

## ITEM 1

<b>Application Reference</b>	DC/078430
<b>Location:</b>	1-3 Brook House Brook Road Cheadle SK8 1PQ
<b>PROPOSAL:</b>	Mixed use development comprising: demolition of outbuildings; additions and alterations to the rear of the existing building used as a Funeral Directors' premises to include a new accessible entrance, link to the workshop building and Chapel of Rest; refurbishment and extension of the existing workshop building and a change of use to community uses (Use Classes E(d), E(e) and F2(b)) to the ground floor, and office use (Use Class E(g)(i)) to the first floor; landscaping to the existing yard; and erection of a 4 bedroom dwelling (Use Class C3(a)) with access, car parking and amenity space.
<b>Type Of Application:</b>	Full Planning Application
<b>Registration Date:</b>	12 <sup>th</sup> November 2020
<b>Expiry Date:</b>	31 <sup>st</sup> August 2021 (extension of time agreed)
<b>Case Officer:</b>	Rebecca Whitney
<b>Applicant:</b>	Jonathan Alcock and Sons Ltd
<b>Agent:</b>	Up North Architects

### **DELEGATION/COMMITTEE STATUS**

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

### **DESCRIPTION OF DEVELOPMENT**

The application seeks planning permission for a mixed use development comprising:

- a. Demolition of outbuildings;
- b. Additions and alterations to the rear of the existing building used as a Funeral Directors' premises to include a new accessible entrance, link to the workshop building and Chapel of Rest;
- c. Refurbishment and extension of the existing workshop building and a change of use to community uses for purposes such as memorial services, yoga, bereavement therapy and similar uses (within Use Classes E(d), E(e) and F2(b)) to the ground floor, and office use (Use Class E(g)(i)) to the first floor;
- d. Landscaping to the existing yard; and
- e. Erection of a 4 bedroom dwelling (Use Class C3(a)) with access, car parking and amenity space.

## **SITE AND SURROUNDINGS**

The site comprises a two-storey former builders' workshop together with single storey detached outbuildings. The application site also includes a neighbouring late 19th century two-storey villa fronting Brook Street, and late 20th century extensions sited to the immediate north of this building.

The site is located within the Cheadle Village Conservation Area, within the setting of the Grade I Listed St Mary's Church and the other Grade II Listed Heritage Assets within its curtilage. The site is located in a Predominantly Residential Area and is bound by residential development to the north, designated Open Space and Green Chain to the west, and Hall Street and the churchyard of St Mary's Church to the south and to the east of the site. On the other side of Brook Road, there is a group of trees protected by a Tree Preservation Order, with residential and community uses 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 20<sup>th</sup> 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**

Reference: DC/055950; Type: DOC; Address: Brook House 1-3 Brook Road Cheadle SK8 1PQ; Proposal: External Render, brickwork, roof slates Details of door and window heads and cills, chimney and pot.; Decision Date: 11-SEP-14; Decision: DOC

Reference: DC/053389; Type: FUL; Address: Brook House 1 Brook Road Cheadle Stockport SK8 1PQ; Proposal: First floor extension and alteration to annexe building; Decision Date: 30-SEP-13; Decision: GTD

Reference: J/42088; Type: XHS; Address: 3 Brook Road Cheadle.; Proposal: 1. Change of use from residential to offices. 2. Extensions and alterations.; Decision Date: 21-JUN-88; Decision: GTD

Reference: J/13493; Type: XHS; Address: 2 Hall Street Cheadle.; Proposal: Proposed joiners workshop; Decision Date: 10-OCT-78; Decision: GTD Reference: J/8223; Type: XHS; Address: 1 And 3 Brook Road Cheadle.; Proposal: Garage.; Decision Date: 09-MAR-77; Decision: GTD

## **NEIGHBOUR'S VIEWS**

18 neighbouring properties were consulted by letter, a site notice was displayed and the application has been advertised in the local press.

4 objections have been received which can be summarised as follows:

- a. Proposed terrace: Overlooking, impact of the proposed terrace on the character and appearance of the area, noise and disturbance.
- b. Car parking, access and turning space is inadequate.
- c. Design of the proposed dwelling is out of keeping with the area.
- d. Concerns regarding the proposed use of materials and detailing.
- e. Overdevelopment of the site.

12 comments have been received in support of the proposal for reasons which can be summarised as follows:

- a. The proposal will benefit the community.
- b. The proposal will benefit a local business.
- c. The proposal will provide employment opportunities.
- d. Accessibility benefits.
- e. The site would remain in keeping with the area.

## **CONSULTEE RESPONSES**

### SMBC Conservation Officer

Comments dated 20<sup>th</sup> July 2021:

On the basis of the revised drawings (016E, 018F, 020E) and confirmation that the existing boundary wall at the front of the site is to be retained, I confirm that the design of the new dwelling at the site is now considered acceptable.

The scheme for redevelopment of the site has been submitted following pre-application advice and has been amended during the course of the application to address conservation concerns in response to a considerable amount of written and verbal dialogue. The principal concerns raised are detailed within my previous written consultation responses. On the basis of the revisions made I raise no objection to the development, subject to conditions to control the materials of external construction, the details of design, and landscaping of the site, which are crucial to the success of the development, given the sensitivity and heritage context of the site, which affects a number of designated and non-designated heritage assets. For details of the conservation and heritage context of the site please see my earlier written consultation responses.

Comments dated 17<sup>th</sup> June 2021:

*Heritage Context*

- The site is within the Cheadle Village Conservation Area (a designated heritage asset)
- The site includes a key historic building (the workshop which is on the HER and recognised as a non-designated heritage asset)
- The building at 1 Brook Road (within the application site) is a positive building that contributes to the special character and appearance of the conservation area
- The site is immediately adjacent to and forms part of the setting of the 16th century church GI listed St. Marys Church and Churchyard which contains statutory listed memorials (designated heritage assets)
- An Article 4(1) Direction in place in the conservation area

Important extract from appraisal re this location: “An important visual feature of the conservation area are the relatively unspoilt frontages of properties centred around Hall Street and Lime Grove including adjacent streets of Ernest Street, Crescent Road and Crescent Grove, Brook Road, and Mary Street, which form the residential fringe of the village of Cheadle to the north of the conservation area. Visual uniformity in this residential area is derived from a limited palette of natural building materials with properties largely being of red brick and Welsh blue slate. Some attractive original architectural features and decoration remain such as timber panelled doors, well detailed doorcases, and sash windows, while other houses display plain walling and conventional lintels to both windows and doors.”

In light of the above the requirement for high quality design and materials is vital.

