

ITEM 2

Application Reference	DC/079400
Location:	204-210 Wilmslow Road Heald Green Cheadle SK8 3BH
PROPOSAL:	Demolition of existing buildings and erection of three storey building, providing for a Class E retail unit at the ground floor and eight residential apartments (Use Class C3) to the first and second floors, with associated vehicular access, car parking, servicing, cycle parking and wider associated works.
Type Of Application:	Full Planning Application
Registration Date:	3 rd March 2021
Expiry Date:	29 th October 2021 (extension of time agreed)
Case Officer:	Rebecca Whitney
Applicant:	Landmark Property Group
Agent:	Nexus Planning

DELEGATION/COMMITTEE STATUS

11 objections have been received, contrary to the Case Officer's recommendation of approval.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for the demolition of the existing buildings on the site, previously in use for car sales, and the erection of three storey building. The proposed building would comprise a Class E retail unit at the ground floor and eight residential apartments to the first and second floors, with associated vehicular access, car parking, servicing, cycle parking and wider associated works.

SITE AND SURROUNDINGS

The application site is within a Predominantly Residential Area and comprises an former car sales site fronting Wilmslow Road. Planning permission was granted for a single storey extension and external alterations to the car sales building in February 2020, however the site has been vacant for some months. Vehicular access is currently taken off Wilmslow Road from the south east.

To the north of the site is single storey restaurant at Number 202 Wilmslow Road, sited at a lower level than the application site. To the east of the site is Wilmslow Road with residential properties beyond. To the south of the site is the vehicular

access to a residential development on Mableden Close with residential properties beyond. Adjoining the site to the west is a car repair garage with residential properties beyond.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan includes:-

- Policies set out in the Stockport Unitary Development Plan Review (SUDP) 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 (CS) adopted 17th March 2011

Saved policies of the SUDP Review

EP1.7 – Development and Flood Risk

EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities

EP1.10 – Aircraft Noise

MW1.5 – Control of Waste from Development

L1.2 – Children’s Play

NE3.1 - Protection And Enhancement Of Green Chains

LDF Core Strategy/Development Management policies

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE

SD-1: Creating Sustainable Communities

SD-3 Delivering the Energy Opportunities Plans – New Development

SD-6 Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3 MIX OF HOUSING

CS4 DISTRIBUTION OF HOUSING

H-1: Design of Residential Development

H-2: Housing Phasing

H-3: Affordable Housing

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding and Enhancing the Environment

SIE-5: Aviation Facilities, Telecommunications and Other Broadcast Infrastructure

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

- T-1: Transport and Development
- T-2: Parking in Developments
- T-3: Safety and Capacity on the Highway Network

Supplementary Planning Guidance

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

The following are relevant to the determination of this application:

- Open Space Provision and Commuted Payments SPD
- Sustainable Design and Construction SPD
- Sustainable Transport SPD
- Design of Residential Development SPD

National Planning Policy Framework (NPPF)

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 replaced the previous NPPF (originally issued 2012, revised in 2018 and 2019). 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 represents the Governments up-to-date planning policy position. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

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.

<https://www.gov.uk/government/collections/planning-practice-guidance>

RELEVANT PLANNING HISTORY

DC/075486: Single storey extension and internal alternations. Granted – 04/02/20.

DC/055267: Discharge of conditions 2 and 3 of planning permission DC54374. Granted – 29/07/14.

DC/054374: Single storey extension, external alterations and demolition of existing canopy. Granted - 18/02/14.

DC/049317: Construction plan/ method statement for Cheadle extension and refurbishment. Granted – 12/09/12.

DC/000997: Single storey rear extension to form car sales office. Granted - 12/06/00.

J.73030: New car parking arrangements. Granted - 25/08/99.

J.68873: Change of use from petrol filling station to car hire and sales. Granted - 06/04/98.

J.54766: Erection of new canopy to petrol filling station. Granted - 10/03/92.

J.54188: Alterations to external appearance and erection of single storey rear extension to form enlarged shop with manager's office. Granted - 29/01/92.

J.51294: Lance type car wash machine. Granted - 14/11/90.

J.40132: Extension to workshop. Granted - 13/10/87.

J.35820: Company sign and fascia signs, spanner panel signs. Granted - 24/03/86.

J.28982: Proposed new workshop to replace existing. Granted - 27/09/83.

J.12698: Proposed new workshop. Granted - 15/08/78.

J.1740: 1 Portakabin, 1 Avis Sign. Granted - 23/12/74.

J.944: One portakabin. Refused - 02/10/74.

NEIGHBOUR'S VIEWS

16 neighbouring properties were consulted by letter and a site notice was displayed at the application site.

11 objections have been received. The grounds can be summarised as follows:

- a. Impacts on other local businesses
- b. Details provided within the application form
- c. Lack of car parking spaces
- d. Illumination (submitted details do not indicate impacts on neighbours)
- e. Overlooking and loss of privacy
- f. Overshadowing and loss of light
- g. Opening hours for retail unit
- h. Loss of view
- i. Scale and height
- j. Proximity to neighbouring dwellings
- k. Antisocial behaviour (littering) and crime
- l. Air contamination (vehicular movements, smoking)
- m. Noise and disturbance (vehicular movements)
- n. No need to diversify housing stock
- o. No need for retail unit

- p. Application does not indicate whether existing lighting and boundary treatments would be retained. Increase in height would minimise amenity impacts (overlooking, litter, light and noise pollution).
- q. Impacts on trees in neighbouring properties
- r. Increased traffic
- s. Highway safety (delivery movements, there is no ghost island providing access into Mableden Close.)
- t. Impacts on the character and appearance of the area

CONSULTEE RESPONSES

Planning Policy Officer (Retail)

Relevant policies

National Planning Policy Framework (NPPF)

- Para 86 sets out the parameters for a sequential test for applications that are main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Furthermore, it states that main town centre uses should be located in town centres then edge-of-centre and then out-of-centre.
- Para 87 notes that applicants and LPAs should ‘demonstrate flexibility on issues such as format and scale so that opportunities to utilise suitable town centre or edge of centre sites are fully explored’.
- Para 89 sets out that an impact assessment is only required when assessing applications for retail and leisure development outside town centres which are not in accordance with an up-to-date plan and where the development is over a proportionate, locally set floorspace threshold. If this is not set then the default threshold is 2500 sqm of gross floorspace.
- In the glossary, the following are of relevance:
 - Town centre – ‘...including the primary shopping area and areas predominantly occupied by town centre uses within or adjacent to the primary shopping area...’
 - Main town centre uses – ‘Retail development...; leisure, entertainment and more intensive sport and recreation uses...’

Planning Practice Guidance (PPG)

- The application of the sequential test will need to be proportionate and appropriate for the given proposal and should consider suitability of more central sites to accommodate the proposal and whether there is scope for flexibility in format and scale (Paragraph 011). Market and locational requirements should also be taken into account (Paragraph 012).
- The purpose of the (impact) test is to consider the impact over time of certain out of centre and edge of centre proposals on town centre vitality/viability and investment. The test relates to retail and leisure developments (not all main town centre uses) which are not in accordance with up to date plan policies and which would be located outside existing town centres. It is important that the impact is assessed in relation to all town centres that may be affected, which are not necessarily just those closest to the proposal and may be in neighbouring authority areas.

