conditions
- 4) The applicant entering into a Section 106 Agreement in respect to the payment of £8,500 to fund a Traffic Regulation Order to control the use of the proposed layby on Piccadilly and parking bays on the unnamed street and amend existing parking restrictions on Fletcher Street, Piccadilly and the unnamed street abutting the site
- 5) The applicant entering into a Section 106 Agreement in respect to the payment of monies (amount to be advised in due course) to compensate the Council for the loss of parking income that will result from the loss of 3 Pay & Display parking spaces on Fletcher Street.

The following comments are made:

Limiting uses of commercial units

The applicant has confirmed that although they are seeking permission for the commercial units to be designated 'Use Class E', they are willing to accept a condition limiting the use to certain uses within the overall use class so as to have regard to the limitations of the site. This would negate the need for every use within the class to be considered as part of this application and, as such, I would recommend that any approval granted is subject to a condition which limits the use to retail use or uses which have similar levels of traffic and parking generation and servicing requirements.

Car club provision

The applicant has confirmed that they are willing to give occupants of the development access to a car club and the revised scheme includes proposals to provide a parking space for car club vehicles on the unnamed street between Fletcher Street and Piccadilly, as recommended.

Parking provision on-street

The revised scheme includes the provision of 9 parking spaces for disabled badge holders (to be provided on street). It is considered that this number of spaces should meet demand noting the likely level of car ownership and the fact that occupiers will be provided with access to a car club vehicle which will be based adjacent to the development. The provision of the disabled parking spaces and car club parking space will require a Traffic Regulation Order. The cost of this will need to be met by the applicant, with the monies secured by means of a Section 106 Agreement. The provision of the 3 disabled parking spaces on Fletcher Street will result in the loss of 3 existing P&D spaces. The applicant has confirmed that they would be willing to compensate the Council for the loss of income that will result from the loss of these spaces. This can also be dealt with as part of the Section 106 Agreement.

Electric vehicle charging points

The applicant has amended the scheme, as recommended, to reduce the number of disabled parking spaces with EV chargers to 2. As previously outlined, it is not considered that all the disabled parking spaces would require charging units to be provided and that, instead, it would be more appropriate for the developer to fund the provision of other EV charging units elsewhere (e.g. in nearby public car parks) which could be used by all drivers. This matter could be dealt with by condition.

Cycle storage (residential)

The scheme has been revised to include a much larger cycle store in the basement of the building, with access provided to it by lift. The store would be able to accommodate 98 cycles, would be sub-divided into 3 rooms for security reasons and would have a two-tier cycle rack system which would be able to accommodate a range of bikes, as well as 4 Sheffield stands. Lockers would also be provided in the store. In addition, storage rooms for cycles would be provided in each of the 7 town houses. Subject to detail (which can be dealt with by condition), these revised cycle parking arrangements are considered acceptable, noting that the number of cycles that will be accommodated will accord with the adopted parking standards and the facilities should provide fit-for-purpose.

Cycle storage etc. (commercial units)

The revised drawings show proposals to provide cycle stores and associated facilities (shower / changing rooms and lockers) in each of the two commercial units. Parking for 3 cycles would be provided within each unit. Although the details are only indicative, the drawings show that such facilities will be able to be provided and, as such, I would conclude that this matter can be dealt with by condition.

Cycle parking - visitors

The applicant has outlined that visitor cycle parking could be provided in the area of public realm, with details agreed at detailed design stage. I would consider such arrangements acceptable and therefore consider that this matter can be dealt with by condition.

Bin storage and collection

The revised scheme includes proposals to provide a bin store within the basement for the apartments, which would be able to accommodate 34 Eurobins. This would

be accessed via a platform lift. This store should be large enough to accommodate the bin storage requirements of the development. Full details of this store, as well as the store for the commercial units and the collection strategy will need to be agreed although this can be dealt with at detailed design stage / by condition. As the Council's bin storage requirements are in the process of being reviewed, it may be possible for the final scheme to have a slightly smaller bin store.

Piccadilly servicing lay-by

The layby on Piccadilly has been amended (by widening it slightly) to ensure that vehicles will be able to safely manoeuvre into and out of it and vehicle tracking diagram contained in the drawing 2127-F10 Rev C shows that such a manoeuvre would be possible. This is considered acceptable, in principle, although a Stage 1 RSA is required to confirm that there are no safety issues with the layout. In addition, the exact design of the layby will need to be agreed at detailed design stage (as part of a Section 278 Agreement). As previously advised, as the layby would only be able to accommodate large rigid HGVs, servicing of the commercial units will need to be restricted (by condition) to vehicles of that size or smaller and there will be a need to control use of the layby by means of a Traffic Regulation Order (funded by the applicant). The applicant has confirmed that they would accept both of these. Finally, the layout shown on drawing 2127-F10 Rev C supersedes that shown on drawing Stephenson Studio drawings and therefore these drawings will need to be revised to reflect the latest layout.

Fletcher Street/unnamed access road alterations

The layout of Fletcher Street and its junction with the unnamed street between Fletcher Street and Piccadilly has been amended to include a larger area for refuse vehicles to park when picking up refuse and ensure that vehicles will be able to turn at the junction. The amendments include amendments to the access to the adjacent Council car park and the loss of a further Pay and Display Space (resulting in the loss of 3 spaces as opposed to 2). Drawing 2127-F09 Rev B includes a swept-path diagram that demonstrates that refuse vehicles would be able to negotiate the street and turn at the junction. This revised layout is considered acceptable, in principle, although a Stage 1 RSA is required to confirm that there are no safety issues with the layout. In addition, the exact design of the junction and road layout will need to be agreed at detailed design stage (as part of a Section 278 Agreement). As previously advised, the applicant will need to fund a Traffic Regulation Order to amend the parking restrictions and they have confirmed that they would be willing to fund such an order. Finally, the layout shown on drawing 2127-F09 Rev B supersedes that shown on drawing Stephenson Studio drawings and therefore these drawings will need to be revised to reflect the latest layout.