*In this consultation response, the Conservation Officer provided detailed comments on the special interest of the workshop building and provided comprehensive advice regarding the required amendments to the design of the proposed dwelling.*

Comments dated 7<sup>th</sup> March 2021:

The application has been submitted following detailed pre-application advice. Clear and consistent advice was provided during this pre-application phase and design principles / parameters that the development should comply with were established. Whilst much of the submitted scheme can be supported I am very disappointed to see that the scale form and detailed design of the proposed dwelling house is so far removed from those principles established at pre-app.

The character of the application site which is a former builders yard, is principally characterised by the retained C19th workshop building, which is a modest light industrial building and recognised as a non-designated heritage asset. The neighbouring C19th villa at 1 Brook Road backs onto the site and fronts Brook Road and presents a secondary elevation to Hall Street which is largely obscured by tree and shrub planting within its small garden. The villa is possibly linked to the 'site edged red' by historical ownership associations with the workshop site, nevertheless, in contrast to the workshop building this villa is clearly of elevated status to the builders yard, as evident by both its scale and architectural design. The pre-app was clear that development within the application site should seek to re-enforce the significance of the application site whilst also being appropriate in the context of the wider conservation area and setting of heritage assets (including the Grade I listed St. Mary's Church and Churchyard). The new dwelling should be of two storeys only, of modest height and scale to follow that of the workshop building and should respect the hierarchy of the buildings so that it should not compete with the villa. The applicant acknowledged these principles within pre-app dialogue and stated that the building form and height would be follow that of the workshop. An indicative site plan showed a building with a conventional rectangular footprint with a depth to match the workshop, positioned behind the building line of the villa (with its front elevation behind the villa's single storey outrigger), thereby showing deference to the higher status building and protecting long range and progressive views of the villa, as seen in views travelling in an easterly direction along Hall Street towards the site.

I am therefore very disappointed to see the design for the new dwelling has disregarded these principles so acutely.

The building as proposed is too large and occupies too much of the site identified for the new house. It is too tall, wide and deep, of inappropriate design and appears contrived being of an awkward unconventional asymmetric plan form with splayed ends in order to occupy more of the site. The building is not guided by the workshop building in either scale or design. Dwg 018 section BB shows the buildings in the context of each other and the proposed house is significantly taller (approx. 1.7m) than the workshop and wider being approx. 0.7m wider at 1st floor level and 1.6m at ground floor level. The pitch of the roof also appears greater than the workshop building. The pre-application response clearly stated that a 3 storey building would not be supported at this location and my position in respect of this has not changed.

The building sits too far forward in the site, projecting forward of the building line of the villa, which is also further exacerbated by the 'bolt on' features to the front elevation. This is harmful to views of the villa, the hierarchical relationship of buildings at the site and the character of the streetscene, and would have an overbearing impact. It would impact negatively on views of the villa, and would bring the development closer to the Grade I listed church and churchyard. There is no historic precedent for a building of this scale in this location at the site. The architectural style of the building is not representative of or complementary to the character of the application site or the wider conservation area. Its fenestration style and wholly glazed gable elevation with balcony and deep projecting eaves presents an architectural statement that is not guided by the character of the workshop, the site, or the locale. The building is shown with a deep plinth feature, which again is

not influenced by the architectural character of buildings at the site or in the immediate locality. It is not an architectural style that is seen elsewhere in the conservation area and it is not sympathetic to the immediate site or the wider conservation area / heritage assets.

The few elements of the scheme that have been guided by the surrounding conservation area relate to the villa, but even these are tokenistic being related to proposed brick string course patterns and levels. The 'industrial' aesthetic is seemingly translated into projecting box style 'ribbon' windows and an unattractive unshrouded flue projecting out of the roof and materials of external construction (inc. aluminium windows, timber cladding, vertical panel doors etc.). These features are not found at the workshop which is a traditional C19th building of modest height, scale and mass with traditional materials and architectural features. In light of the above, by virtue of the proposed height, size, scale, mass, position in the site, plan form and design and materials, I cannot support this element of the scheme which would have a harmful impact on the character and appearance of the application site, the conservation area and the setting of heritage assets. In order to progress towards a supportable application the new dwelling at the site would need to be completely reconsidered in line with the above and previous pre-app advice.

In respect of the other elements of the scheme, the retention and refurbishment of the workshop is supported. The proposed linking passage between the villa and workshop is supported in principle, though the proposed height would need to be revisited to ensure that it sits fully below the first floor sill level of the workshop and does not interfere with the line of the sill course. The soldier course parapet detailing also appears heavy and this detail would need to be refined.

If the applicant wishes to progress with the application in its current form I must recommend refusal and will provide further comments on request.

#### SMBC Highway Engineer

Comments dated 13<sup>th</sup> July 2021:

The latest revision appears to be changes to the Block D new dwelling. I have no particular concern with this revision and do not see the need to change any of the conditions suggested in my original consultation dated 12 January 2021.

Comments dated 5<sup>th</sup> May 2021:

I note the revision to the submission, the main difference from a highway perspective being the retention of the parking area direct of Hall Street rather than the removal of this area and the provision of replacement spaces within the site. I have no particular concern with the revised layout and do not see the need to change any of the conditions suggested in my original consultation dated 12 January 2021.

Comments dated 12<sup>th</sup> January 2021:

The application is for a mixed use development comprising demolition of outbuildings, alterations to and refurbishment of the Funeral Directors' premises, refurbishment and extension of the existing workshop building and a change of use to community uses, construction of a dwelling plus access and car parking arrangements.

The overall scale of the proposal is relatively small and cumulatively will not give rise to a material or significant volume of traffic being generated. The site is accessible and a reasonable amount of public car parking is available within a short walk of the site.

Construction of a dwelling with provision of two off street parking bays raises no highway related concerns and I have no issues with the alterations and refurbishment of the existing funeral parlour/care facility.

The alterations and restoration of the warehouse building propose new office and flexible space for uses such as memorial services, yoga/pilates space or bereavement therapy uses. The scale of this building is not significant and the consequent traffic generation whatever community type use is operated will not be excessive. Parking demand associated with the use can be accommodated within public parking areas close to the site and it is reasonable to expect that a proportion of visitors will perhaps walk in from the surrounding area.

The proposal includes formation of a new access point on Hall Street alongside a walkway from the highway to the funeral premises. The vehicle access points will operate on a one way circulatory basis and the design is suitable for larger vehicles such as a hearse and transit van to route through the site. Parking is proposed within the courtyard for 7 cars to serve the site in general, this is acceptable albeit one space should be designed and provided for disabled persons and requires an amendment to the drawing. Disabled parking requires 1200mm accessibility zones to either side of a space, a zone can double as a walkway area. I am satisfied that this detail can be dealt with under conditional control.

In conclusion I am satisfied that a proposal which will result in enhanced facilities for an existing commercial use in the area and is not of a scale that will result in significant transport impacts.