- Core Policy CS5 Access to Services – Proposals for shops serving day-to-day local convenience needs that exceed 200 sqm net A1 floorspace at out-of-centre locations will trigger the need for an impact assessment.
- Core Policy CS6 Safeguarding and Strengthening the Service Centre Hierarchy – Additional main town centre uses with a focus on A1 use will be provided within the identified centres of the hierarchy which includes ‘Stockport Town Centre’ at the top, followed by District Centres and then Local Centres..
- DM Policy AS-3 Main Town Centre Uses, Hot Food Take Aways and Prison Development Outside Existing Centres – Impact assessments are required for planning applications for A1 use exceeding 200 sqm net floorspace at out-of-centre locations in relation to the District and Local Centres.

Principle and consideration of issues

A new Class E unit is proposed measuring 387 sqm gross and it is expected that the occupier will be the Co-op. The Class E use will be on the ground floor with 8 residential apartments occupying the first floor.

The site currently contains two vacant commercial buildings previously occupied by car sales and car repairs businesses and is designated as ‘Predominantly Residential Area’ in the Saved Unitary Development Plan.

Under national planning policies, the proposed use is a main town centre use. The site is outside the town centre, district centres and local centres identified in Core Policy CS6 and therefore a sequential test is required under Paragraph 86 of the NPPF.

DM Policy AS-3 sets a local threshold of 200 sqm net floorspace for A1 uses outside of centres and so the default threshold in Paragraph 89 of the NPPF is not engaged and an impact assessment is required.

With regard to the sequential test provided, the report initially assessed relevant sites that met the prospective occupier’s search criteria in and adjacent to Heald Green (Large Local Centre) and Turves Road (Other Local Centre) and then carried out a further search of sites in Cheadle Hulme (District Centre) further to a request from the Council. I am satisfied with the findings of the sequential test that there are no alternative sites that meet the occupier’s requirements.

With regard to the impact assessment provided, I raised concerns that the trade diversion impact on Heald Green was high at -8.3% particularly given that there are 3 vacant units in the centre at a rate of 7.3%. I am now satisfied that this is not significantly adverse given the current national average vacancy rate of 14.1% and that the centre is performing well. The PPG notes that impact should be assessed on a like-for-like basis in respect of that particular sector, and in this situation I judge that we can make a case that no comparators in the centre will be adversely affected.

In respect of the other query raised on the impact on Turves Road, I am satisfied we can conclude that the centre will not be adversely affected by the proposal given that

the centre is trading well, there is no evidence that closures would occur for comparators, and that there is evidence that the convenience goods sector is showing resilience under the pressures of the COVID-19 pandemic. As such, I find that the impact assessment demonstrates there will be no adverse impact on town centre viability/vitality and investment.

As the sequential test and impact assessment have been satisfied I am of the view that policies in the NPPF and in the Core Strategy have been satisfied in respect of town centres and retail.

In respect of other material considerations, I would add that the increased population expected from the proposed development on land owned by the Seashell Trust, east of Wilmslow Road, which enjoys outline permission for 325 units, is of weight to the proposal in that this would add considerably to the demand from the identified catchment of the proposed store. Whilst the consent is only in outline form, there is a reserved matters application that has been before Planning Committee in May 2021 with a minded to approve recommendation and was deferred.

SMBC Highway Engineer

Comments dated 7th July 2021

- a. EV charging point provision is required for both retail and residential aspects.
- b. Details of how residential car parking spaces are to be managed are required when apparently sharing car park with shop.
- c. A method statement is required for refuse collection for residential and retail elements.
- d. Details required to demonstrate adequate refuse storage is provided for residential element.
- e. Tactiles should be provided at pedestrian crossing points for access and servicing access on Wilmslow Rd.

The level of proposed residential parking is justified within supporting documentation on accessibility grounds. It is difficult to disagree with this assertion given good access to local facilities and public transport.

There is reference made within the submission to the anticipated number and frequency of visitors to the site when compared to previous use and what impact this change might be expected to have on the operation of the local highway network. It is considered that relatively few “new” trips will be generated with a significant number of trips being passers-by which are already on the network, or shoppers using the new store as an alternative to other local retail options. I therefore raise no objection to the development in respect of her being no severe impact on the local highway.

I note supporting information on proposed servicing considers use of 10m rigid vehicles; I recommend that any approval be conditioned so as to restrict servicing to such vehicles.

Recommendation: No objection subject to conditions to restrict servicing to rigid HGV vehicles, to require the submission of a servicing method statement, details of the car parking facilities and electric vehicle charging points, a pre-construction condition survey of Wilmslow Road, and a construction method statement. Informatives are recommended with regard to other permissions required, advice on the discharge of conditions, and on preparing a construction method statement.

Comments dated 14th April 2021:

In order to fully consider the proposals further information is required

- a. Details of proposed secure cycle storage for residents required.
- b. EV charging point provision is required for both retail and residential aspects.
- c. Details of how residential car parking spaces are to be managed are required when apparently sharing car park with shop.
- d. A method statement is required for refuse collection for residential and retail elements.
- e. Details required to demonstrate adequate refuse storage is provided for residential element.
- f. Tactiles should be provided at pedestrian crossing points for access and servicing access on Wilmslow Rd.

I note supporting information on proposed servicing considers use of 10m rigid vehicles; I recommend that any approval be conditioned so as to restrict servicing to such vehicles.

I have concerns with the potential highway safety impact from proposed 2 potential right turns in close such proximity leading to confusion for highway users. A Stage 1/2 Road Safety Audit should be carried out to review this proposed arrangement together with visibility from proposed exit points. This may inform a reconsideration of proposed access arrangements?

The level of proposed residential parking is justified within supporting documentation on accessibility grounds. It is difficult to disagree with this assertion given good access to local facilities and public transport.

There is reference made within the submission to the anticipated number and frequency of visitors to the site when compared to previous use and what impact this change might be expected to have on the operation of the local highway network. It is considered that relatively few "new" trips will be generated with a significant number of trips being passers-by which are already on the network, or shoppers using the new store as an alternative to other local retail options.

Recommendation: Defer for revision/further information (Road Safety Audit required).

SMBC Planning Policy (Energy)

The energy statement for the Class E development and 8 dwellings proposed at the above address is broadly compliant with Core Strategy Policy SD3. Carbon reduction target thresholds are not triggered for residential developments of 10 dwellings or less and for non-residential development of less than 1000 sqm. However the energy statement proposes consideration of solar PV for this development. Heat pumps are technically feasible and could contribute to further carbon reduction in heat and hot water provision but are deemed to be financially unviable. The current policy does not require any use of renewable energy so the proposals are compliant with policy.

However it should be pointed out to the applicant and clients that the running costs of the properties proposed would be reduced such that the cost of installing feasible technologies could be offset in an appropriate uplift in sale value which could be marketed to potential buyers – free guidance on potential value uplift and marketing of low carbon homes and buildings are attached. This would ensure that these properties contribute to the GM Zero Carbon target for 2038 and prevent the need for costly retrofit of the properties in the near future – another positive marketing factor for the development.

The need for low carbon buildings is reflected in Stockport Council's declaration of a climate emergency and adoption of the Climate Action Now Strategy.