Servicing method statement

The applicant has confirmed that vehicles delivering to the apartments will use the proposed lay-by on Piccadilly and there will be a collection box inside the residential entrance. Such arrangements are considered acceptable, in principle. There will be a need to ensure that servicing of different uses within the building does not conflict and therefore I would recommend that any approval granted is subject to the production and implementation of a servicing method statement which includes arrangements for servicing of the building to be co-ordinated.

Fletcher Street footpath widening

The applicant has set back sections of the building on Fletcher Street so that parts of the footway will be widened to 1.5. This will mean that approx. three-quarters of the footway along the site's frontage with Fletcher Street will be 1.5m wide (with the rest 1.2m wide). The applicant has outlined that they consider that providing a 2m wide

footway along the whole site frontage would be detrimental to the conservation area. Whilst it would be preferable for a 2m wide footway to be provided, if it is considered that providing a 2m wide footway would indeed be detrimental to the Conservation Area, I would not object to such an arrangement noting the existing situation, likely usage of the footway, the fact that two pedestrians could pass with a width of 1.5m and the fact that a similar approach has been agreed elsewhere.

Commercial unit accesses

The revised drawings show the approx. locations for the accesses into the commercial units. These locations are considered acceptable.

Public realm design and tree replacement

I previously outlined that the layout and details of the public realm fronting Piccadilly was not considered acceptable in its present form and there would be a need to replace the 5 existing highway trees that would be lost as a result of the development with 10 new trees. The applicant has acknowledged that the design of this area will need to be reviewed and has suggested that this is dealt with at detailed design stage. I would consider this acceptable and therefore consider that this matter can be dealt with by condition.

Off-site highway alterations

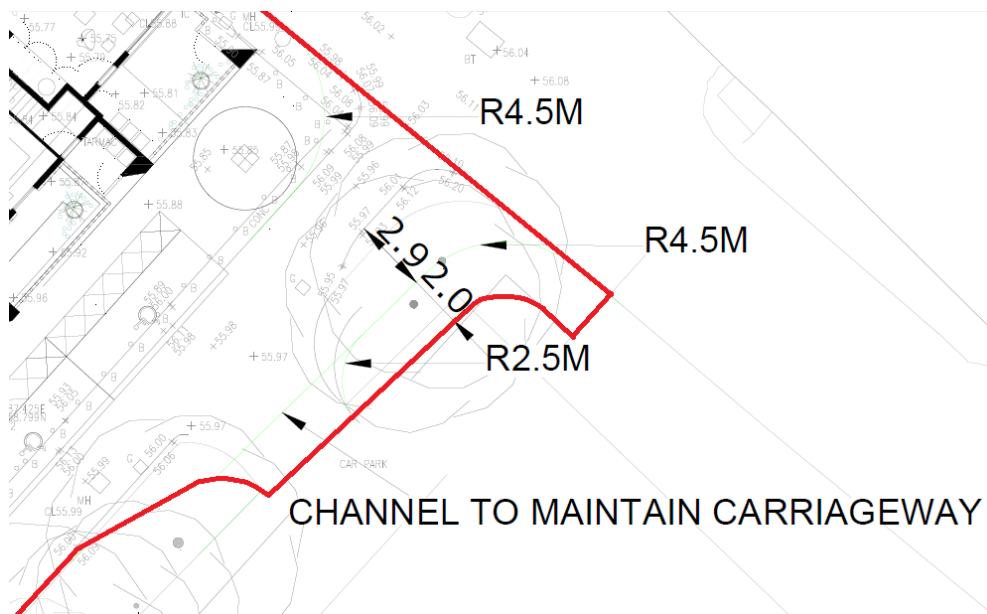
Drawing 2127-F10 Rev C shows proposals to remove the existing right-turn ghost lane at the site's existing access on Piccadilly. This is considered acceptable, in principle, although the exact details of this will need to be agreed at detailed design stage. This, however, can be dealt with by condition.

Detailed drainage design

The applicant has confirmed that they will redesign the drainage to ensure that the proposed underground storage and any private drainage will not be within the adopted highway (e.g. by providing it under the building). This is considered acceptable, although a suitable scheme will need to be agreed by the LPA, Highway Authority, United Utilities and the LLFA. This, however, can be dealt with by condition.

Revision to application site required

It is noted that the applicant has amended the boundary of the site edged red to include that unnamed street to the south of the site within the site edged red, as advised. This, however, is not based on the latest layout (as shown on drawing 2127-F09 Rev B) and therefore needs to be amended slightly (as per the plan below).



Construction impacts

The applicant has outlined that they have not yet got a contractor on board to construct the development but that they are an experienced developer, familiar with developing city centre sites. As such, they consider that they will be able to develop a suitable Construction Method Statement to allow details of how the development will be constructed to be agreed and that this could be dealt with by condition. Noting the space constraints on site, they outline that one option would be to make use of part of the adjacent site for a site compound. Whilst, ideally, it would be preferable to firm up these details at this stage, I would consider that this matter can be dealt with by condition.

To conclude, I consider the additional information and revised plans address the majority of issues I previously raised. The highway layout indicated on drawings 2127-F09 Rev B and 2127-F10 Rev C produced by Croft, however, supersedes that shown on drawings Stephenson Studio drawings and therefore these drawings will need to be revised to reflect the latest layout. This includes the red line boundary. As previously advised, a Stage 1 Road Safety (and Designer's Response) is required to confirm that there are no safety issues with the proposed highway layout and, as such, final approval of the proposed highway layout will not be able to be granted until the submission of a Stage 1 Road Safety Audit which does not raise any issues which cannot be addressed at detailed design stage.

SMBC Environmental Health - Air Quality

No objection subject to a condition requiring implementation of the mitigation measures identified in the submitted Air Quality Assessment.

SMBC Environmental Health – Noise

Following a review of the 2020 Noise Impact Assessment, no objection in principle subject to conditions requiring:

- The submission, approval and implementation of detailed noise and ventilation mitigation measures
- Detailed assessment of noise and odours from any plant, together with any detailed mitigation measures, particularly in respect of any food and drink use in the ground floor commercial units.

- The submission, approval and implementation of a Construction Environmental Management Plan to address issues of noise, vibration and dust during construction. Informatives are recommended in respect of hours of working, piling methods etc.

A series of informatives are also recommended.