I note within the Design and Access statement that some concern is expressed about kerbside parking adversely impacting on the operation of the site. There is potential for the implementation of traffic regulation orders on the site frontage, should the applicant wish to progress this they would need to cover the Council's costs. This is not a matter that can be considered as a determinant for this planning application, an informative could be included on any decision notice drawing attention to the process should the applicant wish to investigate the potential further.

Conditions are requested to require the submission of details of the access, circulatory areas, vehicle parking spaces and the pedestrian walkway. Conditions are also requested to require details of electric vehicle charging points, and cycle parking for the proposed dwelling and the proposed memorial service/flexible uses in Block C.

**Informatives:**

The applicant's attention is drawn to the need to seek approval under the Highways Act 1980 from the Highways and Transportation Section (telephone 0161 474 4848) regarding any alterations to the dropped crossings or works within the highway prior to works commencing on site.



The applicant is advised that for further advice and to investigate the provision of or amendment of traffic regulation orders within proximity to the site advice, contact the Highways Section of Planning Services (tel: 0161 474 4905/6).

#### SMBC Planning Policy (Energy)

Comments dated 22 April 2021:

The submitted energy statement is fully compliant with Core Strategy Policy SD3 where the statement provides appropriate assessment of low/zero carbon technologies as required by Stockport's Core Strategy Policy SD3, taking account of technologies for their technical feasibility (pertinent to the site) and, where relevant, their financial viability (evidence of costs). There is no stated intent to include technically feasible low / zero carbon technologies on the grounds of cost implications for the project. This is compliant with current policy requirements on energy and carbon reduction.

However I would reiterate the statement made in my comments made last December regarding the fact that the running costs of the property 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 marketing low carbon homes has been provided to the applicant. This effort now would ensure that this dwelling contributes to the GM Zero Carbon target for 2038 and prevent the need for costly retrofit of the property in the 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.

Comments dated 1<sup>st</sup> December 2020:

All new development is required to submit an energy statement showing evidence of full consideration of all low / zero carbon (LZCs) technologies including specific evidence such as site relevant constraints and estimated technology costs. I am unable to find evidence of an energy statement in the paperwork submitted for this application.

In order to assist with this, I have endeavoured to draft an appropriate energy statement (attached) based on the submitted paperwork. This statement does not commit the applicant to any use of renewable energy technologies but does provide appropriate assessment of the LZCs as required by Stockport's Core Strategy Policy SD3, taking account of technologies for their technical feasibility (pertinent to the site) and, where relevant, their financial viability (evidence of costs). If the applicant is happy with the content of the attached document, then I would suggest they submit it as a policy compliant energy statement or make appropriate changes if other activities are planned that are not recorded in submitted paper work.

It should be noted that the attached document provides a basic desk-based feasibility assessment for the development. Any options identified within the document should be checked with an appropriate installer for technical accuracy if they are of interest. Such installers can be researched using the site post code to search on the following website:

<http://www.microgenerationcertification.org/consumers/installer-search>

Further consideration could be given to the fact that the running costs of the property 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 marketing low carbon homes is also attached. This would ensure that this dwelling contributes to the GM Zero Carbon target for 2038 and prevent costly retrofit of the property in the future – another positive marketing factor for the development.

SMBC Arboriculture Officer

Comments dated 8<sup>th</sup> December 2020:

The proposed development site is located within the existing grounds of the commercial property site predominantly on the old hard standing and informal gardens. The plot is comprised largely of former hard standing and informal grounds.

The proposed development is within or affected by a conservation Area (Cheadle Village). There are no legally protected trees within this site or affected by this developments.

The construction site footprint predominantly sits within the hard standing and informal grounds of the site and the proposed new construction works will potentially impact on several small or low merit trees on site. A full tree survey has been supplied to show the condition and amenity levels of the existing trees and where applicable which trees could be retained to increase the amenity levels of the site, this is accepted as a true representation of the trees on and off site and the conditions/recommendations for works and impacts to the trees on site.

The following comments are based on the shown layout plan, which shows the tree locations on the proposed site layout plan, proposals to remove the trees or retain them and therefore only the location in relation to compound areas and working areas to ascertain any impact on the trees as the information is limited and so all comments are based on expertise and information supplied.

Further details should be supplied to clarify if they intend to off-set the loss of trees on or off site as a minimum of 5 to 10 trees are required to replace the proposed loss.

The site compound and storage areas need to be confirm these are well away from any retained trees on site.

The proposed landscaping/site layout plan is clearly lacking in any new tree planting and will therefore need assessing and reviewing by the applicant to either show new trees and numbers will depend on tree loss proposed as it's a minimum of 5 in the arb survey to be in line with current policy.

In principle the design will potentially have the opportunity to have a negative impact on trees/hedges on site if the layout plan is confirmed to be correct and therefore, it could be accepted in its current format with further information as requested and

compliance with the root protection condition if retained as well as delivering the high standard improved landscaping scheme to enhance the developments site.

An improved landscaping design would also enhance the site to increase the number of trees and diversify the species of the trees to offer some improved species and improved biodiversity the trees offer increasing wildlife benefits to an ever increasing urban area which could be on or off site.

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

#### Nature Development Officer

Comments dated 13<sup>th</sup> July 2021:

#### *Nature Conservation Designations*

The site itself has no nature conservation designations. It is however located immediately adjacent to an area of designated Green Chain. It is important that the proposed scheme is designed in such a way as to maintain the value of the Green Chain as a wildlife corridor.

#### *Legally Protected Species*

An extended Phase 1 habitat survey has been carried out and submitted with the application. The survey was carried out in July 2020 by a suitably experienced ecologist. (Penny Anderson Associates, 2020) Habitats on site were mapped and the potential for protected species to be present was assessed.

Many buildings and trees have the potential to support roosting bats and the site is located near to good bat foraging habitat which increases the likelihood of bats being present. All species of bats, and their roosts, are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. Bats are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS).

Under the Regulations it is an offence to:

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

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

An internal and external inspection survey was carried out in conjunction with the extended phase 1 habitat survey to search for signs of bats and assess the potential for roosting bats to be present. No signs of roosting bats were observed. Of the 6

buildings surveyed, B1 was found to offer low bat roosting potential and B2 was assessed as offering moderate potential to support roosting bats. B4, B5 and B6 were assessed as offering negligible potential to be used as a bat roost. No internal access was possible for buildings B4 and B5 but these buildings are not within the proposed development area. No potential bat roosting features were recorded within trees on site.

Further bat activity survey work was carried out at Buildings B1 and B2 in August 2020. Two dusk surveys were carried out at B2 and B1 was subject to a single emergence survey. No bats were recorded to emerge from the buildings. Common and soprano pipistrelle bats were observed within the wider area.

