ITEM 1

Application Reference	**DC/079225**
Location:	Weir Mill King Street West Stockport SK3 0DT
PROPOSAL:	Redevelopment comprising the repurposing of existing buildings and erection of new buildings for a mix of uses comprising 253no, residential homes alongside flexible commercial space (Use Class E), drinking establishments (Sui Generis Use), and hot food takeaways (Sui Generis Use); partial demolition, new public realm, vehicular access, car parking and cycle parking, and associated works.
Type Of Application:	Full Application
Registration Date:	23.12.2020
Case Officer:	Emma Curle
Applicant:	Capital And Centric (ROSE) Limited
Agent:	Avison Young

DELEGATION/COMMITTEE STATUS

Under the Council's adopted scheme of delegation, this planning application can only be determined by the Planning and Highways Regulation Committee due to its size/strategic significance, the number of objections received, the fact that it is a departure from the statutory development plan and as it is Environmental Impact Assessment (EIA) development.

In addition, due to the nature of the proposals, having regard to the proximity of the application to Committee boundaries, it will first be referred to the Central Stockport and the Heatons and Reddish Area Committees for comments and/or a recommendation.

This report is accompanied by a separate report for an associated application for Listed Building Consent and as such should be read in conjunction.

Given the formal objections received from The Victorian Society and Ancient Monuments Society, should members be minded to grant listed building consent for the proposed works then the accompanying listed building consent application must be referred to the Secretary of State to give him the opportunity to call-in the application for his own determination should he choose to do so.

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for a residential-led mixed-use development that includes the conversion of Weir Mill to residential apartments. The proposed development includes:

- Refurbishment and restoration of key heritage assets including the 2 main mill buildings, wheelhouse and some ancillary buildings
- Erection of two new buildings;

- 253 residential dwellings (Use Class C3);
- 2,312sqm mixed retail and commercial uses (including Use Class E and Sui Generis Uses);
- 11 car parking spaces;
- Over 360 cycle spaces;
- Public realm;
- Landscaping;
- Associated infrastructure; and
- Demolition of selected buildings on site.

The proposed residential development comprises:

- 144 x 1bed apartments
- 106 x 2bed apartments
- 3 x 3bed apartments

All apartments in the development will meet the nationally described space standard.

The development has been designed to create new connections into the site engaging it with the wider area, significant regeneration already underway in the Town Centre as well as the wider transformational regeneration planned for Town Centre West over the next 15-20 years. The key aspects to this include:

- Opening up the River Mersey frontage to the site.
- Creating a new connection and piece of public space to the new bus Interchange main entrance and new interchange park, including the creation of new Weavers Square and the resident-focussed Central Courtyard within this site.
- Creating an arrival space from King Street West to landmark the site and drive routes into the heart of the site.

The application comprises the retention/refurbishment or existing buildings, demolition of selected existing buildings and erection of new buildings on site, including:

- Retained and Refurbished Existing Buildings:
    - East Mill and West Mill (Buildings 1,2 and 3)
    - Wheelhouse Building (Building 4)
    - West Shed (Building 8)
    - Structural elements of the Weaving Shed (Building 11)

- New Buildings:
    - East New Building
    - West New Building

- Demolition
    - The Chestergate building (Building 5)
    - 1920's and 1960 courtyard buildings (Buildings 6,7 and 9)
    - The Weaving Shed (Buildings 10, 11 and 12) The existing building currently blocks access to the river frontage in a key location. The proposal would maintain the structure and format of the key building in a new public space 'Weavers Square'

<u>Retained and Refurbished Mill Buildings</u>

East and West Mill
The existing East and West Mill buildings are proposed to be converted to residential accommodation offering modern, open-plan living spaces that take advantage of the period features the mill affords.

The East Mill would create 50 spacious new apartments above 500sqm of new commercial space at ground floor. The commercial space would open to both the courtyard and River Mersey frontage.

The West Mill proposes 37 new apartments including 5 duplex units and two top floor 3 beds units looking out over the River Mersey. The southern end of the West Mill, at ground floor would provide for a commercial space offering potential links to the West Shed. The West Mill also serves as the main entrance lobby for both of the Mill buildings, with post boxes, communal bike store and access to the new shared core.

Internal alterations are proposed to accommodate the residential development, together with a new central core to provide new vertical circulation between the East and West Mill buildings. A new feature escape stair to the eastern gable of the East Mill is also proposed to provide safe egress from the building.

It is proposed that all windows in the existing retained buildings would be replaced with powder coated metal window frames.

West Shed
The West Shed would provide 550 sqm of new commercial space set within a single storey, brick jack vault arched top-lit factory space. Access to the building is proposed via a new entrance Piazza on Chestergate and King Street West and a new access from King Street West Bridge.

It is proposed that this building would create a place to eat and drink, work, meet and socialise. With the exception of a small area of existing WC's and a bay of the roof being removed, the building would be retained. The demolition of these two small areas is required to facilitate the proposed connection. New window openings are proposed.

The Wheelhouse
The Wheelhouse is proposed to be retained as commercial space of 320sqm. The location of the unit would provide for views onto the Weirside terrace, River Mersey and Viaduct.

<u>New Buildings</u>

East New Building
A new building is proposed to provide for 78 new homes and 160sqm of new commercial space. The building would be 14 storeys tall and located on the corner of Chestergate and Astley Street, partly on Council owned land. The new commercial space is at ground floor.

The building is shaped by the viaduct arches, is located adjacent to the viaduct and has a compact floor plate and a central vertical circulation core. The building has views out over River Mersey, central Stockport and the viaduct. The main entrance to the building is accessed off Weavers Square.

The building has large projecting balconies which animate the facades and provide unique characteristics to each facade.

West New Building
The new West building ranges between 5 and 7 storeys tall, and would deliver 88 new homes and circa 702 sqm of new commercial space. It is located to the junction of Chestergate and King Street West and is shaped in plan to both frame and create views into the new courtyard space.

The building incorporates a roof top terrace and residents lounge on the fifth floor level. The spaces combine to create an amenity offer which looks onto the viaduct, down into the courtyard, and out into the wider area to the South.

The layout of the building creates a cut through from Chestergate into the courtyard forming a covered entrance into both the West New Building and into the commercial unit(s). The commercial unit(s) are at ground level and front both Chestergate and the public realm within the site..

One full red projecting balcony is included on the elevation to the New West Building providing views to the heart of Stockport through the arch of the viaduct and to the St Mary's Church Spire.