SMBC Environmental Health – Contaminated Land

No objection in principle subject to conditions. Noting that only a Phase 1 Site Investigation has been submitted to date, conditions are recommended requiring further investigations in respect of ground contamination and gas together with any necessary remediation and/or mitigation measures.

Environment Agency

No response received to date. A verbal update will be provided should a response be received before the committee meets.

Greater Manchester Police – Design for Security

No objection in principle but a condition is recommended regarding the implementation of detailed design measures suggested in the submitted Crime Impact Statement.

SMBC Public Health

Active Travel

The promotion of active travel and public transport is key to maintaining physical and mental health through fostering activity, social interaction and engagement, managing healthy weight, reducing emissions from vehicles and enabling social interaction. The Council's planned cycling improvements will see delivery of linkages for cycle routes through the Town Centre and these should inform such relevant applications and their Travel Plans. The proposed cycle parking for the residential element of 98 spaces matches cycle parking levels to the number of apartments proposed. The clear commitment to this level of cycle parking is welcomed as it is critical in enabling active travel choices and increasing physical activity, whilst reducing emissions. Appropriate cycle parking for retail users would ensure wider users of the site can access their needs via active travel choices. Achieving healthy weight reduces risks of other lifestyle diseases such as hypertension, coronary heart disease and stroke. Reducing risks of such diseases also reduces pressures on current and future public sector health budgets. The proposed car share club is welcomed but sufficient parking spaces in the wider area are vital to ensure its success. Car Clubs are beneficial to health in air quality terms, but they are one level in a hierarchy of sustainable transport choices where prioritising sustainable transport options of walking, cycling and public transport are vital to increasing activity and considerably reducing emissions.

Ageing Well

Stockport Council has adopted an Ageing Well Strategy which takes account of the World Health Organisation guidance on appropriate place making for older people. The WHO design considerations are critical to ensuring that the needs of the

growing ageing population of Stockport are addressed where practicable through new development.

Green Infrastructure (GI)

The scheme is in a heavily urbanised location and it should be noted that GI offers multifaceted health benefits ranging from addressing flood risk and air quality to tackling stress and its exacerbating effect on health through provision of views of greenery and wildlife. Appropriate delivery of green infrastructure is welcome in public health terms and could help to manage urban temperatures and extreme rainfall events in the area, reducing stress and thereby maintaining immunity. Native planting and new habitat provision would also contribute to enabling new natural capital in an area of the Borough that has a deficit, further enhancing access for and to nature via the development. The Mailbox development on the A6 offers a strong example of how greening the building itself can deliver multiple benefits for both biodiversity and health. Enabling people to get next to nature is important in terms of lifting the human spirit, which also assists with reducing the health impacts of stress, including on people with long term physical and/or mental health conditions. In contrast to rural areas, where night-time relief from high daytime temperatures occurs as heat is lost to the sky, the urban environment stores and traps heat. This urban heat island effect is responsible for temperature differences of up to 7 degrees (Centigrade) between urban and rural locations. The majority of heat-related fatalities during the summer of 2003 were in urban areas and were predominantly older and more vulnerable members of society.

Manchester Airport (Safeguarding Authority)

No objection subject to a condition requiring a strategy to manage the local population of feral pigeons and gulls to minimise risks of bird strike given the site's relationship to the flight path.

SMBC Nature Development Officer

The risk of protected species and habitats being significantly affected by the proposals is considered to be low. Should any tree/vegetation loss be anticipated during the nesting bird season, the following condition should be used: [BS42020: D.3.2.1] No tree/vegetation removal should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of trees/vegetation for active birds' nests immediately before clearance 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.

Trees should be adequately protected from potential adverse impacts associated with the works following British Standard best practice and following guidance from the Council Arboriculture Officer. Where trees are lost compensatory planting should be secured.

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).

The proposals for the site include street level tree planting. These are welcome proposals within the scheme, and should be maximised where possible, as developments are expected to achieve net gains for biodiversity in accordance with local and national planning policy. It is recommended that locally native species

and/or a mix of species known to be beneficial to wildlife (i.e. nectar-rich/berry producing species) are incorporated into the planting schedule so that benefits to biodiversity and green infrastructure are maximised. I would also recommend that integrated bat boxes are built into the walls of the proposed building. (see for example Integrated Eco Bat Boxes, Schwegler Bat Tube, Habibat boxes). The boxes can be embedded such that they do not impair the air-tightness of the building. Many designs are available including some that have bespoke facades that can match the building façade

SMBC Arboriculture

No objection providing appropriate compensatory planting is secured.

The site layout plan shows consideration has been given to the tree planting throughout the site to increase the amenity levels of the site with replanting of semi-mature trees or fruit trees.

Specific consideration needs to be given to the potential benefit urban tree planting throughout the site to enhance the biodiversity, the amenity and the SUDs capacity through increased hard landscaped tree pits.

A detailed landscaping scheme has identified tree species, however it would benefit the site and local biodiversity if this was changed to *Quercus robur fastigiata* as a feature tree, *Betula pendula*, *Pyrus calleryana*, *Sorbus aucuparia* or *Crataegus spp* rather than the *Acer campestre* and *Acer platanoides* offered. Furthermore, it is hoped the applicant would consider the raised planter and mature whitebeam trees outside of the red edge site as this would be a great opportunity for the developer to incorporate these trees into the redevelopment of the site and the replace them with new semi mature trees and ideally in hard standing tree pits to link the site with the surrounding highway treescape as well as a flow through to the surrounding open spaces.

SMBC Lead Local Flood Authority

Commenting on the initial proposals, they state that insufficient information has been submitted to demonstrate that the site would be sustainably drained in accordance with the sustainable drainage hierarchy set out in local and national planning policies.

Comments on the revised Drainage Statement are awaited and will be reported to committee if received.

United Utilities

No objection following a review of the revised drainage proposals. Conditions recommended.

Electricity North West

The proposed development could have an impact on our infrastructure and advisory comments are made about the need for the developer to protect and where necessary divert their infrastructure. Comments on safety matters are also offered.

SMBC Building Control

Given a tall building is proposed colleagues were asked to undertake an initial, informal review of the proposed development to advise on compliance with Part B of the Building Regulations (Fire Safety).