SMBC Arboriculture Officer

Conservation Area Designations

The proposed development is not within or affected by a Conservation Area.

Legally Protected Trees

There are no legally protected trees within this site or affected by this development.

Recommendations

The proposed development footprint is shown or indicated at this time within the informal grounds of the existing site and it is assumed the proposed new developments will potentially impact on the trees and hedges within the site or neighbouring site as the development site is located in proximity of several trees on site.

A full tree survey has been submitted as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and where applicable which trees will have a potential impact on the proposed development and it is acknowledged as a true representation of the stock on site and all recommendations within the report.

In addition, any layout plan needs to fully consider the need for 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 semi-urban tree planting throughout the site including the frontage to enhance the biodiversity and the amenity.

A detailed landscaping scheme will need to be considered/drawn up as part of this planning application, which clearly shows enhancements of the site and surrounding environment to improve the local biodiversity and amenity of the area, especially along the frontage.

In principle the main works and design will potentially have a negative impact on several poor specimen trees on site.

In its current format the proposal could be considered favourably subject to resolving the need to enhance the tree cover in the area, so it would require additional consideration but could be improved and considered more favourably with the submission of additional details. Additional details should justify any impact on trees within proximity of the site and include a greater number of new trees to improve the amenity and aesthetics of the site (or off site if no room) for users. A percentage of these should be native large species and fruit trees at every opportunity.

Conditions are requested regarding the protection and retention of existing trees, and regarding new planting, are requested.

Nature Development Officer

Nature Conservation Designations

The site has no nature conservation designations, legal or otherwise.

Legally Protected Species

Many buildings and trees have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species Regulations, 2017). Buildings, trees and vegetation can also provide nesting habitat for breeding birds. All breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended).

Paragraph 016 of the Natural Environment Planning Practice Guidance (<https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems>) states that the local authority should only request a survey if they consider there is a reasonable likelihood of a protected species being present and affected by development. The buildings proposed for demolition (garage canopy and kiosk) are considered to offer limited potential to support roosting bats. Two young self-sown ash trees are scheduled for removal. The trees do not offer any suitable bat roosting features on account of their young age. I therefore do not consider it reasonable to request an ecological survey as part of the current planning application for the site.

Recommendations

The proposed works are considered to be of low risk to roosting bats. Bats can sometimes roost in seemingly unlikely places. As a precautionary measure, an informative should also be used as part of any planning consent to state that the granting of planning permission does not negate the need to abide by the legislation

in place to protect biodiversity. In the unlikely event that roosting bats, or any other protected species is discovered on site during works, works must stop and a suitably experienced ecologist contacted for advice.

In relation to breeding birds it is recommended that works are timed to avoid the bird nesting season where possible. If any building demolition or vegetation/tree clearance works take place between 1st March and 31st August inclusive, a competent ecologist must undertake a careful, detailed check of buildings/vegetation/trees for active birds' nests immediately before works commence and ensure there are appropriate measures in place to protect nesting bird interest on site. This can be secured via condition as part of any future planning consent.

Retained trees should be adequately protected from potential adverse impacts associated with the proposals in accordance with British Standards and following advice from the council Arboriculture Officer.

National and local planning policy asks that net gains for biodiversity are included within development. Integrated bat and/or bird boxes should be provided within the new building (see for example Habitat boxes). They can be faced with the proposed brick/stone work of the building and so are inconspicuous. If integrated boxes are not possible then externally mounted (woodcrete or woodstone) would be acceptable. Four bat/bird boxes would be appropriate and this can be conditioned.

It is disappointing that no landscape planting appears to be proposed for the site as this would provide biodiversity enhancement. Suitable measures would include mixed native species hedgerows planted along the north and west boundaries of the site along with native tree planting. Any landscape planting should comprise wildlife-friendly species (nectar-rich/berry producing) and species carefully chosen to provide a year round nectar/berry resource for pollinators and other local wildlife.

SMBC Environmental Health Officer (Amenity)

There are a number of other residential properties in the vicinity of the site which may be sensitive to construction noise so an informative relating to acceptable construction hours is recommended.

NOISE IMPACT ASSESSMENT (NIA)

In support of the application, the applicant has submitted an acoustic report: NOVA Acoustics Ltd, 204 - 210, Wilmslow Road, Heald Green, SK8 3BH, 12/02/2021 Project Number 5617KK v.001.

Co-Op Deliveries & Waste Collections

It is stated that the supermarket will operate between the hours of 06:00 to 23:00 daily, with deliveries occurring at any time within those hours unless stipulated by the Local Planning Authority.

The outcome of the NIA, is that provided deliveries occur only between the hours of 07:00 to 23:00, the Rating Noise Level should be 4.0 dB and 20.0 dB below the background sound level at NSR2 and NSR3 respectively.

Suggested Wording:

Deliveries and Waste Collection, shall only occur between the hours: 07:00 to 23:00

In addition the NIA Recommendations and Mitigation:

- Where possible noise-sensitive rooms associated with the proposed new dwellings above the Co-op such as bedrooms and living rooms should be positioned away from the delivery area with non-habitable rooms such as bathrooms, corridors and stairwells positioned in this vicinity.
- Management plans should be put in place to ensure HGVs do not queue up or remain waiting with engines idling where possible. It is recognised that it is not always practicable to expect refrigeration motors to be turned off, even whilst unloading.

Adjacent Restaurant Roof Top Plant

Situated immediately to the north of the site. Due to the COVID-19 lockdown measures, the restaurants and associated rooftop plant were non-operational at the time of the environmental sound survey. Consequently, noise levels from a previous report compiled by NOVA Acoustics Ltd of a similar rooftop system have been used. In order to fully protect the amenity of future occupants from the surrounding commercial properties and activity, the noise break-in assessment has been conducted based on the highest 1-hour measurements obtained at MP1 during the day and night time periods, and also the rating noise levels stated above, as opposed to the highest day and night time averages.

Co-Op Plant Noise

The proposed plant specification was not fully defined in the initial assessment – to address this an Addendum by NOVA Acoustics Ltd, Project Number: 5617KK – has also been submitted (no date, reference).

The addendum - BS4142 assessment of the plant noise at the residential NSR (NSR1) on the other side of Wilmslow Road. And assessment of the plant noise incident on the new flats directly above the proposed Co-op.

NSR1, across Wilmslow Road, plant noise rating level fall at 16dB (night-time) to 31dB (daytime) below the background sound level.

NSR2, flats above the proposed Co-op, plant noise rating level fall a 1 dB (night-time) to 14 dB (day-time) below the background sound level.

Stockport MBC, criteria for rating level from all fixed plant and machinery (when operating simultaneously), is usually 10dB below background, at any time when

measured at nearest noise sensitive premises. However, in cases where 10dB below background is too onerous to achieve – providing there is adequate justification - 5 dB below the existing background may be acceptable. The outcome of this assessment, is that the flats above – with habitable rooms with line of sight to the plant maybe disturbed by noise from the plant operations, as the plant rating level has been calculated as 1dB below background. HOWEVER, the plant rating level does not exceed the existing background noise level at the boundary of the nearest noise sensitive property – in accordance with BS4142:2014 methodology. On balance as the flats are above a commercial premises and are road side of the B5358, Wilmslow Road this is acceptable.