The principal management suite is located within the new West New Building, and is located to enable an active and passive surveillance of the delivery drop off area, carpark, bike store and provide more engagement with the street. This space would connect through to the courtyard and acts as a hub for residents.

<u>Proposed Demolition</u>

As part of the proposal several buildings have been identified for demolition:

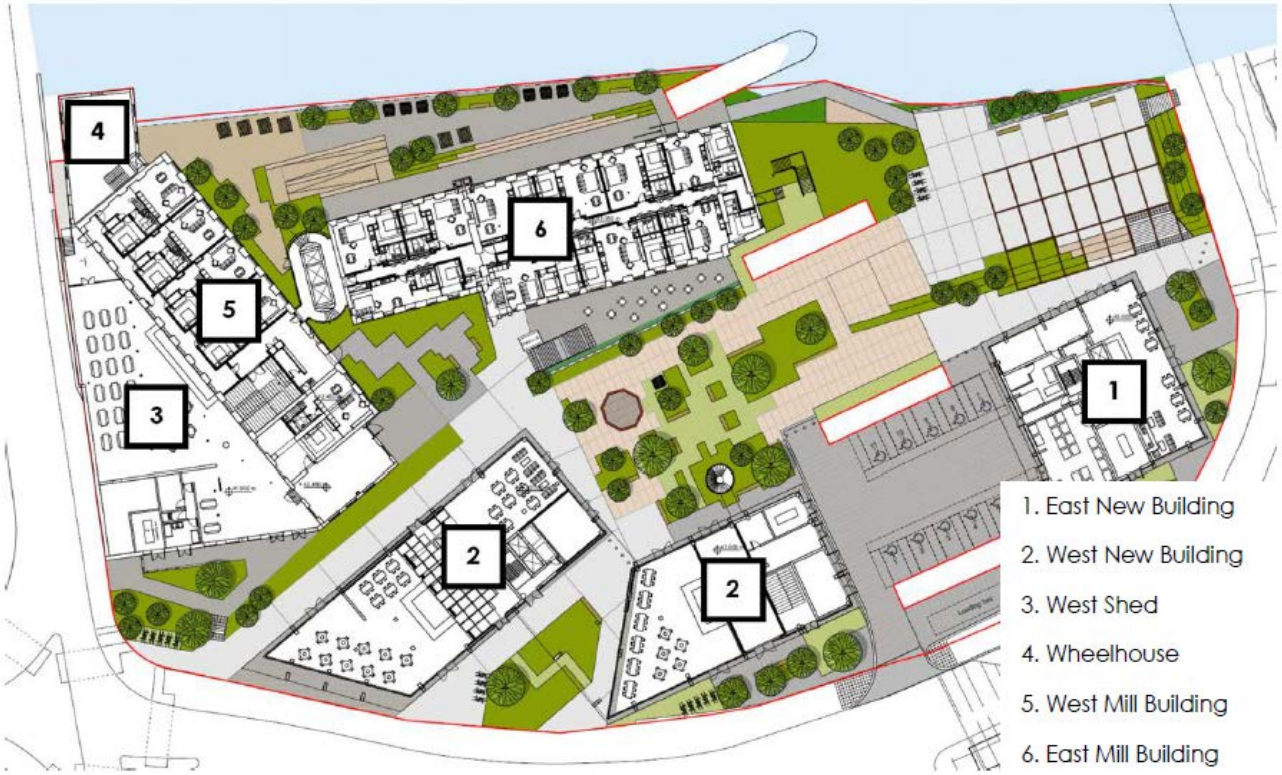
- The Chestergate building. The proposed removal is promoted due to the inability to bring forward a viable reuse and the building condition. The Chestergate Building forms part of the same phase of building as the West Shed.

- 1920's and 1960 courtyard buildings. Removal of these buildings is proposed to create development opportunities within the site.

- The Weaving Shed. The location of the Weaving Shed currently blocks access to the river frontage. The proposal would maintain the structure and format of the key building in a new public space 'Weavers Square'

The location of buildings and proposed development is best appreciated through the submitted plans.

The following will assist as an indication:



The site is proposed to be a car-free development due to its highly accessible location via alternative, sustainable modes of transport. Nonetheless, vehicular access for maintenance and servicing vehicles as well a small provision of disabled parking (11) spaces is provided via the existing access off Chestergate Road to the south.

Emergency vehicular access is proposed from the Chestergate junction to the southwest corner of the site and pedestrian access is created throughout the development, with new routes proposed from Chestergate. All routes are inclusive and accessible.

In addition to the built form of development, the scheme proposes significant external landscape improvements and creation of new public spaces, creating activity where there is currently none.

Four core spaces are proposed within the site:

- The Riverside - proposed to be opened up providing a location for residents' outdoor dining space and an area for the commercial units in the lower mill level.
- The Courtyard – a central area at the core of the site offering an industrial and practical space where key movement through the site is to be expected. Offering intimate dwell space, soft planting, trees and features highlighting the historic elements including the location of the former chimney.
- Weaver's Square - The Square is proposed as an event space for the development and open space for the immediate commercial units to spill out onto as an al fresco option. Aspirations for the square include treating the ground plane with large-scale mural paintwork that will help identify and advertise the space to users entering Stockport on the railway line overhead.
- The Street – to act as the connecting link between the highly greened courtyard and the future Stockport Interchange. The aim of the lower level

commercial units is to animate Chestergate and create a street scape, but without impeding on the key movement routes.

Submission Summary

The application is accompanied by an Environmental Statement (ES), which includes chapters on the following environmental effects:

- Socio-economics
- Heritage
- Ecology and Nature Conservation
- Ground Conditions
- Cumulative Impacts

The following documents have also been submitted in support of the application:

- Crime Impact Statement
- Planning Statement
- Design and Access Statement
- Solar Glare Report
- Tall Building Statement
- Transport Assessment and Travel Plan
- Tree Survey
- Energy Statement Report
- Utilities Service Report
- Wind Assessment
- Ecological Assessment
- Air Quality Assessment
- Archaeological Assessment
- Flood Risk Assessment
- Development Options Appraisal
- Public Consultation Report
- Daylight Sunlight Report
- Viability Report
- Geotechnical Assessment
- Daylight and Sunlight Assessment
- Indicative External Lighting Layout
- Landscape Design and Access Statement
- Structural Report
- New Build – Structural Report
- Noise and Vibration Assessment