Officers believe that the development as proposed does not appear to comply with the basic guidance set out in Part B for the following reasons:

- This is a single stair building. The travel distances to the stair along the common corridors of the podium element are way beyond guidance at 27 metres in length
- Escape from flats involves passing kitchen areas – kitchen areas should be remote from escape routes or enclosed
- The two storey flats (duplex) do not follow guidance with open plan arrangements between floors.
- Townhouses are open plan on ground floors.
- If the building is more than 18m high and has a floor area more than 900m² then two firefighting shafts are required and each of these shafts needs firefighting lifts. The exact floor area needs to be confirmed but it does appear that the podium element (not the tower element) may be more than 900m²

They go on to state that the applicant will no doubt be proposing fire engineered solutions to try and address some of these issues but officers remain unconvinced that this will satisfy the Building Inspector and the Greater Manchester Fire Service who would need to approve such a fire engineered solution.

Greater Manchester Fire and Rescue Service have been notified of the application but no response has been received to date.

ANALYSIS

Proposed uses

The proposed mix of commercial and residential uses is considered to be in conformity with the site's policy designation under UDP Policy TCG3.2 where commercial, leisure and residential uses are explicitly supported.

TCG3.2 CULTURAL, LEISURE AND HERITAGE QUARTER

The area extending from Grand Central and Daw Bank, through St. Peters Square and the Lower Hillgate area will be the focus for a range of cultural, leisure and heritage facilities. Permitted uses will include office and business uses (B1 use class), leisure including a hotel, residential, restaurants and cafes and tourism related development.

The cultural, leisure and heritage quarter comprises part of the Hillgate Conservation Area and retention of the historic buildings with appropriate uses will be a paramount consideration. Where new build is considered appropriate, it should be of a high quality of design including landscape treatment taking account of the architectural character and historic nature of the area. Proposals should be appropriate both in scale and use, as well as contribute to the protection or enhancement of the area and its vitality.

A key priority will be to improve the quality of the pedestrian environment, with enhanced open space provision and links to the Town Centre and adjacent areas and reduced impacts from traffic.

The new Use Class E (Commercial Business and Service) includes the following uses – shops (formerly Class A1), financial and professional services (formerly Class A2), food and drink (formerly Class A3), business (formerly Class B1 including offices and R&D and ‘good neighbour’ industrial uses), non-residential institutions such as health centres, crèches/day nurseries (formerly use class D1) and assembly and leisure uses such as gyms (formerly use class D2). Given the flexibility now offered by Use Class E, all of the land uses it includes are considered acceptable in principle in this town centre location other than crèche/day nurseries due to the lack of suitable adequate outdoor play space and adequate pick up and drop off facilities. Should planning permission be granted, it is considered necessary to impose a condition to expressly exclude such as use from any consent. It is also considered necessary to impose a condition preventing a food and drink use (formerly use class A3) from operating without the prior submission and written approval of details to adequately address issues of noise, odour and fume controls.

The principle of high-density housing development on a previously developed site in a highly accessible and sustainable Town Centre location is welcomed, particularly in the context of the current significant undersupply of housing in the Borough (most recently assessed as equating to 2.8 year supply set against a minimum requirement of 5 years). This positive position is supported by policies in the statutory development plan including UDP Policy TCG3.2 that supports residential uses in this location (see above). Similarly, Core Strategy Policies CS2 and CS4 seek to promote and focus the provision of housing in the town centre and on brownfield sites whilst the Council’s Housing Delivery Test Action Plan (August 2020) emphasises the importance of maximising the potential of Town Centre Living to ensure housing needs are met in the Borough. In addition, NPPF Paragraph 85 requires local planning authorities to recognise that residential development often plays an important role in regenerating and ensuring the vitality of town centres. Core Strategy Policy CS4 echoes this point by highlighting the supporting role new housing development in the Town Centre will play in creating a critical mass of activity to support the local economy and improve the vibrancy and overall vitality of viability of the Town Centre.

The density of the proposed development at circa 490 dwellings per hectare, though high, is considered appropriate in principle in this location given existing and proposed tall residential buildings in this part of the town centre. Importantly, NPPF paragraphs 122-123 stress the need to make efficient and optimal use of land, particularly in town and city centres. Paragraph 123 states:

“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;”

It is considered that the current surface car park use on the site is a highly inefficient use of previously developed land in such a sustainable and accessible location at a time of significant housing undersupply, contrary to paragraphs 122 and 123 of the NPPF and the strategic objectives of the development plan.

The proposed mix of dwellings is considered to be in full accordance with policy CS3 both in terms of dwelling types and sizes. The proposals will also provide intermediate affordable housing slightly in excess of the local 5% policy requirement in accordance with policy H-3 – further details are provided below.

Overall and subject to conditional controls, the proposed mix of uses is considered appropriate in this location as it is supported by policies in the statutory development plan and NPPF.

Heritage impacts including archaeology

As highlighted above, the application is in close proximity to and affects the setting of a number of designated and non-designated heritage assets. The Council's Heritage Conservation officer has worked alongside the planning officer on this application for many months to ensure the proposals respect the significance of nearby heritage assets whilst acknowledging the context and contrast set by existing and proposed tall buildings in this part of the town centre. They conclude that subject to the imposition of conditions in respect of the proposed colour of the proposed predominant handmade brick facing material and detailing, the impact on these assets is neutral. They go on to recognise that the proposals will, indirectly, bring positive regenerative benefits to Stockport's historic core that should assist in supporting the future preservation of the wider conservation area. I agree with this conclusion and find no conflict with local or national policies in heritage terms. Conditions are recommended accordingly.

In respect of below ground heritage assets, the submitted Archaeological Assessment identifies the high potential for remains of the St Peter's Gate cotton mill to remain below ground. GMAAS also highlight the potential for remains of a row of early workers housing that are worthy of investigation and recording. They recommend further investigations by way of trial trenching and recommended a condition requiring a written scheme of investigation to be submitted, approved and implemented in full. A condition is recommended accordingly.