The AC units will not be operating during the night time period and thus have not been included within the night time assessment (page 2, second paragraph). It is recommended that a condition is applied to any planning permission approval; that AC plant will not operate during night-time periods. Night-time is generally considered to be 23:00 – 07:00. Suggested wording:

The ACU 1 & ACU 2; ACU – No.2 Mitsubishi PUZ-ZM200YKA in NSL Jaguar Acoustics Enclosures shall not operate between the hours 23:00 -07:00

As assessed in Addendum by NOVA Acoustics, Project Number: 5617KK

Commercial Ground Floor Noise Impact Upon Upper Floor Residential Uses

It is expected that upper floor residential occupiers within the same building, are entitled to enjoy a reasonable level of residential amenity. In order to achieve the necessary attenuation, a floor detail has been provided in Section 8.0 of the NOVA Acoustics Ltd, 204 - 210, Wilmslow Road, Heald Green, SK8 3BH, 12/02/2021 Project Number 5617KK v.001.

Residential Building Envelope Specification

The NIA specifies at section 8 the building envelope sound insulation scheme specification for: roof, glazing, ventilation, adjoining floor construction detail.

The impact of the noise from the commercial unit and noise upon the proposed residential element of the development has been assessed in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings
- BS4142:2014 Methods for rating and assessing industrial and commercial sound The report recommends noise mitigation measures designed to achieve BS8233: 2014; to ensure that future occupants introduced to the area within the proposed upper units and existing occupants of nearby properties are not adversely affected by noise arising from the development.

The reports methodology, conclusion and recommendations are accepted.

This service accepts the outcome of the BS4142 assessment.

Recommendation

In accordance with the acoustic report(s), the following conditions are necessary in order for this application to be approved:

- The mitigation recommended in the acoustic report NOVA Acoustics Ltd, 204 - 210, Wilmslow Road, Heald Green, SK8 3BH, 12/02/2021 Project Number 5617KK v.001 AND Addendum by NOVA Acoustics Ltd, Project Number: 5617KK - shall be implemented in full prior to the occupation of each unit.
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.

Reason: In accordance with paragraph 180a) of the National Planning Policy Framework, February 2019: mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Recommended Condition where BS4142 is accepted - External Plant & Equipment

In accordance with the methodology of BS4142:2014 'Methods for Rating and Assessing Industrial and Commercial Sound'. The rating level from all fixed plant and machinery associated with the proposed development (when operating simultaneously), shall not exceed the background noise level, at the boundary of the nearest noise sensitive premises.

NIA Informative: BS4142

Sound measurements and assessments shall be completed in accordance with BS 4142:2014 'Methods for Rating and Assessing Industrial and Commercial Sound'.

This British Standard describes methods for rating and assessing sound of an industrial and/or commercial nature and includes sound from fixed installations which comprise mechanical and electrical plant and equipment. Outdoor sound levels are used to assess the likely effects of sound on people who might be inside or outside a dwelling or premises used for residential purposes upon which the sound is incident.

Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

The lower the rating level relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact.

Adverse impacts include (but are not limited to) annoyance and sleep disturbance. Not all adverse impact will lead to complaints and not every complaint is proof of an adverse impact.

Noise Measurement and calculation

A qualified, experienced noise consultant shall carry out an assessment of the noise. [Institute of Acoustics www.ioa.org.uk or the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk>]

Reason: To prevent an increase in background noise levels and for the preservation of residential amenity and quality of life.

Reason: In accordance with paragraph 180a) of the National Planning Policy Framework, February 2019: mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life

DELIVERIES & WASTE COLLECTIONS

Shall be restricted to within the following hours: 07:00 to 23:00

Reason: In accordance with paragraph 180a of the National Planning Policy Framework 2019, to avoid noise from giving rise to significant adverse impacts on health and quality of life.

EXTERNAL LIGHTING ASSESSMENT – ACCEPTED

An external lighting/ illumination assessment has been submitted in support of the application: TACE, Wilmslow Road, External Lighting, Project: PA1530, Date:12.10.2020

The proposed external lighting/ illumination scheme, complies the Institute of Lighting Professionals, Guidance Notes for the Reduction of Obtrusive Light GN01:2011, Design Guidance for exterior lighting installations.

Recommended Condition

The external lighting scheme TACE, Wilmslow Road, External Lighting, Project: PA1530, Date: 12.10.2020, shall be installed and thereafter operated in accordance with the approved details.

Reason: To limit the impact of artificial light spillage on local amenity.

In accordance with: paragraph 180c of the National Planning Policy Framework (February 2019)

Informatives are requested with regard to construction and demolition hours of operation, pile foundations and dust management.

SMBC Environmental Health Officer (Air Quality)

No comments received as of 2nd September 2021.

SMBC Environmental Health Officer (Contaminated Land)

I have reviewed the BEK Enviro Ltd Phase 1 report submitted in support of the application, the report concludes that site investigation works will need to be carried out to quantify the potential risks from contamination, VOC vapours and hazardous ground gas due to its former use.

Conditions are recommended with regard to land contamination investigation, remediation, and validation of the remediation undertaken

SMBC Lead Local Flood Authority (LLFA)

The following documents from the Planning Portal have been reviewed in support of the application.

- a. DC_079400-DRAINAGE_CALCULATIONS-1301268
- b. DC_079400-DRAINAGE_LAYOUT-1301270
- c. DC_079400-
LAND_CONTAMINATION_PHASE_1_PRELIMINARY_RISK_ASSESSMENT
-1312362
- d. DC_079400-TOPOGRAPHICAL_SURVEY-1301265

1. The site is a former vehicle repair garage and petrol filling station. The Phase 1 Contamination Assessment and Drainage Strategy incorporates appraisal of previous intrusive ground investigations.

These considered that the site has low permeability, potential, shallow ground water and potential contamination risks.

2. There are no water bodies within reasonable proximity to the site.
3. Existing site runoff is identified as 17.4l/s.
4. Proposed site runoff is attenuated to 5l/s into a public surface water sewer with buried attenuation tank.
5. The strategy does not incorporate any SuDS source control components such as permeable paving, rain gardens, rills etc.

It is considered that the strategy is acceptable in principle and whilst any revisions from the above may tweak the strategy it should not alter the fundamental approach.

Therefore planning approval could be granted subject to a pre-commencement condition to require the submission of a detailed surface water drainage scheme.

United Utilities

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

Following our review of the submitted Drainage Layout, ref: J7042/EX01 Revision B, dated 4/12/2020 proposing surface water discharging into surface water sewer at a pass forward flow of max. 5l/s, we can confirm the proposals are acceptable in principle to United Utilities. However, we do not have sufficient information on the detail of the drainage design. A condition is requested to require the submission of a detailed surface water drainage scheme prior to the commencement of development.

It is the applicant's responsibility to investigate the possibility of any United Utilities'

assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Manchester Airport Safeguarding Officer

The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. No objections are raised subject to the following

Conditions:

During demolition & construction:

- Robust measures must be taken to control dust and smoke clouds.

Reason: Flight safety – dust and smoke are hazardous to aircraft engines; dust and smoke clouds can

present a visual hazard to pilots and air traffic controllers.