SITE AND SURROUNDINGS

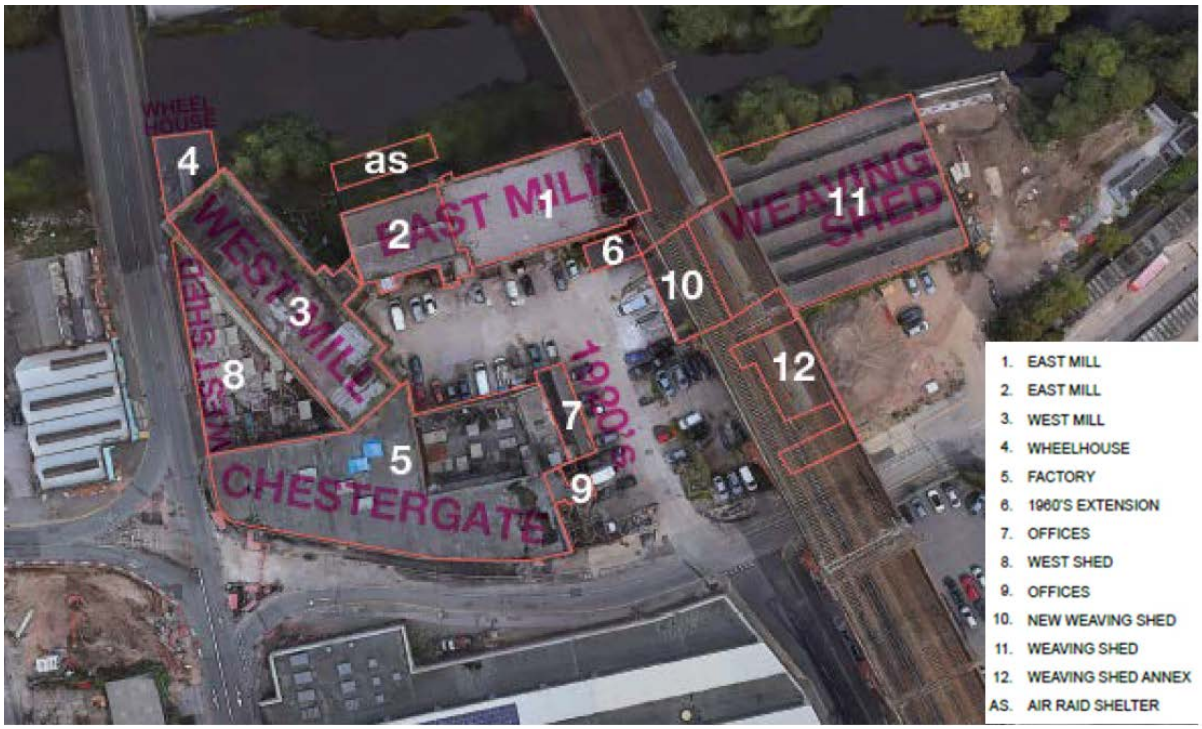
The site extends to approximately 0.97 hectares, is broadly rectangular in shape and currently comprises the Grade II listed Weir Mill complex. The site is bisected by the Grade II* Railway Viaduct, which oversails the site, including four of its supporting piers located within the site boundary. The site is contained by Astley Street to the east, King Street West to the west, Chestergate to the south and the steep sided banks of the River Mersey to the north.

The site occupies a prominent position within the Town Centre and is located within the Weirside Neighbourhood in the adopted Stockport Town Centre West Strategic

Regeneration Framework (SRF). It fronts both Chestergate and King Street West and is adjacent to the former bus station and new Transport Interchange development currently under construction. The site is located in a highly sustainable location near to public transport hubs, is on a vehicular route providing access to the M60 motorway from the south and east of the Town Centre and is easily accessible by foot and cycle. The site is highly visible from passengers of the railway line.

The site currently comprises a number of existing buildings ranging in height from single storey, to between 5 and 6 storeys for the main mill buildings, each of varying quality. The collection of buildings on site has developed over time and are positioned around the central area which is currently used for parking. The buildings were previously occupied by a variety of established uses including industrial, warehousing and leisure uses. A number of the buildings on the site have however been vacant for some time.

The site is best appreciated in its context, however, the following annotated aerial photograph should assist with an understanding of the existing complex and location of buildings. There are currently 12 individual buildings on site, which together form the Grade II listed Weir Mill complex, that was first developed in the late 1700s. The viaduct can easily be seen running through the following photo.



As existing, the site includes:

- The former spinning mill (East Mill - buildings 1 and 2) is 6 storeys in height.
- A 5-storey block (West Mill – building 3) in the western area of the site, adjoining King Street West that once included the former engine house in the basement.
- A 3 storey building (Wheelhouse – building 4) attached to the West Mill incorporating part of the late C18 wheelhouse in its basement.
- A 2-storey brick range (Factory – building 5) following the curve of Chestergate.

- A late C19 2-storey square block (Offices - buildings 7 and 9) that faces onto the yard.

- A late C19 warehouse (West Shed – building 8). This building has been reduced to single storey with a flat roof

- A single storey former weaving shed (Weaving shed – buildings 10 and 11). These are located immediately beneath and extending east of the viaduct

- A single storey building (Weaving Shed Annexe – building 12)

Given the age of existing buildings on site, many of which have been neglected over many years, a number of the buildings and structures are in poor condition and are subject to significant structural issues which include cracks in the brickwork and corrosion of metals previously used for reinforcement. The existing buildings are under-utilised and are consequently deteriorating in both appearance and structure. The application has been supported by a structural survey demonstrating this in detail.

The site as existing is almost fully developed with little existing soft landscaping within the main area of the application site. There is however vegetation including a number of mature self-seeded trees along the northern boundary of the site adjacent to the River Mersey.

The areas surrounding the site are largely characterised by industrial and employment uses, with commercial buildings and the M60 motorway beyond the River Mersey to the north, to the east of the site sits Stockport Bus Station and the Town Centre retail area, the south is predominantly industrial buildings and the Stagecoach Stockport Depot and to the west is occupied by commercial and industrial buildings.

The site is located within close proximity to a number of heritage assets of special architectural and historic interest. Most notably they include:

- Wellington Mill and chimney (Grade II)
- Wellington Bridge (Grade II)
- Former Wellington Bridge Inn (locally listed)
- St Peters Conservation Area to the east
- King Street West bridge (locally listed) to the north
- King Street House Hatworks (locally listed)
- Kingston Mill (locally listed) to the west.

Historic asset descriptions for statutory and locally listed buildings and conservation areas can be accessed via the Council's interactive mapping system at the following link: https://www.stockport.gov.uk/find-conservation-and-heritage-assets

ENVIRONMENTAL STATEMENT (ES)

The application is accompanied by an ES, supplemented by further environmental information submitted in April 2021. The ES is considered to satisfy the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as sufficient information has been provided to assess the significant environmental impacts of the proposed development.