Design Quality

This application has been the subject of months of dialogue and negotiation with officers during which time the applicant changed their design team. The application is supported by Design and Access Statements that explain the evolution of the scheme and the decisions made during design development - informed by a RIBA Places Matter Design Review held on 22 May 2020 in accordance with best practice and the advice contained within paragraph 129 of the NPPF. The response of the Panel was positive and the applicant has responded to specific points raised in the Design and Access Statement. Overall, the quality of the proposed design is considered very good and is therefore supported in planning policy terms. A more detailed assessment is provided below.

Layout

The proposed development is considered to respond positively to the geometry of the site and the hierarchy of streets that surround it.

The building's primary frontage appropriately faces Piccadilly and the proposed ground floor commercial uses will animate this part of the town centre that currently suffers from a lack of productive use and activity. The proposed footprint of the building also helps to open up the pedestrian environment and create a larger area of open space on Piccadilly, shared between the public highway and private forecourt. This will be further enhanced by replacement tree planting.

The proposed re-establishment of the back-of-pavement building line along Fletcher Street is considered an optimum contextual response that will create a narrow but attractive mews like street-scene. The introduction of townhouses with their own front doors onto Fletcher Street will return interest and activity to the street and create definition that is currently lacking.

This activity and animation turns the corner onto the car park access road between the application site and the SMBC owned surface car park opposite, as the townhouses also front this road. As you approach the corner with Piccadilly, the glazed frontage of one of the commercial units provides further activity and animation ensuring that this tertiary frontage is not neglected in design terms.

Importantly, given the SMBC surface car park facing the application site is being sold for redevelopment, the applicant has respected the need to maintain an approximate 10 metre gap between the centre line of the access road and the building line to ensure that any future redevelopment of that site is not unduly compromised and to avoid the creation of an inhuman, canyon like relationship between buildings.

Overall, the proposed layout is considered an appropriate solution that respects and improves upon the context set by the existing street pattern.

Scale and massing

The proposed scale and massing of the development has been a particular challenge in design development given the need to respond positively to the varied scale of adjacent buildings including Regal House at twelve-storeys and the grade II listed two-storey St Peter's Chambers. A series of massing options were explored by the designers before concluding that the proposed design solution was the optimum arrangement. Their conclusion was supported by the RIBA Places Matter Design Panel who found that *"the bold re-examination of the townscape adds much to the rationale for this place which is now dominated by highways and traffic"* and that the proposal *"in terms of massing and street grain, show a rigour which is to be applauded"*.

The proposed scale and massing arrangement is also supported by the Council's Heritage Conservation Officer in terms of impacts on nearby heritage assets (see above). The stepped nature of the component parts of the development also ensure that a comfortable degree of separation is achieved between buildings in amenity terms.

The proposed scale and mass of the building, though tall, is considered the optimum arrangement that ensures both the efficient use of land in this

sustainable location and that the context set by the existing townscape is respected and enhanced.

Appearance

The appearance of the proposed building is considered to be of a high quality that would set a new benchmark for modern, tall buildings in Stockport. Its use of handmade brick as the predominant facing material is both a sympathetic, contextual choice but also distinct in terms of the building's finished appearance. The inclusion of deeply recessed openings, the saw-tooth roof, the irregular fenestration pattern, a generous amount of glazing creating large openings, and an array of brickwork detailing across the building add real depth and interest to the elevations.

The design proposes different handmade brick colours to the tower, chimney and podium elements to make them visually distinct. Whilst this is considered an appropriate way to break up of the mass of the building, the use of grey coloured bricks is questioned as this would be largely unprecedented and not follow the local vernacular. Great emphasis is placed on the town's industrial heritage as an appropriate influence on the building's design, which is considered successful, however, the choice of brick colour is less than convincing. This conclusion echoes the views of the Council's Heritage Conservation officer (see above) and therefore should planning permission be granted a condition is recommended requiring a review of brick colour to be undertaken together with details and samples of all facing materials submitted for formal approval. Similar conditions are also required to secure implementation of the proposed detailed design elements.

Subject to the imposition of necessary conditions, it is considered that the appearance of the development will be a high quality addition to the town centre and approval is recommended accordingly.

Landscaping

Given the relatively confined size and nature of the application site and the need to achieve high-density development in the Town Centre, open space is limited to the area of public realm/private forecourt in front of the development on Piccadilly.

This area would be predominantly hard-surfaced though interspersed with tree planting to offset the loss of existing trees on and adjacent to the application site including the 5 category B whitebeam trees in raised beds on the adjacent highway and the category B Ash tree on the north western boundary of the application site.

The applicant has submitted landscape proposals in support of the application that proposes high quality York stone paving on both the public highway and public realm/private forecourt area around the edges of the building. This is considered a good and appropriate overall design solution but given the need for further design development to reconcile the need to accommodate replacement tree planting, repositioned below ground drainage attenuation tanks and the requirements of the Council as local highway authority, it is clear that a further review and revisions are needed. A condition requiring the submission of revised detailed hard and soft landscaping plans is therefore considered necessary and recommended accordingly.

Crime prevention

The applicant has submitted a Crime Impact Assessment prepared by Greater Manchester Police Design for Security team in support of the application. That assessment concludes that no major changes are required although it does recommend a series of detailed design measures and specifications such as CCTV provision, low-level door and glazing specifications etc.

It is therefore recommended that a condition be imposed on any planning permission requiring details of compliance with the physical security recommendations contained within Sections 4 and 5 of the Assessment to be submitted and approved in writing by the local planning authority, implemented in full and retained thereafter.

Micro-climatic effects

Given the capacity for tall buildings to create adverse micro-climatic effects, the applicant has submitted a Wind Assessment.

The assessment found that:

- the tower element is substantially shielded by nearby tall buildings such as Regal House, Heron House and Hilton House;
- the tower is well orientated from prevailing winds which combined with the shelter provided will substantially limit the impact of downdrafts;
- the low level 'podium' or 'plinth' element will further limit the effect of downdrafts, inhibiting their route to ground level;
- pedestrian safety criteria will be met and conditions are suitable for strolling on all thoroughfares;
- entrances to nearby properties remain suitable for comfortable ingress and egress; and
- conditions around the proposed development are suitable for planned uses.

Overall, the effect of the proposed development on the local wind microclimate is acceptable and no further action or mitigation is required.