- All exterior lighting to be capped at the horizontal with no upward light spill.

Reason: Flight safety - to prevent distraction or confusion to pilots using MAN.

- No solar photovoltaics to be used on site without first consulting with the aerodrome safeguarding authority for MAN.

Reason: Flight safety - to prevent ocular hazard and distraction to pilots using MAN.

Advisory:

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please

see:

<https://publicapps.caa.co.uk/docs/33/CAP1096%20E2.1%20September%202020%20FINAL.pdf>

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Manchester Airport, or not attach conditions which Manchester Airport has advised, it shall notify Manchester Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Greater Manchester Police (Design for Security)

Having looked at the documents submitted, we would recommend that a condition to reflect the physical security specifications set out in section four of the Crime Impact Statements should be added, if the application is to be approved.

ANALYSIS

Principle of Development

Loss of the Existing Use

The application site is within a Predominantly Residential Area and comprises an existing car sales site fronting Wilmslow Road. It is understood that the site is not currently in use and has not been for some months.

The use for car sales is a Sui Generis Use (in a use class of its own) and whilst there

is some level of employment, it is not a traditional employment use (such as office or industrial use). The minor loss of employment is considered likely to be offset by the employment requirements of the proposed use.

There is not a planning policy requirement to preserve the lawful use of the site for car sales, and it is noted that this use is not entirely compatible with the location of the site within a Predominantly Residential Area.

Principle of Retail Development

The Planning Policy Officer has assessed the proposal in respect of retail and town centre impacts, and their comments are set out in full in the “Consultee Comments” section above. It is noted that an objection has been received which raises concerns regarding the impact on other local businesses, and the justification for a new retail unit and this matter will be assessed in this section of the report.

A new Class E unit is proposed measuring 387 sqm gross and it is expected that the occupier will be the Co-op, for use as a convenience store. The Class E use would be on the ground floor with 8 residential apartments occupying the first floor.

The site is currently vacant and was previously occupied by a car sales and car repairs business. The site is within a ‘Predominantly Residential Area’ in the Saved UDP Policies map.

Under national planning policies, the proposed retail use is a main town centre use. The site is outside of the town centre, district centres and local centres identified in Core Strategy Policy CS6 and therefore a sequential test is required under Paragraph 87 of the NPPF. Paragraph 87 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

Core Strategy Policy AS-3 states that an assessment will be required for planning applications for a retail use exceeding 200sqm net floorspace at out-of-centre locations and edge-of-centre locations in relation to the District and Local Centres. As a result, the default threshold in Paragraph 90 of the NPPF is not engaged and an impact assessment is required.

With regard to the sequential test provided, the report initially assessed relevant sites that met the prospective occupier’s search criteria in and adjacent to Heald Green (Large Local Centre) and Turves Road (Other Local Centre) and then carried out a further search of sites in Cheadle Hulme (District Centre) further to a request from the Council. The Planning Policy Officer is satisfied with the findings of the sequential test that there are no alternative sites that meet the occupier’s requirements.

With regard to the impact assessment provided, the Planning Policy Officer initially raised concerns that the trade diversion impact on Heald Green was high at -8.3%

particularly given that there were 3 vacant units in the centre at a rate of 7.3%. The Planning Policy Officer is now satisfied that this is not significantly adverse given the current national average vacancy rate of 14.1% and that the centre is performing well. The PPG notes that impact should be assessed on a like-for-like basis in respect of that particular sector, and in this instance it is considered reasonable to conclude that no comparators in the centre would be adversely affected.

In respect of the other query raised on the impact on Turves Road, the Planning Policy Officer is satisfied that the centre will not be adversely affected by the proposal given that the centre is trading well, there is no evidence that closures would occur for comparators, and that there is evidence that the convenience goods sector is showing resilience under the pressures of the COVID-19 pandemic. As such, the Planning Policy Officer finds that the impact assessment demonstrates there will be no adverse impact on town centre viability/vitality and investment.

As the sequential test and impact assessment have been satisfied, Officers are of the view that policies in the NPPF and in the Core Strategy have been satisfied in respect of town centres and retail.

Saved UDP Policy CDH1.2 (Non Residential Development in Predominantly Residential Areas) states that non residential development will be permitted in Predominantly Residential Areas where it can be accommodated without detriment to the residential amenity of adjacent dwellings or the residential area as a whole. In particular account will be taken of:

- (i) noise, smell and nuisance;
- (ii) traffic generation and safety and accessibility by sustainable transport modes;
- (iii) parking;
- (iv) hours of operation;
- (v) proximity to dwellings;
- (vi) the scale of the proposal; and
- (vii) whether or not the character of the area will be changed.

Most large-scale, non-residential development will be inappropriate in Predominantly Residential Areas.

The supporting text to Policy CDH1.2 goes on to state that commercial and industrial development will only be acceptable in Predominantly Residential Areas where the proposal is small-scale and can be accommodated without detriment to residential amenities or loss of dwelling stock. The considerations listed above are assessed under the headed sections later in this report.

Saved UDP Policy PSD2.6 (Local Shops) states that a planning application for a shop or shops with a maximum floorspace of 250 square metres (gross) serving local or convenience needs outside town, district or local centres will be assessed according to the following considerations:

- (i) effect on residential amenity;
- (ii) satisfactory resolution of pedestrian and vehicular access and road safety;
- (iii) the effect on the vitality and viability of nearby centres;
- (iv) the availability of sites within defined nearby centres; and
- (v) the extent to which alternative facilities exist in the local area. Restrictions on the goods permitted to be sold will normally be imposed to prevent the character

of the retailing changing from serving local or convenience needs.

It is noted that approximately 387sqm of retail floor space is proposed, and therefore Policy PSD2.6 does not carry significant weight in the planning assessment.

Principle of Residential Development

Paragraph 60 of the NPPF puts additional emphasis upon the government's objective to "significantly boost the supply of homes". Stockport is in a position of housing undersupply (2.6 years) against the minimum requirement of 5 years +20% buffer as set out in paragraph 74 of the NPPF.

The site is located within a Predominantly Residential Area where the principle of residential development is generally supported, subject to all other material planning considerations.

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District/Large Local Centres; and other accessible locations). Policy H-2 confirms that when there is less than a 5 year deliverable supply of housing (as is currently the case) the required accessibility scores will be lowered to allow the deliverable supply to be topped up by other sites in accessible locations. This position has been regularly assessed to ensure that the score reflects the ability to 'top up' supply to a 5 year position. However, at present, the scale of shortfall is such that in order to genuinely reflect the current position in that regard the score has been reduced to zero. As such the application site is considered to be in an accessible location and accords with policies CS4 and H-2 of the Core Strategy.

The principle of residential development could therefore be supported, subject to all other material planning considerations as assessed below.

Housing Density

Policy CS3 of the Core Strategy seeks housing densities of approximately 70 dwellings per hectare (dph) in the town centre and local centres, noting that they are most suitable for flats. Moving away from these central locations densities should gradually decrease, first to around 50 dph then to around 40 dph, as the proportion of houses increases. Accessible suburban locations should achieve a housing density of 30dph.