The ES includes chapters on the following environmental effects and assesses their significance both before and after mitigation measures.

- Socio-economics
- Heritage
- Ecology and Nature Conservation
- Ground Conditions
- Cumulative Impacts

The ES sets out the results/findings of the EIA, including proposals of a number of mitigation measures that would be implemented to prevent and/or minimise any adverse effects. These are set out under a series of separate chapters which are as summarised below.

Chapters 1-5 provide an introduction to the application, approach, site description, an assessment of alternative options and description of the proposed development.

Chapter 4 – Alternatives

A detailed consideration of alternatives is obviously very important to explain and justify the identified heritage harm that would arise from the proposals. The chapter assesses a series of alternative proposals to test whether or not the identified adverse effects could be avoided or reduced. During consideration of the application, the Council requested that a further option be added – a reduced height East Building lowered to five storeys. Chapter 4 was revised accordingly. Option 8b was discounted as being not viable and the 'no development option' was discounted on the basis of it being a missed opportunity in socio-economic terms. All other options, other than Option 8 which is the scheme as proposed, were discounted on viability grounds.

Chapters 6-10 contain an assessment of the effects listed above, which are discussed in detail in the following sections of this report. Chapter 11 contains details of the proposed mitigation and residual effects on the environment.

Chapter 6 - Socio-Economics

This chapter of the ES assesses the following:

- economic and employment effects related to direct, indirect and induced job creation during demolition and construction and within the completed development, expenditure from the temporary construction workforce and an increase in household spend with the completed development;
- housing effects related to an increase in housing stock with the completed development in place; and
- social and community infrastructure effects related to the change in demand for education, healthcare an community facilities, and demand on open space and recreational space with the completed development in place.

This section of the ES considers that, based on an estimated demolition and construction cost of circa £60M, the demolition and construction phases of the development would on average create 56 jobs per annum over a three year period and also estimated that a further 95 jobs would be indirectly created. It concludes that the residual effects related to direct, indirect and induced job creation are considered to be of moderate beneficial significance at the district level and not significant at the sub-regional level.

With the development in place, the ES advises that it is anticipated that between 65-130 direct FTE / jobs are associated with the development. In terms of indirect and induced impacts, it identifies a likely further 8 jobs. Again, the ES concludes these are to be considered as moderate beneficial significance at a Stockport level and negligible at a sub-regional level.

In addition, this chapter of the ES acknowledges the contribution that the scheme will provide to housing need noting that *".. residential led development in this area of the Town Centre, which is a key part of the development growth aspirations of Stockport and would deliver substantial regeneration benefits by developing under-utilised site which represents a valuable land resource but currently adds little to the character, vitality and viability of the area"*. They conclude that this is of major beneficial significance at a district level and moderate beneficial at the sub-regional level.

Chapter 7 – Heritage

This chapter of the ES carries out the assessment of the likely significant effects of the proposed development on the historic environment considering the physical and visual effects of the proposed development on designated and non-designated heritage assets both on site and within the vicinity of the site.

It is accompanied by a Heritage report: Significance and Impact, Archaeological desk-based assessment and Contextual Assessment.

No changes were made to this Chapter in the April Addendum.

The residual direct effects of the development on the Grade II listed Weir Mill itself is assessed as 'minor adverse' as a consequence of the partial demolition of the mill complex. The effect on the setting of the Grade II* listed Railway Viaduct is assessed as 'minor-moderate adverse'; 'minor adverse' to the Grade II listed Weir Mill and Wellington Bridge and a 'negligible' impact on the locally-listed Mentor House. Overall, the residual effect on the significance and setting of heritage assets is assessed as 'minor-moderate' adverse.

Chapter 8 - Ecology and Nature Conservation

This Chapter comprises an assessment of the potential significant effects of the development on ecology and nature conservation. This Chapter was revised to take account of the use of the tunnels running under the site by Otter - confirmed in surveys. It also includes alterations to the Biodiversity Impact Assessment in response to requests from consultees.

The Chapter concludes that during the demolition and construction phase: *"the majority of the site comprises habitats that are of low to negligible ecological value, particularly within the construction zone. The clearance and loss of hardstanding, buildings, and small patches of scrub and ruderal vegetation will be of negligible significance."* It is stated that the impact of the development on the tunnels beneath the site would be limited as the tunnels lie beneath the Weaving Shed and the ground floor slab would remain in-situ and the building carefully dismantled thus avoiding direct impacts on the tunnels. Further mitigation measures are proposed in respect of below ground works all of which would be addressed in a Construction Environmental Management Plan (CEMP). It is concluded that there will be no direct or indirect impacts, such as noise and vibration, to the existing tunnels due to the locations and lengths of the open tunnels and the implementation of avoidance

methods and appropriate low impact construction methods. Therefore, it states that there would be a negligible impact on Otter.

The effects of the operational phase are assessed as negligible.

The development would deliver a 10.11% biodiversity net gain on site which is assessment as generating a significant major beneficial effect on habitats.

The assessment of likely residual effects (following mitigation) and their significance are assessed as follows:

- Protected sites – negligible (not significant)
- Habitats – major beneficial at the local level as a result of net gain (not significant)
- Bats and otter – negligible at the local level (not significant)
- Nesting birds – negligible at the local level (not significant)
- Watercourse – negligible (not significant)

Chapter 9 - Ground Conditions

This Chapter was revised in April 2021 and deals with the potential significant environmental effects arising from ground conditions and contamination risks - informed by a ground investigation undertaken between November 2020 and March 2021 that identified no unexpected ground conditions.

The ES includes a series of mitigation measures including a Construction Environmental Management Plan (CEMP) including details of how contamination of controlled waters would be prevented including the adjacent River Mersey.

The likely residual effects of the development (following mitigation) and their significance are assessed as follows:

- Construction and demolition phase
    - Human health – negligible (not significant)
    - Controlled waters (River Mersey and groundwater) – negligible (not significant)

- Completed development – negligible (not significant)

Chapter 10 - Cumulative Impacts

This Chapter provides an assessment of the potential cumulative effects of the proposed development in conjunction with other developments in the surrounding area.