The site is considered to offer suitable habitat for hedgehogs, which are listed on Schedule 41 of the NERC Act 2006 as a Species of Principal Importance and are a UK Biodiversity Action Plan (UKBAP) priority species.

No signs of or significant potential for any other protected species (such as badgers and great crested newts) was identified during the survey.

#### *Recommendations*

No evidence of roosting bats was recorded and so the proposed works are considered to be of low risk to roosting bats. Bats can be highly cryptic in their roosting behaviour however and can sometimes roost in seemingly unlikely places. As a precautionary measure it is therefore recommended that an informative is attached to any planning consent granted so that the applicant is aware of the potential for roosting bats to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats (or any other protected species) is discovered on site, works must cease and a suitably experienced ecologist contacted for advice.

Ecological conditions can change over time. In the event that works have not commenced within two years of the July/August 2020 surveys then update survey work will be required. This can be secured via condition.

No vegetation clearance or building roof/demolition works should take place during the bird nesting season (which is generally between 1st March and 31st August inclusive), unless it can be demonstrated that nesting birds are not present and/or suitable mitigation measures are in place. This is detailed in section 4.5 of the ecology report and can be secured by condition.

The precautionary working measures detailed in section 4.6 of the ecology report relating to hedgehogs should be implemented during works. This can be conditioned.

Replacement planting will be required for any trees to be lost to accommodate the proposals. It is not clear what level of tree loss would be required to accommodate

the scheme and it is recommended that this is clarified (the Arboriculture Report refers to tree loss but this is not shown on the site plans). A new tree is indicated on submitted landscape plans. If no tree loss is proposed then this would be an enhancement (and welcomed as such). If tree loss is required then replacement planting would be required (and off-site options could be explored if necessary). It is advised that new tree planting maximised within the scheme and detail regarding the proposed species provided to the LPA as part of a detailed landscaping scheme. All retained trees should be adequately protected from potential impacts following advice from the Council's Arboriculture Officer and British Standards guidance.

Biodiversity enhancements are expected within the development in line with national and local planning policy. In addition to tree planting referred to above, suitable measures include the provision of bat roosting and/or bird nesting facilities within buildings. The proposed location, type and number of bat roosting/bird nesting facilities should be provided to the LPA for review. Integrated boxes are available (e.g. Habibat boxes) which can be faced with different materials to match the building façade. It is advised that any new hedgerows comprise native species. Landscape planting should comprise wildlife-friendly species (preferably locally native) and also chosen to provide a year-round nectar resource through successional flowering to maximise benefits to biodiversity. It is also recommended that occasional gaps (13cm x 13cm) are provided at the base of any proposed close-board fencing/walls to maintain habitat connectivity through the site for wildlife (such as hedgehog which are a UKBAP species). Such measures would be particularly welcome given the proximity of designated Green Chain. A scheme for Biodiversity Enhancements should be conditioned as part of any planning consent granted and should include:

- bat and bird boxes,
- landscape planting to benefit wildlife (particularly along site boundaries)
- hedgehog gaps in proposed fencing

Once approved by the LPA the Biodiversity Enhancements scheme should be implemented in full.

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: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

Previous comments have been received to similar effect, dated 15<sup>th</sup> December 2020 and 27<sup>th</sup> April 2021.

SMBC Environmental Health Officer (Amenity)

Comments dated 1<sup>st</sup> February 2021:

Objection due to insufficient information.

### *Funeral Directors*

The existing funeral directors or the proposed extensions may generate noise. The proposal would introduce a noise sensitive residential property closer to sound sources: refrigeration or air conditioning plant or new plant and general noise from the extension and intensification of funeral director operations at this location. As in addition to the proposed dwelling, there are a number of other residential properties in the vicinity of the site which may be sensitive to sound generated from the proposal.

### *Introduction of New Sound Source(s)*

The location and details (including sound power levels and their noise impacts at sensitive receptors) of any external air vents, air conditioning units or fans shall be submitted to and agreed with the Local Planning Authority.

The onus is upon the applicant, to demonstrate, that the introduction of the sound sources:

- Does not create a negative impact upon residential amenity or quality of life.
- Shall not cause an increase in the ambient background noise level at the boundary of the nearest residential property.

### *Residential Development*

The cumulative impact of road, rail and air transportation noise sources have not been considered, assessed and / or ameliorated where required during the design of the proposed Mixed use Development.

The application site is located within the 2019 Manchester International Airport, Aircraft Noise Contour areas:

- 51 -54 LAeq 16 hr (daytime)
- 48-51 dB LAeq 8r (night-time)

Stockport UDP, Review (May 2006), Policies which still apply from 1st April 2011 (Post core strategy adoption). The council will control new development in areas affected by aircraft noise

#### Residential Development

Section 3: In areas subject to:

- day-time noise levels between 57 and 66 Leq OR
- night-time levels between 48 and 60 Leq

planning permission for new dwellings will be granted subject to other planning policies and to conditions (where appropriate) to ensure an adequate level of protection against noise in dwellings.

In order to ensure that future occupants of the proposed dwelling and occupants in the vicinity of the development, do not suffer a substantial loss of amenity, the applicant is required to submit a noise impact assessment (NIA).

### *Noise Impact Assessment Required*

The NIA shall address the cumulative impact of transportation noise sources upon the proposed dwelling at this location by obtaining representative external noise level data for the site and taking into account the internal noise design criteria, a suitable noise insulation scheme shall be stated for the dwelling and a BS4142:2014

assessment, to determine the rating level arising from the introduction of proposed sound source from the extended funeral directors.

*Industrial and Commercial Noise: 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 be 10dB below background, at any time when measured at the nearest noise sensitive premises.

However, if 10dB below background is too onerous to achieve – providing there is adequate justification - 5 dB below the existing background may be acceptable.

Should mitigation measures be required no development shall commence use until the approved noise mitigation measures for the development have been fully incorporated.

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

*NOTES*

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](http://www.ioa.org.uk) or the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk> ]

*Acoustic Design Criteria*

Any mitigation shown as part of the report must achieve the acoustic design criteria:

- BS8233:2014, Guidance on sound insulation and noise reduction for buildings
- (i) Internal ambient noise levels for dwellings and

- (ii) Design criteria for external noise - desirable external noise level of 50dB LAeq,16hr
  - WHO 1999, Guidelines for Community Noise
- (i) 45 dB LAm<sub>ax</sub> for inside bedrooms.

#### Partially off-setting noise impact

- Details of how noise impact may be partially off-set as per Planning Practice Guidance - Noise, Paragraph: 011 Reference ID: 30-011-20190722, Revision date: 22 07 2019

The scheme must also include provisions for ventilation that will not compromise the acoustic performance of any proposals whilst meeting building regulation requirements.