Sustainable design and construction

Drainage response

Drainage and flood risk

A Drainage Statement and Strategy has been submitted in support of the application. It confirms that ground conditions are not suitable for infiltration and following agreement with United Utilities, they propose to attenuate surface water flows by incorporating below ground geo-cellular storage and connecting to the public sewer with a restricted discharge rate of 6.0l/s (controlled by a hydro-brake) as agreed with United Utilities. This will attenuate flows up to a 1:100 year + 40% (climate change allowance) storm event. This sustainable urban drainage solution is considered to satisfy the requirements of Core Strategy

Policy SD-6 that requires surface water flows on brownfield sites to be reduced by a minimum of 50%.

Foul water would drain to the existing combined sewer as agreed with United Utilities.

Conditions requiring implementation of the proposed SUDS solution and its ongoing maintenance, as recommended by United Utilities, are recommended accordingly. However, following dialogue about detailed highway design and a need to ensure the proposed below ground attenuation tanks are on private land, not the public highway, the condition should be worded to require the submission and approval of revised detailed design proposals to take account of this need.

Energy efficiency

The applicant has submitted a Sustainable Energy Statement in support of the application to demonstrate compliance with Stockport's target emission rate (TER) requirements set out in Core Strategy Policy SD-3. In summary, it proposes reduce emissions by incorporating the passive energy efficiency measures such as building fabric efficiency and utilising energy efficient equipment for the building services such as boilers and lighting. At this design stage, these interventions alone do not achieve the required TER and therefore the applicant proposes the installation of solar photovoltaics to further improve performance if necessary when performance is interrogated at the detailed design stage. It is therefore considered necessary to impose a condition on any planning permission requiring confirmation of compliance and/or details of any micro-renewables prior to first occupation of the building. Subject to such a condition, no conflicts with relevant policies arise.

Affordable Housing

Core Strategy policy H-3 currently requires 5% of new homes in the Town Centre to be affordable – equivalent to 5 of the 98 proposed. This policy also requires the affordable homes provided to be reflective of the overall mix of homes in the development in terms of size and be of an intermediate or shared ownership tenure in the town centre to promote the creation of a mixed and balanced community.

The developer has indicated that their intention is to rent the homes within the development as a long-term investment rather than sell them – often referred to as a private rented sector or 'PRS' scheme. Registered Providers of affordable homes are generally unwilling to take on shared ownership affordable homes in PRS developments such as this where the owner retains control of the ongoing management of the building, and the applicant has been unable to secure interest from a Registered Provider.

Instead, working with the Council's Strategic Housing Lead Officer, they propose to let 5 of the 98 new homes at a discounted rent based on Stockport's 2020/2021 affordable price list for shared ownership housing set out in the latest, published Affordable Housing Explanatory Note. This solution was used in the recent 'Mailbox' development, the detailed terms of which, including ensuring the affordable homes remain affordable and those in housing need are prioritised, are secured in the accompanying Section 106 legal agreement.

These calculations result in the following outputs:

Apartment 01.B – 2 bed apartment

Discounted rent calculation = 49.5% of the monthly open market rental value

Apartment 01.H – 2 bed apartment

Discounted rent calculation = 47.2% of the monthly open market rental value

Apartment 01.J – 1 bed apartment

Discounted rent calculation = 59% of the monthly open market rental value

Apartment 02.H – 2 bed apartment

Discounted rent calculation = 47.2% of the monthly open market rental value

Apartment 02.J – 1 bed apartment

Discounted rent calculation = 59% of the monthly open market rental value

This solution would ensure 5% of the new homes are let at an ‘affordable private rent’, in homes that reflect the overall mix of homes in the development. This solution has the support of the Council’s Strategic Housing Lead Officer. It is therefore considered that the proposed solution is in accordance with Core Strategy Policy H2 and the NPPF which makes explicit provision for Affordable Private Rent (minimum 20% discount) in ‘PRS’ or ‘Build to Rent’ developments.

The affordable housing would be secured by way of a Section 106 legal agreement (see below).

Amenity space, formal recreation and children’s play provision

The proposed development has been carefully designed to ensure every proposed new home benefits from a private, balcony or terrace to provide valuable private outdoor amenity space in this urban setting. The size of private outdoor spaces range in size from 2m² to 41.1m² per new home. Whilst some of the spaces fall short of the standards set out in the Design of Residential Development SPD they are considered to be an optimal design solution for what is a high-density town centre residential development on a confined site. It also exceeds the level of provision in similar, consented town centre homes.

Public realm enhancements are also proposed along Piccadilly to help humanise the space between existing and proposed tall buildings (see above and below).

The applicant has also agreed to enter into Section 106 legal agreement to pay commuted sums for the off-site provision and maintenance of formal recreation and children’s play facilities in full accordance with Policy SIE 2 ‘Provision of Recreational and Amenity Open Space in New Development’ and the adopted Open Space Provision and Commuted Payments Supplementary Planning Document (2019). This results in a total commuted sum of £314,007.00 when a 50% reduction in the children’s play figure is applied in recognition of the reduced child yield from town centre developments in accordance with the adopted Town Centre Housing Supplementary Planning Document.

The proposed development is therefore considered to be in general accordance with relevant local and national planning policies.

Access and parking

The application site is located in a highly sustainable and accessible Town Centre location and this is appropriately reflected in the density of development proposed in full accordance with the NPPF. The Council's Highway Engineer has been consulted and offers no objection in principle subject to the imposition of conditions, the completion of a Section 106 legal agreement and the submission of a Stage 1 Road Safety Audit and Designer's Response which does not raise any issues which cannot be readily addressed at detailed design stage – significant issues are not expected.

A more detailed assessment is provided below:

Sustainable transport

The site's sustainable location, within comfortable walking distance of public transport infrastructure, jobs, services and leisure activities justifies the proposed low level of proposed car parking provision. The provision of an additional Car Club space to serve the development is welcomed together with secure cycle storage facilities for future residents and other users of the building. Sustainable transport choices would be further promoted by way of a residents travel plan.