Other developments considered to have the potential to generate cumulative effects are assessed as:

1. The adjacent Transport Interchange development (planning permission ref: DC/071417) – under development
2. Listed building consent for associated works to Wellington Bridge including removal of a small section of the bridge parapet to provide access to the park (listed building consent ref: DC/071509)

3. The Edward Street apartment scheme by The Guinness Partnership comprising demolition of existing building and the erection of 133 apartments (planning permission: DC/073782)
4. The now consented Royal George Village development: *"Development of Royal George Village comprising the demolition, refurbishment and change of use of existing buildings, together with new build to provide apartments (use class C3), co-working office space (use class B1) and flexible commercial space (use classes A1, A3, B1 and D1 and/or D2), together with new public realm and civic space, shared amenity space, landscaping, car parking, cycle parking, servicing and all other associated works."* (Planning permission: DC/076785).

The cumulative effects are assessed in detail with notable effects being:

- Socio Economics
    - Demolition and Construction Job Creation Impacts – moderate beneficial at local level and negligible at the sub-regional level (Greater Manchester)
    - Temporary construction workforce expenditure – moderate beneficial at local level and negligible at the sub-regional level (Greater Manchester)
    - Completed development job creation - moderate beneficial at local level and negligible at the sub-regional level (Greater Manchester)
    - Increase in Household Spend – major beneficial in the long-term at the local and sub-regional level (Greater Manchester)
    - Increase in Housing Stock - major beneficial in the long-term at the local and moderate beneficial at the sub-regional level (Greater Manchester)
    - Change in Local Service Demand – negligible

- Heritage

    - Construction impacts of Interchange development and the proposed development – temporary minor adverse
    - Completed developments: Interchange and Weir Mill – minor beneficial through the transformation of the currently poor setting. Setting of the Railway Viaduct remains minor-moderate adverse and the minor adverse in respect of the setting of Weir Mill and Wellington Bridge. The effect on other assets is assessed as negligible.

- Ecology and Nature Conservation

    - Interchange and Weir Mill developments – negligible for both the construction and operational phases with mitigation.

- Ground Conditions

    - No greater than the scheme being considered in isolation based on the assumption that similar mitigation has been or will be secured.

Commenting on key synergistic effects, the Chapter concludes that after mitigation synergistic effects would be counteracted at both the construction and operational phases e.g. risk of contamination of the River Mersey, the ecological value of the sites.

POLICY BACKGROUND

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

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &

- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review:

TCG3.1	Riverside
TCG1	Town Centre and M60 Gateway
TCG1.2	Town Centre/M60 Gateway Transport Hub
TCG1.3	Parking in the Town Centre
TCG1.4	Sustainable Access in the Town Centre/M60 Gateway
TCG3	Town Centre Mixed Use Areas
EP1.7	Development and Flood Risk
EP1.10	Aircraft Noise
L1.8	Strategic Recreation Routes
L1.11	Development Related to Recreation Routes
MW1.5	Control of Waste from Development
PSD2.6	Local Shops

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-4 'District Heating (Network development Areas)'
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'
CS5 'ACCESS TO SERVICES'
CS6 'SAFEGUARDING AND STRENGTHENING THE SERVICE CENTRE HIERARCHY'
AS-1 'The Vitality and Viability of Stockport's Service Centres'
AS-3 'Main Town Centre Uses, Hot Food Take Aways and Prison Development Outside Existing Centres'
CS7 'ACCOMMODATING ECONOMIC DEVELOPMENT'
AED-1 'Employment Development in the Town Centre and M60 Gateway'
CS8 'SAFEGUARDING AND IMPROVING THE ENVIRONMENT'
SIE-1 'Quality Places'

SIE-2 ‘Provision of Recreation and Amenity Open Space in New Developments’
SIE-3 'Protecting, Safeguarding and enhancing the Environment'
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
CS11 STOCKPORT TOWN CENTRE

Supplementary Planning Documents and Guidance

- Shopfronts and Advertisement SPG
- Open Space Provision and Commuted Payments SPD
- Design of Residential Development SPD
- Town Centre Housing SPD
- Sustainable Transport SPD
- Sustainable Design and Construction SPD
- Future Stockport SPD – Town centre Masterplan (2005)

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.

National Planning Policy Framework

A revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 20th July 2021 replaced the previous NPPF (originally issued 2012, revised 2018 and updated in 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 is central government planning policy that should be taken into account in dealing with applications. It focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

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

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

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

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

Para.8 “*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in*

mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective
b) a social objective
c) an environmental objective"

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

For decision-taking this means:

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

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

> *i. the application of policies in this Framework that protect areas or assets of particular importance* [including statutory listed buildings] *provides a clear reason for refusing the development proposed; or*
>
> *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

Para.12 *"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".*

Para 34. *"Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan."*

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

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

Para.55 *"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of*

conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."

Para.58 *"Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available."*

Para.60 *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."*

Para.64 *"Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount."*

Para.87 *"Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered."*

Para.92 *"Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops,

access to healthier food, allotments and layouts that encourage walking and cycling"

Para. 98 *"Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate."*

Para. 100 *"Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails."*

Para.111 *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

Para.119 *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."*

Para.120 "*Planning policies and decisions should:*

… c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure);…"

Para. 121 *"Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes."*

Para. 125 "…Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that

developments make optimal use of the potential of each site. In these circumstances:

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

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

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

Para.126 "*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".*

Para. 130 *"Planning policies and decisions should ensure that developments:*

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Para. 131 *"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."*

Para. 132 *"Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot."*

Para. 133 *"Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels."*

Para.134 *"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.".

Para.157 *"In determining planning applications, local planning authorities should expect new development to:*

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

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

Para.167 "When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."

Para.180 *"When determining planning applications, local planning authorities should apply the following principles:*

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
…
and d) …opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

Para.183 *"Planning policies and decisions should ensure that:*

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
c) adequate site investigation information, prepared by a competent person, is available to inform these assessments."

Para. 185 *"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

a) 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;
…
and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."

Para.186 *" Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement."*

Para. 189 *"Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*."

Para.195 *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."*

Para.199 "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

Para.200 "*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. Substantial harm to or loss of:*
a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."*

Para.201 *"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, or all of the following apply:*
a) the nature of the heritage asset prevents all reasonable uses of the site; and
b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d) the harm or loss is outweighed by the benefit of bringing the site back into use."

Para. 202. *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

Para. 203 "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Para.204 *"Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred."*

Para.205 *"Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible69. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted."*

Para.206 *"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."*

Para.208 "Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies."

Para.219 "*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".*

Planning Practice Guidance

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

The following paragraph may be particularly helpful to members in determining this application:

How can the possibility of harm to a heritage asset be assessed?

What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework … apply.

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.
Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting.

The National Planning Policy Framework confirms 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). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 194).