The agreed scheme shall be implemented, and maintained throughout the use of the development.

#### *Informative – Noise Measurement and Calculation*

The assessment of noise is a complex task requiring specialist training, experience, techniques and equipment. Consequently, noise surveys, impact assessments, mitigation design and report writing is best carried out by a suitably qualified noise consultant.

The Local Authority is not able to endorse or recommend the services of individual noise consultants. However, details of acoustic consultants may be obtained from: Institute of Acoustics [www.ioa.org.uk](http://www.ioa.org.uk) or the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk>  
Representative noise monitoring and assessment will be required, in addition any special circumstances must be mentioned in any report e.g. tonal values, impact noise, number and loudness of individual events, weather conditions etc.

Shortened measurement periods may be acceptable provided they are agreed in advance.

The noise assessment needs to cover the noisiest periods, taking into account the character of the area. It is also important to study the night time noise levels.

Specific information individual to each site must be recorded, in particular where there are isolated events that would not be represented in an equivalent [Leq] taken over a longer period. e.g. a freight train which passed at 05.00 each morning, or unpredictable impact noise.

Potentially high incident noise levels for short time periods may cause sleep disturbance.

Information required, at representative points around the site or at various facades :

- Daytime LAeq [07.00 to 23.00]
- Night time LAeq [23.00 to 07.00]
- LAMAX values for the night time period.



Upon obtaining the appropriate external noise level data for a particular site and taking into account the internal noise design criteria, a suitable noise insulation scheme shall be stated.

- Glazing in residential property: In some cases standard thermal double glazing units will provide sufficient attenuation, other cases will need a thicker unit with specialist glass. If low frequency noise is an issue secondary units in conjunction with single or double glazed units may be required.
- Ventilation: Both trickle and rapid ventilation will need to be considered, this may vary from standard trickle vents to fully mechanical powered ventilation. The ventilation must not compromise the attenuation provided by the glazing.

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

#### *COVID and NIA*

The COVID pandemic response has impacted background noise levels: vehicles, aircraft and fixed plant have all significantly reduced.

As a consequence, it has become impossible to undertake representative external noise level measurements - in order to design a suitable noise insulation scheme - to achieve compliance with the internal noise design criteria.

To account the Covid-19 impact upon the background noise level decrease - the baseline noise measurements can be obtained from historical noise measurement exercises completed in the immediate area and from road, rail and air traffic noise contours.

<https://www.manchesterairport.co.uk/community/environmental-management/>  
<http://extrium.co.uk/noiseviewer.html>

#### *External Lighting*

Any external lighting shall be designed to minimise potential loss of amenity caused by light spillage onto adjoining properties.

Prior to its installation, the details of the location, height, design, and luminance of any external flood lighting shall be submitted to and approved in writing by the Local Planning Authority.

The external lighting scheme shall show levels of illumination around the site (isolux drawings) and any overspill lighting beyond the site boundary.

Mitigation measures or installation requirements shall be clearly identified on the external lighting scheme drawings: time controls/light sensors or other control methods.

Once approved, the agreed external lighting scheme shall be installed and thereafter operated in accordance with the approved details.

Reason: To limit the impact of light pollution from artificial light on local amenity. In accordance with: paragraph 180c of the National Planning Policy Framework (February 2019)

*Lighting Informative: Installation of Lighting Schemes*

Any external area lighting shall be designed and installed by competent persons. The system shall be designed according to best practice in respect of glare, light spill, efficiency and appropriate hours of operation based on illumination required for the task or site operations. Advice can be obtained from the Institution of Lighting Professionals at <https://theilp.org.uk/> or other equivalent professional organisations.

SMBC Environmental Health Officer (Air Quality)

Comments dated 22<sup>nd</sup> April 2021:

No objection.

SMBC Environmental Health Officer (Contaminated Land)

Comments dated 12<sup>th</sup> May 2021:

Comments remain the same.

Comments dated 11<sup>th</sup> December 2021:

The proposed development site will introduce sensitive receptors and has been identified as potentially contaminated due to its former use. As such the developer will need to undertake a site investigation. Conditions are requested in respect of land contamination investigation, remediation, and validation of the remediation undertaken.

SMBC Lead Local Flood Authority (LLFA)

Comments dated 13<sup>th</sup> May 2021:

Following the latest submission the LLFA recommends conditioning the above application:

Condition

Notwithstanding the approved plans and prior to the commencement of any development, a detailed surface water drainage scheme shall be submitted to and approved by the local planning authority. The scheme shall:

- (a) Incorporate SuDS and be based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions;
  - (b) Include an assessment and calculation for 1in 1yr, 30yr and 100yr + 40% climate change figure critical storm events;
  - (c) Be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards;
- and

(d) Shall include details of ongoing maintenance and management. The development shall be completed and maintained in full accordance with the approved details

Comments dated 28<sup>th</sup> January 2021:

We have reviewed the application. A provisional drainage strategy is provided which states:

1. that no investigations have taken place
2. provides options based on assumption
3. it requires further outcomes

In addition:

4. Other sustainable approaches have not been considered as an old hierarchy list is used
5. Only fluvial flood risk has been considered and commented on
6. The site is at flood risk and not considered
7. Only two options are proposed and the latter being the least desirable.

We recommend that, planning approval should be withheld pending submission of a workable strategy in line with our policy and guidance and confirmation of assumptions etc.

#### United Utilities

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

#### Condition 1 – Surface water

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 13659-BKPV1-

XX-DR-C-500, Rev P1 - Dated Sep '20 which was prepared by Booth King.

For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning

Authority, surface water must drain at the restricted rate of 5 l/s.

The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

#### Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

A water main crosses the site, within the perimeter of the development. As we need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which has been

provided.

#### Public Rights of Way Officer

Comments dated 22<sup>nd</sup> April 2021:

No Right of Way related comments, but Hall Street is part of a signed cycle route between Cheadle and the Manchester Rd cycle route so development should not affect that.

#### Historic England

Comments dated 23<sup>rd</sup> April 2021 and 7<sup>th</sup> December 2020:

Does not wish to offer any comments.

### **ANALYSIS**

#### **Principle of Development**

The proposal would see the workshop restored and brought into use for mixed office and community uses. The site is located in a Predominantly Residential Area and is currently vacant. Therefore, the assessment below will address the relevant local planning policies relating to the principle of non-residential development, development for community uses and in particular, the principle of community uses in residential areas. The assessment also addresses the relevant local planning policies relating to principle of conversion of buildings for office uses and relating to the principle of re-use of buildings in conservation terms.

#### Non Residential Use in a Predominantly Residential Area

Policy CDH1.2 of the UDP Review addresses non-residential uses in a Predominantly Residential Area. The Policy 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.