Highway safety

The Council's Highway Engineer has assessed the proposals and raises no highway safety concerns subject to the completion of a Phase 1 Road Safety Audit and Designer's Response (see recommendation below). No significant issues are envisaged and any necessary detailed design changes to the highway would of course be addressed prior to implementation and remain under the control of the Council as local highway authority. It should also be noted that the development will also fund the widening of the footway on Fletcher Street abutting the site which weighs in favour of the proposals. Overall, subject to the completion of the recommended Road Safety Audit and Designers Response, conditions and the completion of the Section 106 agreement no highway safety concerns arise.

Traffic generation and impact on highway network

A Transport Assessment (TA) has been submitted in support of the application that concluded that the development would not have a material impact on the local highway network. The TA has been independently reviewed by the Council's Highway Engineer who agrees with that overall conclusion subject to conditional controls. No conflict with local or national planning policies therefore arises.

Parking provision

The proposed level of car parking provision is now 10, on-street disabled car parking spaces on both Fletcher Street and the unnamed car park access road. 2 of those car parking spaces would have electric vehicle charging points. The proposed level of car parking provision is considered appropriate in this sustainable and accessible location and is supported by the Council's Highway Engineer. The provision of the proposed on-street bays would result in the loss of three on-street, council owned pay and display car parking spaces. Compensation for the loss of these bays would be secured by way of a Section 106 legal agreement (see below).

98 secure, cycle parking spaces would be provided for residents of the building in the basement serviced by a lift. Cycle storage spaces would be provided in each proposed townhouse. Separate provision would be made for the proposed commercial units together with visitor storage spaces (cycle stands) in the area of public realm on the Piccadilly frontage.

Subject to the imposition of conditions recommended by the Council's Highway Engineer, no conflict with local or national planning policies would arise.

Servicing and waste collection

Following detailed dialogue with the Council's Highway Engineer and Waste and Recycling Collection Service, officers are now satisfied that the proposed waste storage and collection proposals are fit for purpose and can be collected by Council refuse vehicles who would be able to safely access the site on collection days. This will require amendments to the junction of Fletcher Street and the car park access road to widen the junction to enable bin collection lorries to turn the corner and egress via Piccadilly. This will encroach onto a small area of land currently used as a surface car park owned by SMBC. This land was recently marketed as a development site and it will no doubt also be reliant on similar accessing and servicing arrangements should redevelopment proposals come forward.

The servicing of the proposed apartments and commercial units would be from a newly created layby on Piccadilly. This arrangement is considered appropriate and supported by the Council's Highway Engineer. The detailed design of this layby may need to be amended to respond to any issues raised by the completion of the recommended Road Safety Audit and Designers Response although significant revisions are not expected. A traffic regulation order will also be required to control its use. This would be funded by the applicant and secured by way of a Section 106 agreement (see below).

Overall, subject to conditions, a Section 106 agreement and any necessary detailed changes arising from the completion of the Road Safety Audit no significant conflicts with access related planning policy requirements would arise and approval is recommended accordingly.

Residential amenity

Core strategy policies H-1, SIE-1 and the NPPF require developments to provide a good standard of residential amenity for existing and future residents.

The nearest residents to the proposed development are:

- residents of Regal House (the former office building facing the application site on the opposite side of Piccadilly) at a distance of approximately 18 metres between the nearest habitable room windows; and
- potential future residents of the house in multiple occupation recently consented on the opposite side of Fletcher Street (planning permission ref: DC/075073) at a distance of approximately 11 metres between the nearest habitable room windows.

Whilst these distances fall short of the 21 metre standard set out in The Design of Residential Development SPD, the proposed distances are considered appropriate in this town centre location where respecting the urban grain and

townscape dictates a relaxation of these standards in order to avoid harmful and perverse urban design outcomes. Indeed, the proposed inclusion of new townhouses fronting Fletcher Street will create a mews like street scene that have proved very successful and desirable elsewhere such as in London. The provision of roof terraces for three of the most enclosed townhouses on Fletcher Street will provide residents with useable outdoor space with views of the side elevation of the listed St. Joseph's RC Church to mitigate any undue sense of enclosure. Given the context of the application site, it is considered that no adverse impacts on residential amenity in terms of an undue loss of privacy, sense of enclosure and overshadowing would arise.

The construction phase of the development does have the potential to generate adverse environmental effects if not properly controlled and therefore a condition is recommended requiring a construction management plan to be submitted, approved and implemented in full before development commences in accordance with the advice received from consultees.

Future residents of the proposed development would also benefit from good standards of amenity for the reasons outlined above. The proposed new homes comply with the government's nationally described space standards and benefit from either a private external balcony, terrace or both.

Overall, it is considered that a good standard of amenity would be provided for existing and future residents.

Issues in respect of noise, air quality and outdoor space are dealt with elsewhere in the report.

Public Health

The positive comments of the Council's Public Health Officer above are noted, particularly in respect of active travel and green infrastructure.

The majority of the proposed new apartments are on a single floor and benefit from level access with lifts serving all apartments. The proposed townhouses and some apartments are on multiple levels. Detailed accessibility matters are dealt with by Part M of the Building Regulations.

Overall, the proposed development is considered to have a positive impact on public health and therefore is supported by relevant local and national planning policy.

Noise

The applicant has submitted a preliminary noise impact assessment to assess the suitability of the proposed uses in this location and the need for any management and mitigation measures. Due to the impacts of the Covid-19 pandemic, this assessment used survey data from a previous application on an adjacent site.

The assessment has been reviewed by the Council's Noise EHO (see above) who concludes that although noise is not a reason to withhold planning permission, conditions are necessary to confirm detailed and specific mitigation measures such as enhanced glazing specifications and ventilation solutions to ensure the amenity and quality of life of existing and future residents are

safeguarded. They also highlight the potential noise and odour impacts of plant, particularly in respect of any food and drink use in the ground floor commercial units, and recommended further conditions to address potential impacts.

Finally, it is recommended that construction impacts of the development such as noise and vibration be dealt with by way of a construction management plan condition.

Conditions and informatives are recommended accordingly.

Air Quality

The applicant has submitted an Air Quality Impact Assessment in support of the application given the site's location in the Greater Manchester Air Quality Management Area.

The assessment concludes that the impact of the development on air quality are assessed as being 'not significant' or 'negligible'. The assessment does however recommend a series of construction phase mitigation measures in respect of construction dust and vehicle management.