Paragraph: 018 Reference ID: 18a-018-20190723
Revision date: 23 07 2019

Town Centre West MDC and Stockport Town Centre West Regeneration Framework (SRF).

The Council's long-term ambition for the future of Town Centre West as a location for up to 3,500 new homes, 1,000,000ft^2 new employment floorspace, and the social infrastructure and amenity needed to support a growing community was set out in the 2019 Strategic Regeneration Framework (SRF) for Town Centre West.

The SRF was created to inspire, excite, and engage with existing and future residents and businesses as well as with developers and investors. It set out a vision, masterplan, and delivery strategy for how Town Centre West could be

reshaped over ten to fifteen years as Greater Manchester's newest, coolest, and greenest urban neighbourhood.

The public consultation on the SRF took place over a seven week period from Thursday July 18th 2019 to Friday September 6th 2019 and generated 367 online responses, visits to the drop-in sessions from approximately 120 interested people, and a small number of written submissions from landowners and statutory public agencies.

The SRF was created in parallel with the establishment of the Stockport Town Centre West Mayoral Development Corporation (MDC) which came into existence on Monday September 2nd 2019.

The proposal to create an MDC was Stockport Council's response to the Greater Manchester Mayor's Town Centre Challenge initiative launched in November 2017. The MDC proposal recognised that Town Centre West suffered from the development constraints and viability issues that are typical of brownfield sites, with fragmented land ownerships across the area acting as a major additional constraint on what the market can deliver and on the Council's ability to intervene to unlock development at scale.

An analysis, carried out for the Council by Deloitte Real Estate, on the options to deliver the regeneration ambition concluded that the Mayoral Development Corporation model had the ability to bring together the widest possible combination of relevant development and land assembly statutory powers with a unique profile able to galvanise market interest and support engagement with the private sector. The MDC model was considered ideally suited to enabling the large-scale regeneration that underpins the Council's Town Centre Living agenda, its Brownfield First priority, the Town Centre West SRF, and the Council's ambition for the town centre as a whole.

The Greater Manchester Combined Authority resolved in September 2018 to endorse a Stockport MDC in principle subject to a more detailed report being prepared for further consideration. A second report was approved by GMCA in January 2019 and the GM Mayor launched the statutory consultation on creating an MCD for Town Centre West on January 14th 2019. That consultation closed on March 10th 2019 and the Stockport Town Centre West Mayoral Development Corporation (Establishment) Order was laid before Parliament on June 21st 2019 coming into effect on 2nd September 2019.

This approved document sets out the strategic vision, masterplan and delivery strategy for the Stockport Town Centre West area, now being delivered by the Mayoral Development Corporation. It proposes transformational change over the next 15-20 years through the delivery of approximately 3,500 high quality new homes, up to 100,000m^2 of employment floorspace together with associated green space, social infrastructure etc. to create *"Greater Manchester's newest, greenest and coolest affordable urban neighbourhood"*. Though not a planning policy document, it is a material consideration in the determination of this application.

The application site is located in the SRF's 'Weirside' neighbourhood that the SRF states will become *"a distinctive new town gateway, showcasing its heritage, rediscovering the waterfront and connecting to open countryside".*

For Weirside, amongst other things, the SRF proposes:

- *"New infill buildings of an appropriate scale, working with retained and refurbished historic buildings;"*
- *New structures could offer modern detailing and materials, providing a sharp contrast with the predominantly red brick Victorian buildings in the area;*
- *Building forms will range from own front door office spaces through small scale apartment blocks through to the larger floorplates and office buildings facing the A6;*
- *Although relatively low rise the area will have an intensity generated through close spacing of buildings, creating an active but intimate feel to the urban environment.*
- *Responding to the River Mersey by improving accessibility to its banks through new pedestrian links and introducing a kayak slipway;*
- *Weirside will be largely car-free with pedestrianised zones to support cafe and small and medium sized business culture with independent breweries, food and drink and local makers. Spaces will allow servicing but prioritise pedestrians, cyclists and buses using best practice design guidance to ensure these modes complement each other"*

Stockport Climate Action Now (Stockport CAN)

The Council declared a climate emergency in March 2019 and agreed the ambition to become carbon neutral by 2038.

As well as large-scale improvements in health and wellbeing around the world, bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities.

Subsequently, in December 2020 the Council adopted the Stockport CAN Climate Change Strategy, it sets out the initial actions that Stockport Council will take to make a difference on climate change over the next five years as it begins the journey to net- zero 2038. This document is read alongside current planning policies and is being used to inform work in developing a new local plan.

RELEVANT PLANNING HISTORY

Application ref: DC/079226

Application type: Listed building consent

Description: Redevelopment comprising the repurposing of existing buildings and erection of new buildings for a mix of uses comprising 253no, residential homes alongside flexible commercial space (Use Class E), drinking establishments (Sui Generis Use), and hot food takeaways (Sui Generis Use); partial demolition, new public realm, vehicular access, car parking and cycle parking, and associated works.

Applicant: Capital and Centric (ROSE) Limited

Decision: being considered in parallel with this application.

Application ref: DC/082004

Application type: Advertisement consent

Description: Roof mounted signage which comprise 15 individual, internally illuminated characters CAPITAL & CENTRIC on roof of Weir Mill facing King Street West

Applicant: Capital and Centric (ROSE) Limited

Decision: pending consideration

Application ref: DC/081972

Application type: Listed building consent

Description: Installation of rooftop mounted signage.

Applicant: Capital and Centric (ROSE) Limited

Decision: pending consideration

Application ref: DC/072907

Application type: Full planning permission

Description: REVISED PROPOSAL: Redevelopment comprising demolition of buildings, repurposing of existing buildings, and erection of new buildings for a mix of uses comprising 293no. residential apartments and 915sqm flexible commercial space (Use Class A1, A2, A3, B1 or D2 use); ancillary hard and soft landscaping , formation of a new vehicular access onto King Street West, vehicular and cycle parking, and associated works and infrastructure.

EIA DEVELOPMENT - ENVIRONMENTAL STATEMENT SUBMITTED 28.08.19 ADDENDUM SUBMITTED 25.10.19

Applicant: Maryland Securities Group

Decision: Withdrawn 20 May 2020

Application ref: DC/072908

Application type: Listed building consent

Description: REVISED PROPOSAL: Redevelopment comprising demolition of buildings, repurposing of existing buildings, and erection of new buildings for a mix of uses comprising 293no. residential apartments and 915sqm flexible commercial space (Use Class A1, A2, A3, B1 or D2 use); ancillary hard and soft landscaping , formation of a new vehicular access onto King Street West, vehicular and cycle parking, and associated works and infrastructure.