The site area measures approximately 0.13ha. The proposed development would therefore result in a housing density of approximately 62 dwellings per hectare, which exceeds the indicative standards set out in Policy CS3 of the Core Strategy for this location, however it should be noted that the 8 proposed residential units would be flats and the density would be lower than would be expected in a town centre location where flats are more prevalent. The proposed residential development would form a part of a wider mixed use (retail and residential) development, and would represent an efficient use of land. The size of the proposed units is broadly compliant with the nationally described space standards.

Impact on the Character and Appearance of the Area

Core Strategy Policy CS8 and the NPPF welcome development that is designed and landscaped to a high standard and which makes a positive contribution to a sustainable, attractive, safe and accessible built and natural environment. This position is supported by Policy SIE-1 which advises that specific regard should be paid to the use of materials appropriate to the location and the site's context in relation to surrounding buildings (particularly with regard to height, density and massing of buildings).

The NPPF sets out the Government's most up to date position on planning policy and confirms that the Government attaches great importance to the design of the built environment.

It is noted that objections have been received regarding the impact upon the character and appearance of the area, particularly in relation to the scale and height of the proposed development, and the proximity to neighbouring dwellings.

Layout

Layout relates to the arrangement of built form within the site, and the relationship between new development and the existing buildings and spaces around the site.

The proposed building would be sited to the north-west of the application site, set back from the highway of Wilmslow Road to the east and Mableden Close to the south, with delivery and servicing space to the east and car parking to the south.

The proposed layout would bring the proposed development closer to the neighbouring dwellings than the existing development on site. The approach to the site layout was queried through the course of the application process. The agent has confirmed that the proposed layout was the most appropriate of a number considered, as delivery and servicing vehicles would not be able to suitably access the site from Mableden Close, and this approach would have resulted in the loading bay being close to the neighbouring properties, resulting in noise and disturbance. This is accepted.

The layout presents a challenge in terms of the amount of hardstanding to the front and side of the building, where an active frontage to Wilmslow Road may have been preferable. However, it is noted that that the site was previously used for the display and sale of cars, and as such the site is covered with hardstanding at present. The proposed layout does create some potential for new planting to soften the appearance of the site, and it is recommended that a condition is attached to any planning permission granted to require the submission of a hard and soft landscaping scheme.

Scale

Scale relates to how big buildings and spaces are (their height, width and length).

The proposed building would have rectangular plan form measuring approximately 26m in width, 17m in depth and 9.7m in height for the most part. The building would have single storey element with a height of approximately 4.2m, and there would also be a 1.5m heightened area of roof to the south-west corner of the building accommodating the lift within.

The building would be larger than the neighbouring dwellings on Mableden Close to the south and west, and the single storey commercial buildings to the north. However, it would be of similar scale to the three storey residential development at Danefield Court to the east, on the other side of Wilmslow Road.

It is considered that the built form can be suitably accommodated on the site without appearance overbearing as a result of its scale.

The size of the proposed residential units are considered to be suitable having regard to the guidance set out within the Nationally Described Space Standards.

Appearance

Appearance addresses how buildings and space will look, including building materials and architectural details.

The proposed development comprises the demolition of existing structures within the site, and the erection of a three storey mixed use development comprising retail use to the ground floor with residential development above.

The structures to be demolished do not positively contribute to the character and appearance of the site, nor the wider area.

The proposed building would contribute significant bulk when considered against the scale of the existing development on site. Whilst the plan form is rectangular and a flat roof is proposed, design features such as recesses and projections to the elevations and a varied roofline create interest. Contrasting materials are proposed, with light coloured brickwork and grey framed elongated windows.

It is proposed that the ground floor would be used as a convenience store, and as a result, the ground floor would have a shopfront to the southern elevation with advertising space wrapping around to the eastern elevation. As a result of the open appearance of the ground floor, large openings can be provided for the residential units above without appearing unbalanced.

It is recommended that conditions are attached to any permission granted to require the submission of hard and soft landscaping and boundary treatments, in order to ensure that the development is satisfactorily assimilated into the area in accordance with Core Strategy Policies H-1, CS8, SIE-1 and SIE-3.

The proposed building would be prominent in street scene views, and would create interest through its scale, form, design and materials. Therefore, subject to conditions to ensure that the development has high quality finishes, landscaping and boundary treatments, the proposed development is considered to be

acceptable when considered against Policies H-1, CS8, SIE-1 and SIE-3 of the Core Strategy.

Impact Upon On Residential Amenity

Development Management policy SIE-1 advises, “development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment within which it is sited, will be given positive consideration. Specific account should be had of...” a number of factors including, “the site's context in relation to surrounding buildings and spaces (particularly with regard to the height, density and massing of buildings);” “Provision, maintenance and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents; The potential for a mixture of compatible uses to attract people to live, work and play in the same area, facilitating and encouraging sustainable, balanced communities.”

Regard has also been paid to the Design of Residential Development SPD. This SPD provides guidance as regards the implementation of Core Strategy Policy H-1 regarding new housing design and standards.

The aim of the SPD, in respect of the section regarding ‘Space About Dwellings’ (pages 32-33) is to ensure that there is sufficient space around developments, that overlooking is kept to a minimum and that which does occur is not unacceptable or out of keeping with the character of the area. The SPD is, however, a guide, and it is acknowledged within the guidance (page 33) that “rigid adherence to the standards can stifle creativity and result in uniformity of development. The Council therefore encourages imaginative design solutions and in doing so may accept the need for a flexible approach,” depending upon the context.

To this aim, regarding space and privacy within habitable rooms and garden areas, the SPD suggests that for 2 storey developments there should be a distance of 21m between habitable room windows on the public or street side of dwellings, 25m between habitable room windows on the private or rear side of dwellings, 12 metres between habitable room windows and a blank elevation, elevation with non-habitable rooms or with high level windows, and 6m between any proposed habitable room window and the development site boundary. For every floor of accommodation in excess of 2 storeys an additional 3m should be added to the above figures.

It is noted that neighbour objections have been received regarding residential amenity, particularly overlooking and loss of privacy, overshadowing and loss of light, and noise and disturbance.

Privacy

In terms of privacy both within habitable rooms and garden areas, the Council’s SPD for residential development confirms that the design and layout of a development should minimise overlooking and should not impose any unacceptable loss of privacy on the occupiers of existing dwellings.

The site layout plan demonstrates the distances between existing properties and the proposed building, and the site boundary.

The nearest residential properties are located to the west, east and south of the application site. The elevation fronting Wilmslow Road would be separated from the nearest neighbouring dwellings to the east by a distance of approximately 22m, and the elevation fronting Mableden Close would be separated from the neighbouring dwellings to the south by a distance of approximately 30m.

To the western side elevation, openings are proposed which would introduce views toward neighbouring properties at close proximity as the dwelling and garden of No.20 Mableden Close and the garden of No.15 Mableden Close about the site. Openings at ground floor would be screened by the existing and proposed boundary treatments, and would result in no greater impact than the existing development on site.

Openings serving habitable rooms at first and second floor level are proposed to the western elevation which would create views which are not currently possible. The first and second floor elements of the proposal are set back from the main elevation by a distance of over 7m, resulting in a separation distance of approximately 20m between the rear elevation of No.15 and the proposed windows. It should be noted that the views toward the dwelling would be at an oblique angle as a result of the proposed windows being at first and second floor height, whilst No.15 is a single storey dwelling. As a result of the first and second floors being set back in to the building footprint, views toward the rear gardens of the dwellings of the nearest neighbouring dwellings south-west of the windows (Nos.18 and 20 Mableden Close) would be obscured to some extent as a result of the 3 storey element which projects further forward.