It is noted that the site, whilst located in a Predominantly Residential Area, is not in residential use at present. Whilst impacts on residential amenity, highway safety and impacts upon the character of the area are assessed in detail later in this report, it is considered that the principle of non-residential uses could be supported in this location subject to all other material planning considerations.

#### Community Uses in a Predominantly Residential Area

UDP Review Policy CDH1.9 addresses community uses in a Predominantly Residential Area and states that subject to the overall requirements of Policy

CDH1.1, small-scale community facilities in Predominantly Residential Areas will be permitted provided that:

- (i) there is no over-riding detrimental effect on the residential amenity of the area by reason of noise, disturbance, visual intrusion or traffic generation;
- (ii) there is adequate parking provision in accordance with Policy TD1.4;
- (iii) the proposal does not prejudice highway safety and is accessible by sustainable transport modes;
- (iv) proposals for new buildings or extensions to existing buildings are in keeping with the character of the area in terms of design and materials used.

Whilst impacts on residential amenity, highway safety and impacts upon the character of the area are assessed in detail later in this report, it is considered that the principle of community uses could be supported in this location subject to all other material planning considerations.

#### Development of Community Facilities

UPD Review Policy CTF1.1 addresses development of community facilities and states that development which would result in the loss of existing community services and facilities will only be permitted where adequate replacement is provided or special justification can be shown.

Proposals for the provision of additional community services and facilities will be permitted provided that:

- (i) they are well located to serve the relevant population by sustainable transport modes;
- (ii) satisfactory access, parking, design and landscaping standards would be achieved;
- (iii) there would be no harm to the living conditions of neighbouring residents;
- (iv) there would be no harm to Employment Areas, as shown on the Proposals Map, and no harm to the vitality and viability of existing centres;
- (v) there would be no harm to the openness of or purposes of including land within Green Belts;
- (vi) there would be no loss of urban open space.

Whilst impacts on residential amenity, highway safety and impacts upon the character of the area are assessed in detail later in this report, it is considered that the principle of community uses could be supported in this location subject to all other material planning considerations.

#### Conversion of Buildings for Office Use

UDP Review Policy E4.2 addresses conversion of buildings for office use and states that within the Town Centre, District and Local Centres the Council will permit the conversion of appropriate buildings into office suites, subject to the consideration of other relevant UDP policies, including the protection of retail frontages.

Proposals for converting premises or parts of buildings outside these areas will also be allowed provided:

- (i) the degree of intensification of use likely to arise is minimal;
- (ii) the impact upon the highway network is acceptable and there is access to the

site by sustainable transport modes;  
(iii) the proposal is without adverse impact upon the character and environment of the surrounding area; and  
(iv) both Policies HP1.3 (Avoidance Of Loss Of Dwellings) and TD1.4 (Parking In Developments) can be satisfied.

Whilst impacts on highway safety and impacts upon the character of the area are assessed in detail later in this report, it is considered that the reuse of part of the existing building for office uses could be supported in this location subject to all other material planning considerations.

#### Re-use of the Building – Conservation Considerations

The builders' workshop is currently vacant. The building makes a positive contribution to the Conservation Area as a non-designated heritage asset (as addressed in more detail later in this assessment). The principle of the retention of the workshop building, and to bring it back into a viable use compatible with its conservation is supported by Paragraph 197(a) of the NPPF.

Saved UDP policy HC1.4 addresses new uses for buildings in Conservation Areas and states that the change of use of unlisted buildings of character in Conservation Areas will be permitted, provided that the use is appropriate to the character of the building and the Conservation Area, and would not result in the loss of a dwelling or dwellings.

In addition, Policy SIE-3 of the Core Strategy states that development which preserves or enhances the special architectural, artistic, historic or archaeological significance of heritage assets will be welcomed.

Conservation impacts are addressed in full later in this report under the "Impact on Heritage Assets" section.

#### 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 73 of the NPPF.

Policy CS2 of the Core Strategy places a focus on providing new housing through the effective and efficient use of land within accessible urban areas, and confirms a previously developed land target of at least 90%. The site is located north of Cheadle High Street, approximately 100m from Cheadle District Centre. The site offers easy access to services and facilities, and onward travel options via public transport. The site also comprises previously developed land and the reuse of a vacant building (albeit not for residential purposes). The proposal is considered to comply with the aims of Policy CS2.

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

The site area measures approximately 0.12ha. The proposed development would therefore result in a housing density much lower than that required by the indicative standards set out in Policy CS3 of the Core Strategy which seeks densities of 70dph in town centre locations, decreasing to 40-50dph outside of central locations, and a minimum of 30dph in suburban locations. The proposal would result in one additional dwelling which would be set within a wider site with mixed uses, and therefore can still be considered an efficient use of land. With this in mind, the proposed housing density is considered acceptable in principle, subject to all other material considerations as assessed elsewhere in this report.

### Impact on Heritage Assets

#### Site Context

The site is situated wholly within the Cheadle Village Conservation Area and forms part of a 'Character Area' identified within the approved Conservation Area Character Appraisal, notable as a predominately residential area to the north of the historic core and forming part of the setting of the Grade I listed St. Mary's Church.

The site lies adjacent to the former streets of 19th century terraced housing (particularly Charles Street) which were demolished in the latter half of the 20th century and replaced with what is now Hall Street Green, which is recognised as an important green space in the area. The application site includes a two-storey former builders workshop together with single storey detached outbuildings. The application site also includes a neighbouring late 19th century two-storey villa fronting Brook Street, and late 20th century extensions sited to the immediate north of this building. The villa makes a positive contribution to the conservation area.

The two-storey workshop, whilst presently vacant and in need of a scheme of repair / refurbishment makes a positive contribution to the conservation area and is one of the few remaining early workshop type buildings within it. As such, there is a presumption in favour of retaining and converting this building. The 19th century villa is also makes a positive contribution to the conservation area. For the purposes of the NPPF the Cheadle Village Conservation Area and Grade I listed St. Mary's Church, are considered designated heritage assets and the two-storey workshop is considered a non-designated heritage asset.

Policy SIE-3 of the Stockport Core Strategy DPD states that development which preserves or enhances the special architectural, artistic, historic or archaeological significance of heritage assets will be welcomed, and defines heritage assets as buildings, sites, places, areas or landscapes which are positively identified as having a degree of significance, meriting consideration in planning decisions. The policy requires 'clear and convincing justification' for any harm to heritage assets (the same test as set by Paragraph 200 of the NPPF).

Saved UDP policy HC1.3 (special control of development in Conservation Areas) requires proposals to be sympathetic to the site and its surroundings in terms of siting, scale, design, materials and preservation of views and features that contribute to the character and appearance.