EIA DEVELOPMENT - ENVIRONMENTAL STATEMENT SUBMITTED 28.08.19 ADDENDUM SUBMITTED 25.10.19

Applicant: Maryland Securities Group

Decision: Withdrawn 20 May 2020

PUBLIC REPRESENTATIONS

The application has been advertised (as a Departure from the Development Plan, Major Development, EIA development, and as Affecting the Setting of Conservation area and listed building) by way of a press notices in the Stockport Express and site notices displayed around the site.

The owners/occupiers of 360 properties were notified of the application by letter on 29 April 2021.

The Council has received five supportive representations to the application from individual members of the public as follows:

I understand that you are currently considering an application for the redevelopment of Weir Mill.

As a Stockport resident I have taken a keen interest in this project and wanted to add my support for it. Weir Mill is an iconic building & part of Stockports rich industrial heritage & to see it standing mostly empty & neglected is a shame.

The plans as I understand them would not only provide additional homes but also redevelop the riverside in that area. This is something that Stockport is crying out for. A river running though our town should be an asset but as it stands it is put to very little use.

I hope you see fit to approve the Capital Centric proposals & I look forward to watching this neglected area of our town become transformed.

I would like my support of the proposal for re generation of Weir Mill to be noted. From what I understand the proposal includes affordable housing, commercial and recreational areas. Prior to my retirement, I worked in Manchester and there are several areas there that have this style of development and they appear to be very popular.

I would just like to add my support in the application of Weir Mill.

It is a key part of the Town Centre West regeneration plan. When it is built it will bring more people to an area that is currently just crumbling away and an eye sore. When it is built it will attract more companies to the area therefore increasing footfall and boosting the local economy. Stockport needs people coming into its centre and spending money.

Yes, the bridge will be partly blocked, but what good is a bridge when the area around looks awful? Plus the bridge is already partially blocked by the Travelodge.

Weir Mill will provide modern high quality housing to an area that currently has none. The Weir Mill could be the catalyst to create an area akin to Manchester's Northern Quarter, Birmingham's Digbeth, London's Shoreditch. Stockport needs to progress, otherwise we're all living in the same lifeless area staring at a bridge that's covered in weeds and limescale.

Please pass the planning application

This is exactly the kind of development Stockport Town Centre is crying out for. It's ambitious and bold whilst also being respectful to the existing fabric of Weir Mill. This area is really in need of both investment and regeneration and I feel like this mixed use scheme will revitalise as well as attract new people to Stockport. I feel like it will complement the nearby Interchange scheme and I'm excited to see the possibility of having some more independent food and drink options in the town centre.

It's a out time this building which has been an eyesore for years has something done with it. There won't be another opportunity to do something this good for West stockport and without the rengeration of the mill and the associated development of

a further tower and the river it will just result in a derelict decaying building for years and add no benefit to the town. Look forwards stockport not backwards.

An online petition objecting to the applications contains in excess of 3,652 signatures (as of 31 August 2021). The petition is addressed to the applicant, Stockport MBC and the Stockport Mayoral Development Corporation and is entitled *'Don't Hide Our Viaduct: Save Weir Mill'*. It remains active and is available to view here: https://you.38degrees.org.uk/petitions/don-t-hide-our-viaduct

The headline text of the petition is as follows:

"Save Stockport's iconic Grade II listed Railway Viaduct from more concealment by cumulative impact of high-rise apartments as part of the Weir Mill redevelopment. The mill can be reused and saved by enabling development, and the rest of C&C's proposals have merit. But not at the expense of the iconic viaduct's concealment. We want the developers to devise a revised scheme without a tower; and the council and corporation to provide compensatory development land to the west.*

Why is this important?
Famous views of the town's largest historic feature, enshrined in Lowry paintings, are being eroded by willful siting of tall tower blocks along its eastern side, concealing the structure from most of the town centre.

The Council's own self-permitted 19-storey Interchange tower will block views of the viaduct on the south side of the valley, while a previous grouping at Regent House (14 storeys) blocks views to the north. Capital and Centric's 14-storey tower takes out both central and oblique views.

How it will be delivered
Various means of petition submission to Capital and Centric PLC., Stockport Council, the Mayoral Development Corporation; Historic England and, if necessary, to central Government and its Planning Inspectorate."

A series of written updates to the petition are also on the website and should be read by committee members to fully understand signatories objections. It should however be noted that the online petition has been active for well over a year and was started in response to the previous applications submitted by Maryland Securities Ltd that were withdrawn in May 2020. It is therefore possible that some of the signatories may have of objected to the previous applications but not the current proposals. This cannot however be assumed so the petition should be taken on face value.

The Council has also received twelve objections to the application from individual members of the public as follows:

The tower block of flats would be a massive blot on the landscape, blocking arguably the most famous view in Stockport; our fabulous Grade II* Viaduct. [I fear that Stockport might win another Carbuncle Award should this be passed]. Lowry would be turning in his grave!

Whilst I support the principle of the proposed redevelopment of Weir Mill, I wish to object to the application on the grounds that the proposals to include a new tower above the bridge parapet will have a severe impact on the adjacent Grade II* listed Stockport Viaduct.

Before setting out my objection I must first raise concerns about the Heritage Statement undertaken by BDP for the scheme. The Heritage Statement should be undertaken by independent consultants in order to provide an impartial assessment of the proposed development.

A comparison of the Heritage Statements prepared by BDP for both the proposed development and for Stockport Bus Station raises questions as to the impartiality of the assessment.