The garden spaces to the west of the site would be overlooked by the proposed development to some extent, but this is not considered to result in harm noting the existing level of mutual overlooking.

In light of the above, the proposed development is considered to be acceptable in relation to the guidance on separation distances set out within the Design of Residential Development SPD and the overlooking impacts are not considered to be significant. It is therefore considered that the proposed development would accord with the NPPF and the Development Plan, including Core Strategy Policy SIE-1, regarding designing quality places.

Amenity Space

The proposed dwellings would not have private amenity space provided as either communal amenity space or private balconies. The Design for Residential Developments SPD recommends that two bed flats are provided with 35sqm of communal amenity space. Officers note that any communal amenity space provided at ground floor level would impact on the ability for realistic car parking and servicing needs to be met. The space would also be of low amenity quality as a result of the close proximity of boundary treatments and the commercial use and car parking at ground floor level. It is also noted that balconies with useable

amenity space would create views over neighbouring properties and result in overlooking impacts which would not be acceptable in this location, and they would interfere with the overall design of the building. It is noted that Juliette balconies are proposed to each flat.

East Avenue Park is located approximately a 300m walk to the west and includes a children's play area, informal playing fields and multi-use games area. In addition, the reserved matters application reference DC/078180 related to land adjacent to the Seashell Trust proposes a pedestrian crossing across Wilmslow Road approximately 300m south of the site, as well as a pedestrian route through the proposed development providing access to a Neighbourhood Equipped Area of Play (NEAP) and Local Area of Play (LAP). Officers conclude that residents would have acceptable access to public areas of open space and opportunities for play within a reasonable walking distance of the site. Developer contributions toward open space would be required, and this is addressed later in this report.

Officers had queried whether rooftop amenity space could be reasonably accommodated on the flat roof, and the agent has confirmed the reason that this has not been included in the proposal. The staircase and lift area would need to be extended to add an extra floor, and this would need to be enclosed at roof level. There would also be a need to introduce a parapet wall of approximately 1.1-1.5m in height which would have a visual impact and introduce overlooking at third floor height.

Overshadowing

Noting the proposed layout of the site and the layout of the neighbouring dwellings and gardens, the proposed development is not considered to result in significant overshadowing impacts to neighbouring residential properties.

To the north of the site are single storey commercial properties comprising a restaurant and bathroom showroom. The site is separated from the neighbouring dwellings to the south and east by the highway of Mableden Close and Wilmslow Road respectively. To the west of the site are residential dwellings within relatively close proximity of the site. No.20 Mableden Close is located adjacent to the western site boundary, however the proposed layout would see the car parking area sited level with the dwelling. The garden of No.20 Mableden Close and the dwelling and garden at No.15 Mableden Close would be most affected by any overshadowing as a result of the proposed development.

It is noted that the introduction of a three storey building in the proposed location would result in some loss of light by virtue of its siting and bulk, however this is not considered to be so significant as to result in harm such that it would warrant refusal of the application. It is noted that the gardens to Nos.15 and 20 Mableden Close are currently bound to the eastern side boundary by the commercial car repair garage with a single storey building sited along the boundary. The proposed layout would see the three-storey element of the proposed set back from the site boundary by approximately 2m, and this would be limited to a depth of approximately 9m, before the height steps down to single storey toward the north of the site. This is particularly relevant as No.15 Mableden Close is a single

storey dwelling with amenity space sited between the dwelling and application site.

Noise and Disturbance

The Environmental Health Officer for Amenity has assessed the proposal and their comments are provided in the "Consultee Comments" section above.

The application is supported by a Noise Impact Assessment and external lighting assessment. The Noise Impact Assessment considered the impacts of deliveries and waste collections, roof top plant on the neighbouring commercial unit, plant noise from the proposed retail use, commercial noise and its impact on residents, amongst other matters. The Environmental Health Officer has confirmed that the findings of the Noise Impact Assessment are accepted in respect of BS4142, and a condition is recommended to require the implementation of the recommended mitigation measures, and to limit noise resulting from any additional plant and machinery.

The Environmental Health Officer has confirmed that the external lighting details submitted are considered acceptable, and compliance with the submitted details should be secured via condition. The agent has confirmed that the lighting proposal has been kept to the minimum required to illuminate the car park and store entrance in the interests of highway safety and crime/anti-social behaviour prevention.

It is recommended that deliveries and waste collection are limited to taking place only between 07:00-23:00hrs, in the interests of residential amenity and in accordance with the submitted Noise Impact Assessment.

It is proposed that the opening hours of the retail unit would be 06:00-23:00 Monday-Sunday (and Bank Holidays), and it is noted that neighbour objections have been raised in respect of this. The submitted Noise Impact Assessment does not identify harm resulting from the proposed opening hours, and the Environmental Health Officer has not raised any objections in relation to opening hours. It is recommended that a condition is attached to any planning permission granted to restrict the opening hours of the retail unit to 06:00-23:00 Monday-Sunday (and Bank Holidays) as proposed, and to limit the use to retail rather than any other use within Use Class E (such as restaurant, office, indoor recreation, clinic or day nursery), as the application has been assessed only on this basis, and in the interests of residential amenity.

The proposed residential development is not considered to result in a level of noise and disturbance beyond that which may be reasonably expected of a residential area.

It is concluded that the proposed development would have an acceptable impact upon the residential amenities of the locality, subject to mitigation through conditions, in accordance with the NPPF and the development plan, including Core Strategy Policy SIE-3.

Informatives are requested with regard to construction and demolition hours of operation, pile foundations and dust management.

Highway Safety, Traffic Generation and Parking

Core Strategy policy CS9 supported by Policy T-1 requires development to be in locations which are accessible by walking, cycling and public transport. Policy T-2 requires developments to provide car parking in accordance with the maximum standards and confirms that developers will need to demonstrate that developments will avoid resulting in inappropriate on street parking that causes harm to highway safety. Developments are expected to be of a safe and practical design (Policy T-3). The NPPF confirms at paragraph 111 that 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.

The Highways Engineer has assessed the proposal and their comments are provided in the “Consultee Comments” section above. It is noted that neighbour objections have been received in relation to car parking provision, increased traffic and highway safety.

The level of proposed residential parking is justified within supporting documentation on accessibility grounds, and it is considered that relatively few “new” trips will be generated with a significant number of trips being passers-by which are already on the network, or shoppers using the new store as an alternative to other local retail options.

The Highways Engineer raises no objections, subject to the imposition of conditions to restrict servicing to rigid HGV vehicles, to require the submission of a servicing method statement, details of the car parking facilities and electric vehicle charging points, a pre-construction condition survey of Wilmslow Road, and a construction method statement. Informatives are recommended with regard to other permissions required, advice on the discharge of conditions, and on preparing a construction method statement.