The assessment has been reviewed by the Council's EHO's who agree with its findings and recommend conditions to secure the identified construction phase mitigation measures. A condition is recommended accordingly.

Contaminated land

The applicant has submitted a Phase 1 Preliminary Site Assessment in support of the application given the site's is previously developed status, including former industrial uses. This preliminary assessment concludes that there are moderate risks to human health from contamination on the site and ground gas from made ground and natural soils. It also highlights moderate risk to groundwater. Given those risks, it highlights the need for a site investigation to be undertaken to establish the facts and develop any necessary remediation or mitigation / management measures.

The Council's Contaminated Land officer agrees with the report's recommendations and recommends that a series of planning conditions are imposed to secure such an outcome. Conditions are recommended accordingly.

Airport safeguarding

Due to the height of the building and its location beneath the Manchester Airport flight path, the Airport as safeguarding authority were consulted. They make no objection providing a condition is imposed on any planning permission requiring the submission, approval and implementation of a strategy to ensure that the local population of feral pigeons and gulls does not increase in this urban setting to minimise the risk of bird strike.

Discussion with the airport have confirmed that there are no objection to the provision of bird boxes for species such as swift and sparrow on the building (see below). A condition is recommended accordingly.

Biodiversity

Given its current use as a surface car park, the site currently has little ecological value and the risk of protected species and habitats being significantly affected by the proposals is considered low.

The Council's Nature Development Officer has been consulted on the application and has made a series of recommendation set out above.

The development will result in the loss of trees that have the potential accommodate nesting birds and therefore a condition is recommended protecting the trees during bird nesting season (March to August inclusive). They also stress the need to ensure that external lighting is sensitively designed to minimise impacts of light disturbance on bats.

Finally, they welcome the fact that compensatory tree planting is proposed and highlight the need to achieve net gains for biodiversity in the form of native species/trees beneficial to wildlife are provided together with bat and bird boxes. Further discussions with the applicant on the provision of swift boxes/bricks have taken place given the enhanced nesting potential offered by tall buildings for swifts (the RSPB have confirmed that Greater Manchester is a really important part of the UK for swifts). There is also the potential to make rooftop provision for peregrine falcons that do nest on the outskirts of the town centre as a way to manage the local population of feral pigeons and gulls to address the requirements of Manchester Airport. The airport have confirmed that could form part of a package of measures to address their requirements.

The applicant have confirmed they are happy to incorporate biodiversity enhancements such as the ones suggested in design development and are happy to accept a condition requiring such provision.

Given the above, subject to the imposition of appropriate conditions no conflicts with nature conservation and development policies would arise. Conditions are recommended accordingly.

Planning obligations

Prior to the grant of any planning permission, it is considered necessary to enter into a Section 106 legal agreement to secure the following heads of terms:

1. The provision and retention of 5 new homes let at an affordable private rent to those in need as detailed above;
2. the payment of a £314,007.00 commuted sum for the provision and maintenance of children's play and formal recreation facilities to meet the needs of future residents;
3. the payment of £8,500 to fund a Traffic Regulation Order to control the use of the proposed layby on Piccadilly and parking bays on the unnamed street and amend existing parking restrictions on Fletcher Street, Piccadilly and the unnamed street abutting the site;
4. the payment monies (amount to be agreed) to compensate the Council for the loss of parking income that will result from the loss of 3 Pay & Display parking spaces on Fletcher Street; and
5. the payment of monitoring fees set at £7,500 for a development of this scale.

Approval is recommended on that basis.

Other matters

Members have raised concerns about fire safety given the height of the proposed building. In response, SMBC Building Inspectors have made informal comments based on an initial, brief review following a request by planning officers and have expressed some doubt as to whether the designs, as they stand, will receive the necessary approvals from both a Building Inspector and the Greater Manchester Fire Service (see above).

In response, the applicant has submitted an initial Fire Strategy that relies on bespoke, fire-engineered solutions. They also recognise that should the necessary approvals not be secured then designs will of course need to be revised and further planning consents secured if necessary.

Members are reminded that it is the Building Control statutory control regime that is responsible for assessing and ensuring the fire safety of buildings. Local planning authorities have no powers or responsibilities around the fire safety of buildings. Indeed the national Planning Practice Guidance identifies a series of specific circumstances where conditions should not be used including:

Conditions requiring compliance with other regulatory requirements (eg Building Regulations, Environmental Protection Act):

Conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning. Use of informatives to remind the applicant to obtain further planning approvals and other consents may be more appropriate.

The Royal Town Planning Institute have offered further guidance in their 2017 document: *'Summary: responsibility for fire safety during the development application process in England'* which states:

"Planning does not have the powers to assess the fire safety of building materials nor most elements of building design. Fire precautions covered by building regulations are not part of material planning considerations on which planning decisions must be based."

"Over many years, Government has repeatedly emphasised that consenting regimes (such as planning and building control), should avoid overlap wherever possible."

"Planners ideally need to be able to access expertise from other stakeholders and help co-ordinate responses or concerns raised by the public. However, this will not extend to basing planning permissions or refusals on fire safety"

Given the above, it recommended that an informative be added to any planning permission reminding the applicant of the need to secure the support of the Greater Manchester Fire and Rescue Service and building regulations approval.

Planning balance and overall conclusion

In conclusion, the proposed development will make a significant contribution to helping Stockport meet its housing needs at a time of significant undersupply on a sustainable, accessible, brownfield site in the Town Centre. The design of the development has been very carefully developed to ensure it respects its context and the setting of nearby heritage assets. It is considered a high quality design

solution that will serve to enhance the character, appearance and the long-term sustainability of this part of the Town Centre. The proposals are in accordance with the strategic objectives of the statutory development plan and the presumption in favour of sustainable development set out in Paragraph 11 of the NPPF applies. It is therefore recommended that planning permission be granted in accordance with the recommendation below.

RECOMMENDATION

Grant planning permission subject to:

- the submission of a Stage 1 Road Safety Audit and Designer's Response which does not raise any significant issues which cannot be readily addressed at the detailed design stage;
- necessary conditions; and
- the completion of a Section 106 legal agreement to secure the obligations detailed above.