Saved UDP policy HC1.4 (new uses for buildings in Conservation Areas) states that the change of use of unlisted buildings of character in Conservation Areas will be permitted, provided that the use is appropriate to the character of the building and the Conservation Area, and would not result in the loss of a dwelling or dwellings.

In terms of national planning legislation and policy, in the exercise of functions under the Planning Acts, local planning authorities are also required to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas, under S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 197 of the NPPF requires local planning authorities to take account of:-

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 of the NPPF states that 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



Paragraph 200 of the NPPF requires that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 201 of the NPPF requires that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Paragraph 202 of the NPPF requires that where development proposals 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.

Paragraph 203 requires that 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.

#### Assessment

The Conservation Officer has assessed the proposal and their comments are provided in full in the “Consultee Comments” section above.

The retention and refurbishment of the workshop is supported. The proposed linking passage between the villa and workshop is supported in principle, and has been amended on the advice of the Conservation Officer to ensure that the link sits fully below the first floor sill level of the workshop and does not interfere with the line of the sill course.

Initially, objections were raised in relation to the proposed height, size, scale, mass, position in the site, plan form and design and materials of the proposed dwelling. The application follows pre-application engagement, and the initial submission did not appropriately respond to the advice previously provided by Officers.

Following significant written and verbal dialogue with the Conservation Officer and Planning Officer, the proposal has been amended a number of times throughout the course of the application process in order to overcome the objections raised.

On the basis of the revisions made, the Conservation Officer raises no objection to the development, subject to conditions to control the materials of external construction, the details of design, and details of the landscaping of the site, which are crucial to the success of the development, given the sensitivity and heritage context of the site, which affects a number of designated and non-designated heritage assets. Conditions to this effect are considered reasonable and necessary in accordance with Core Strategy Policy SIE-3 and Saved UDP Policy HC1.3.

## **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.

### **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 development would include the demolition of derelict and unused structures around the site. Extensions are proposed to the existing buildings and the erection of a new dwelling is proposed. A new vehicular route through the site and the proposed development would create an enclosed courtyard area and in doing so, would create a sense of place.

The proposed extensions and new build elements are considered to respond well to the layout of the retained buildings on site. It should be noted that the proposal initially included the introduction of a terraced area above the replacement extension to the workshop building. Neighbour objections were received in response to this element of the proposal (as noted above) and in response, the applicant has omitted the terrace from the proposal.

The proposed dwelling would benefit from two car parking spaces and private garden space to the south. The garden would be separated from the existing parking area by the existing boundary wall. The submitted plans show that there is ample opportunity for bin and cycle storage to be provided, and details of these should be required by condition.

### **Scale**

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

The proposed extensions and alterations to the existing buildings within the site are considered acceptable in terms of their scale. The extensions would be single storey and subservient to the existing built form.

The details of the proposed dwelling have been amended though the course of the application to ensure that the height of the proposed building does not exceed that of the warehouse building. The footprint of the proposed dwelling is significant when viewed within its curtilage, however, the scale is considered to be appropriate in relation to the wider site.

The internal layouts are considered to be suitable having regard to the guidance set out within the Design of Residential Development SPD and 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, extensions to the existing buildings, and the erection of a two storey detached dwelling.

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

The proposed extension to the existing buildings are single storey in height. The single storey link extension between the villa and workshop buildings would create a new chapel of rest facility. The extension would not have windows at ground floor level, and the mass would instead be broken up through the irregular plan form which would create a stepped elevation, and though the use of cladding.

The proposed extension to the workshop would replace the existing single storey flat roofed garages, and replace this with a slightly larger single storey extension to provide kitchen and washroom facilities. The existing garage doors would be refurbished and installed to the elevation facing into the courtyard.

The design of the proposed dwelling has been amended though the application process. The dwelling would be two storeys in height, with the height matching that of the existing workshop building. The detailing has been the subject of the most recent design amendments and would see the detailing to the elevations and fenestration replicate that of the workshop building.

It is noted that neighbour comments raised objections on the basis of the proposed dwelling being out of keeping with the local area. Neighbours were consulted on the significant amendments to the appearance of the proposed dwelling in April 2021 and no further comments regarding this part of the proposal have been received. Minor amendments have since been made to the plans, relating to the fenestration and brickwork detailing, amongst other matters.

As noted earlier in this assessment, the Conservation Officer raises no objection to the development, subject to conditions to control the materials of external construction, the details of design, and details of the landscaping of the site. Conditions to this effect are considered reasonable and necessary in accordance with Core Strategy Policy SIE-3 and Saved UDP Policy HC1.3. These conditions are considered to address the concerns raised in neighbour comments regarding the use of materials and detailing.

It is also 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.

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.

The appearance of the proposed development is also assessed in detail in the "Impact upon Heritage Assets" section above.

### **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.

### 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 north and east of the application site. The dwellings to the east would be separated from the proposed development by Nos.1-3 Brook Street (the land edged in blue on the Site Location Plan). The dwellings to the north of the site are sited immediately rear of the warehouse building, with this abutting the northern site boundary. There are currently no windows to the northern elevation of the warehouse and none are proposed. There are three existing rooflight in the northern roof slope which would be retained, however these are at a height which would indicate that the overlooking impacts from these windows would not be significant.

In light of the above, the proposed development would be compliant with the 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.

### 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.

### 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 site is located in an area impacted by road, rail and air transportation noise.

The application is not supported by a Noise Impact Assessment to address the impacts of road, rail and air transport noise upon the amenity of future occupiers, or to assess the impacts of the proposed development on other noise sensitive receptors. The Environmental Health Officer for Amenity has raised an objection on this basis.

On the basis that the site is located within relatively close proximity to neighbouring residential properties, the impacts of road, rail and air transportation noise are not considered to be prohibitive to development. Similarly, Officers note that the funeral directors use is well established and by virtue of its nature, the noise impacts associated with the proposed intensification of the site for funeral directors and community uses is unlikely to be so significant that it could not be suitably mitigated. On balance, it is considered appropriate that a condition is attached to any planning permission granted to require the submission of a Noise

Impact Assessment prior to the commencement of development, and to require the implementation of any recommended mitigation measures prior to the first use of the development.

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. An informative should be attached to any permission granted with regard to working hours during development.

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.

#### Other Matters

It should be noted that the proposal initially included the introduction of a terraced area above the replacement extension to the workshop building. Neighbour objections were received in response to this element of the proposal (as noted above) and in response, the applicant has omitted the terrace from the proposal.

#### **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.

The overall scale of the proposal is relatively small and cumulatively will not give rise to a material or significant volume of traffic being generated. The site is accessible and a reasonable amount of public car parking is available within a short walk of the site.