Flood Risk and Drainage

Policy SD-6 requires development to incorporate Sustainable Drainage Systems (SuDS) so as to manage the run-off of water from the site. Development on previously developed (brownfield) land must reduce the rate of unattenuated run-off by a minimum of 50% if it is within an identified Critical Drainage Area (CDA). Until CDAs have been identified in detail the same reduction (a minimum of 50%) will be required of developments on brownfield sites in all areas; once detailed CDAs have been identified the minimum required reduction of run-off on brownfield sites outside of CDAs will be 30%. Development on greenfield (not previously developed) sites will be required, as a minimum, to ensure that the rate of run-off is not increased.

The site is located in Flood Zone 1 (low risk). The Lead Local Flood Authority has assessed the submitted drainage details, and has identified that further detail is

required in some areas in order to ensure compliance with Policy SD-6. It is therefore considered to be reasonable and necessary to attach a condition to any planning permission granted to require the submission of a surface water drainage strategy prior to the commencement of development. This condition is considered to address the comments and recommended condition from United Utilities.

A condition should also be attached to any permission granted to require that foul and surface water are drained on separate systems.

Trees and Landscaping

The Arboriculture Officer has assessed the proposal and their comments are provided in the “Consultee Comments” section above. The proposed development is not within or affected by a Conservation Area and there are no legally protected trees within this site or affected by this development. It is noted that neighbour objections have been raised in relation to the impact on trees on neighbouring properties.

A full tree survey has been submitted as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and, where applicable, which trees will have a potential impact on the proposed development.

In principle the main works and design will potentially have a negative impact on several poor specimen trees on site. In its current format, the proposal could be considered favourably subject to resolving the need to enhance the tree cover in the area. It is recommended that conditions are attached to any planning permission granted regarding the protection and retention of existing trees, and to require new tree planting. The proposed tree planting details should include native large species and fruit trees at every opportunity.

Biodiversity

The Nature Development Officer has assessed the proposal and their comments are provided in the “Consultee Comments” section above. The site has no nature conservation designations, legal or otherwise.

The proposed works are considered to be of low risk to roosting bats. Bats can sometimes roost in seemingly unlikely places. As a precautionary measure, an informative should also be used as part of any planning consent to state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. In the unlikely event that roosting bats, or any other protected species is discovered on site during works, works must stop and a suitably experienced ecologist contacted for advice.

In relation to breeding birds it is recommended that works are timed to avoid the bird nesting season where possible. If any building demolition or vegetation/tree clearance works take place between 1st March and 31st August inclusive, a competent ecologist must undertake a careful, detailed check of buildings/vegetation/trees for active birds’ nests immediately before works commence and ensure there are appropriate measures in place to protect nesting

bird interest on site. It is recommended that a condition to this effect is attached to any planning permission granted.

National and local planning policy requires that net gains for biodiversity are included within development. Four bat/bird boxes would be appropriate, and a should be required by condition as a part of the landscaping scheme.

It would be preferable for the detailed landscaping scheme to include mixed native species hedgerows planted along the north and west boundaries of the site along with native tree planting. Any landscape planting should comprise wildlife-friendly species (nectar-rich/berry producing) and species carefully chosen to provide a year round nectar/berry resource for pollinators and other local wildlife. A detailed landscaping scheme is to be required by condition as noted earlier in this assessment.

Subject to the imposition of conditions to ensure habitat enhancement and protection of protected species, the proposed development is considered acceptable in relation to Core Strategy Policy SIE-3, and the NPPF. An informative should be attached to any planning permission to remind the developer of the need to stop works and report any evidence of bats if found during construction works.

Other Matters

Recreational Open Space Provision/Maintenance Contributions

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement for the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the need of residents of the proposed development.

In accordance with the Open Space Provision and Commuted Payments SPD, developer contributions of £35,904 will be required based on the number of bedrooms and therefore the number of predicted occupants (it is assumed that two people will occupy the first bedroom, and that one person will occupy each bedroom thereafter). A monitoring fee of £2,000 will also be required. As set out in the Open Space Provision and Commuted Payments SPD, these contributions are to be secured via an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), prior to the granting of planning permission.

Aviation Safeguarding

The application is acceptable in terms of safeguarding aerodromes and aviation facilities, pursuant to Saved UDP Policy EP1.9 and Core Strategy Policy SIE-5. The Safeguarding Authority for Manchester Airport has assessed the proposal and its potential to conflict aerodrome Safeguarding criteria. It raises no aerodrome safeguarding objections to the proposal subject to conditions regarding dust during demolition, smoke, lighting, and photovoltaics.

Energy

The submitted Energy Statement is compliant with Core Strategy Policy SD-3. It is recommended that a condition is attached to any planning permission granted in order to ensure that the appropriate details of the percentage carbon savings are provided, given that the Statement proposes the consideration of photovoltaics and noting that these may not be suitable for this site for reasons of aerodrome safeguarding.

Land Contamination

The Environmental Health Officer for Contaminated Land has assessed the proposal and their comments are set out above. It is recommended that conditions are attached to any permission granted in respect of land contamination investigation, remediation, and validation of the remediation undertaken, pursuant to Core Strategy Policy SIE-3.

Air Quality

It is noted that objections have been raised by neighbours with regard to air quality. An Air Quality Assessment has been submitted in support of the application. The assessment considers the air quality impacts from dust generated by demolition, earthworks, construction and trackout activities, and predicts that these would not be significant. Review of the dispersion modelling results indicated that impacts on annual mean NO₂ and PM₁₀ concentrations as a result of traffic generated by the development were predicted to be negligible at all sensitive receptor locations.

The report concludes that air quality impacts as a result of the operation of the development were considered to be not significant, in accordance with the IAQM guidance.

Designing Out Crime

It is noted that objections have been raised by neighbours with regard to antisocial behaviour and littering. The application is supported by a Crime Impact Statement. The Design for Security Liaison Officer has assessed the statement and recommends that a condition is attached to any planning permission granted in order to ensure that the recommendations within the report are implemented. Recommendations include preventing access to the side of the proposed building, robust boundary treatments and suitably securing any ATM equipment.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) advises that “the purpose of the planning system is to contribute to the achievement of sustainable development.” It is considered that the proposed scheme serves to balance the three overarching economic, social and environmental objectives of the planning system, to achieve a sustainable form of development.

The principle of the use of the site for retail (convenience store) and for residential purposes is supported, subject to all other material planning considerations as assessed above.

There is shortfall in the provision of amenity space within the site, however it is concluded that residents would have access to public areas of open space with opportunities for play within reasonable walking distance of the site. Developer contributions toward the ongoing provision of open space would be required via a Section 106 legal agreement.

The proposal is considered to represent an efficient use of land, and is considered to be acceptable in terms of highway safety, trees and biodiversity, drainage and residential amenity, subject to conditions. The layout, scale and appearance of the development is considered acceptable, subject to conditions to ensure that the proposed materials and detailing are of high quality and suitable in the proposed location.

Summary

In considering the planning merits against the NPPF, the proposal would, as a whole, represent a sustainable form of development; and therefore, Section 38(6) of the Planning and Compulsory Purchase Act 2004 would require that the application be granted subject to conditional control and a Section 106 Agreement to secure developer contributions toward open space.

RECOMMENDATION

Grant subject to:

- a) conditions;
- b) the applicant entering into a Section 106 Agreement to secure developer contributions toward open space.