Construction of a dwelling with provision of two off street parking bays raises no highway related concerns and no concerns are raised in respect of the alterations and refurbishment of the existing funeral parlour/care facility.

The alterations and restoration of the warehouse building propose new office and flexible space for uses such as memorial services, yoga/pilates space or bereavement therapy uses. The scale of this building is not significant and the consequent traffic generation whatever community type use is operated will not be excessive. Parking demand associated with the use can be accommodated

within public parking areas close to the site and it is reasonable to expect that a proportion of visitors will perhaps walk in from the surrounding area.

The proposal includes formation of a new access point on Hall Street alongside a walkway from the highway to the funeral premises. The vehicle access points will operate on a one way circulatory basis and the design is suitable for larger vehicles such as a hearse and transit van to route through the site. Parking is proposed within the courtyard for 7 cars to serve the site in general, this is acceptable albeit one space should be designed and provided for disabled persons and requires an amendment to the drawing. Disabled parking requires 1200mm accessibility zones to either side of a space, a zone can double as a walkway area. This is a matter to be addressed via condition.

It is recommended that conditions are attached to any planning permission granted to require the submission of details of the access, circulatory areas, vehicle parking spaces and the pedestrian walkway. Conditions should also require details of electric vehicle charging points, and cycle parking for the proposed dwelling and the proposed memorial service/flexible uses in Block C.

### **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 LLFA requires the submission of a detailed surface water drainage scheme in accordance 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. The level of detail provided within the scheme should exceed the level of detail provided within the submitted documentation, and therefore the compliance condition recommended by United Utilities would not be necessary.

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.

In principle, the proposed development has the opportunity to negatively impact on

the trees/hedges on site. It could be accepted in its current format subject to conditions to require planting to replace the proposed losses and to enhance the site, and subject to root protection measures for the retained trees and hedges.

The construction site footprint predominantly sits within the hard standing and informal grounds of the site and the proposed new construction works will potentially impact on several small or low merit trees on site. A full tree survey has been supplied to show the condition and amenity levels of the existing trees and where applicable which trees could be retained to increase the amenity levels of the site.

Further details should be supplied to address the need for replacement planting to offset the loss of trees. As a minimum, 5 to 10 trees are required to replace the proposed loss and details of replacement planting should be secured via condition. The location of the site compound and storage areas will need to be confirmed to ensure that these are well away from any retained trees on site. It is recommended that a condition to this effect is attached to any planning permission granted.

An improved landscaping design would enhance the site though an increase the number of trees and diversification of the species of the trees, in order to offer some improved species variation and biodiversity benefits to an ever-increasing urban area.

It is recommended that conditions are attached to any planning permission granted regarding the protection and retention of existing trees, and regarding new planting, are requested.

### **Biodiversity**

The Nature Development Officer has assessed the proposal and raises no objections subject to the imposition of conditions (as recommended in their comments, set out in full in the "Consultee Comments" section above).

In the most recent comments on the proposal, the Nature Development Officer noted that the updated landscape plans now show a new tree which is welcomed. It is not clear however whether this would be an enhancement for the site (because no tree loss is proposed) or whether some trees would be lost to accommodate the scheme (as mentioned in the arboricultural report), in which case further mitigation planting would likely be required. Clarification was sought on this, and the Agent confirmed that the proposal had not changed in terms of tree loss. It is still proposed that there would be 'thinning out' the small low quality trees from the tree line to the western boundary of the site as per the earlier report, in order to maintain a healthy tree line and remove small trees that are low quality and unsafe (some of them lean on the council owned garages on the adjacent site).

One tree has been shown on the plans within the front garden of the proposed dwelling, and the Agent has agreed that additional planting will be provided. This is to be secured via condition, as recommended by the Arboriculture Officer.

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



roosting behaviour however and can sometimes roost in seemingly unlikely places. As a precautionary measure it is therefore recommended that an informative is attached to any planning consent granted so that the applicant is aware of the potential for roosting bats to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats (or any other protected species) is discovered on site, works must cease and a suitably experienced ecologist contacted for advice.

Ecological conditions can change over time. In the event that works have not commenced within two years of the July/August 2020 surveys then update survey work will be required. It is recommended that a condition is attached to any planning permission granted to secure this.

No vegetation clearance or building roof/demolition works should take place during the bird nesting season (which is generally between 1st March and 31st August inclusive), unless it can be demonstrated that nesting birds are not present and/or suitable mitigation measures are in place. This is detailed in section 4.5 of the ecology report and can be secured by condition.

The precautionary working measures detailed in section 4.6 of the ecology report relating to hedgehogs should be implemented during works. A compliance condition should be attached to any planning permission granted in order to ensure best practice.

Biodiversity enhancements are expected within the development in line with national and local planning policy. In addition to tree planting, suitable measures include the provision of bat roosting and/or bird nesting facilities within buildings. The proposed location, type and number of bat roosting/bird nesting facilities should be provided to the local planning authority for review. Integrated boxes are available (e.g. Habitat boxes) which can be faced with different materials to match the building façade. It is advised that any new hedgerows comprise native species. Landscape planting should comprise wildlife-friendly species (preferably locally native) and also chosen to provide a year-round nectar resource through successional flowering to maximise benefits to biodiversity. It is also recommended that occasional gaps (13cm x 13cm) are provided at the base of any proposed close-board fencing/walls to maintain habitat connectivity through the site for wildlife (such as hedgehog which are a UKBAP species). Such measures would be particularly welcome given the proximity of designated Green Chain. A scheme for Biodiversity Enhancements should be required by condition as part of any planning consent granted and should include:

- bat and bird boxes,
- landscape planting to benefit wildlife (particularly along site boundaries)
- hedgehog gaps in proposed fencing

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance, and for this reason, a condition should be attached to any planning permission granted to require submission of lighting details prior to installation.

Subject to the imposition of conditions to ensure habitat enhancement and protection of protected species, the proposed development is considered acceptable in relation to Saved UDP Policy NE3.1, 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.

Developer contributions will be required based on the number of bedrooms and therefore the number of predicted occupants, and a monitoring fee will also be required. 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.

#### **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.

#### **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**

The Environmental Health Officer for Air Quality has assess the proposal and raises no objections. The proposed development is not considered to result in significant adverse impacts in this regard.

### **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 reuse of the warehouse building for community uses, and the principle of residential development are both supported, subject to all other material planning considerations as assessed above.

The proposal is acceptable in terms of highway safety, trees and biodiversity, drainage and residential amenity, subject to conditions. Additional information is required in relation to noise impacts and any required mitigation, and this can be suitably managed through the imposition of a condition. The layout, scale and appearance of the development is considered acceptable, and following amendments to the proposals, the impact on designated and non-designated heritage assets is also 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.