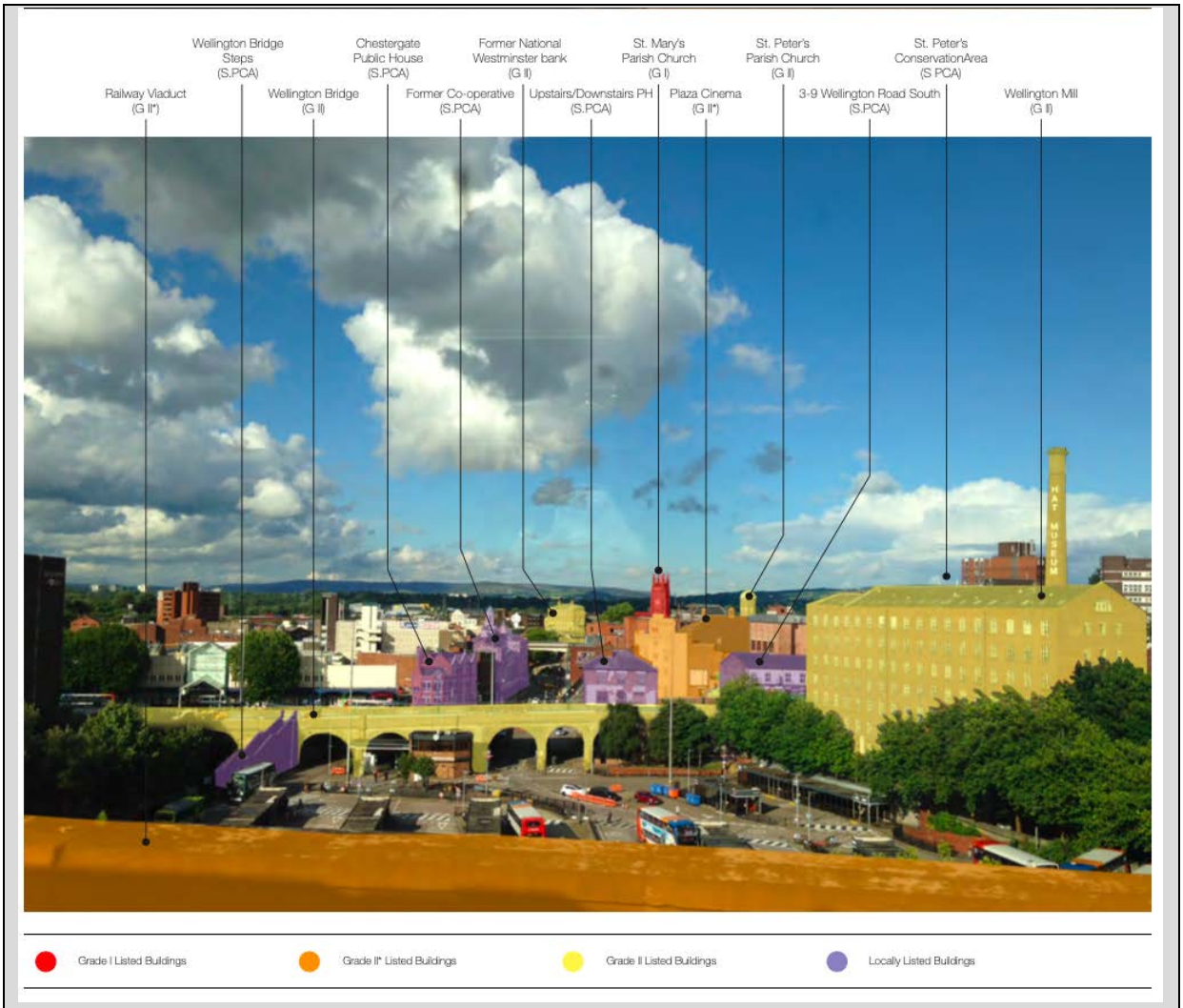
View 1 from the Stockport Bus Station Heritage Statement is taken from the top of the viaduct looking east. The Statement notes:

'The view from this Viewing Place has been chosen for analysis for its strategic significance by the Local Authority as it is long-established and provides the best view from height (at approximately 34m high) to illustrate the dynamic topography of the site and the heritage significance of the setting. It is the most trafficked route through Stockport and provides the important first impression of the town.'

'The view from this Viewing Place contains six nationally listed heritage assets and two conservation areas incorporating locally listed buildings.'

'This is a view focusing on the St Peter's Conservation Area, a locally designated asset, with Wellington Mill providing a significant focal point and contributing most to the overall heritage significance of this former mill town. The viewing place is an excellent vantage point from which to view the greatest extent of the conservation area which cannot be appreciated in the same way from street level and can be taken in by hundreds of rail passengers a day. Chestergate and Mersey Square which rise up to St Peter's particularly retain much of their historic character and contribute to the evidential value of 20th century development within the conservation area. The distinctive appearance and materiality of the Plaza Cinema, particularly when illuminated makes a considerable contribution to the overall heritage significance within the view as a rare example of Art Deco not only in the North-West, but nationally.'

'Value/importance of the view as a whole: High'



The omission of this view from the Weir Mill assessment when it is highlighted as being of high value/importance in another assessment by BDP raises questions as to the impartiality of the assessment, particularly when the proposed development will have a severe impact on the view.

The report concludes that *'In our opinion this represents, at worst, 'less than substantial harm'* as defined by the NPPF'. As the outcome of the report is a subjective opinion, this cannot be relied upon as it is considered to be a biased opinion.

Councillors cannot rely on the information provided in order to form a balanced view and make a decision on the proposed application. It is therefore imperative that the council commission an independent Heritage Impact Assessment from another consultant to provide an impartial review of the proposals.

Stockport railway viaduct, considered to be of significant national importance, is the largest brick-built structure in the UK and in 1840 was the largest viaduct in the world. Historically, the viaduct not only represents a major feat of Victorian engineering but illustrates the development of transport links in Stockport in the 19th century as a key pioneering structure of the early railway age.

The viaduct also has a high communal value featuring in a number of LS Lowry paintings. LS Lowry had a distinctive style, famed for depicting life in North-West industrial towns. Elizabeth Gaskell, famed for writing of workers' life in Victorian

Society within the northern mill towns, makes reference to the viaduct in her novel North and South.

In part, the significance of the viaduct is defined by its dominance, spanning across the Mersey Valley, and any impact on the the view of the entire structure across the valley will impact on the significance of the overall structure.

The Heritage Statement identifies views 3, 5, 6 and 8 to be of high value/importance and the impact on all of these views is considered moderate adverse. In my opinion the impact on some of these views should be considered high adverse.

The key mitigation measure noted for the impact on the views is that the tower has been designed to the minimum viable height. This is not considered to be suitable mitigation to reduce the impact on the viaduct. Any development above the parapet of the viaduct is considered to have a major effect on the viaduct whether it is 14 stories or 40 stories. It therefore cannot be considered *'less than substantial harm to the significance of a designated heritage asset'* as defined in Paragraph 196 in NPPF.

Viability of development is not considered to be suitable justification for the significance of the harm caused to a Grade II* listed structure, particularly when there is currently no significant risk to the future of Weir Mill. NPPF paragraph 195 states:

'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, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and
b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d) the harm or loss is outweighed by the benefit of bringing the site back into use.'

The submitted viability assessment notes Weir Mill currently has a potential net rent of £250,000 per year which demonstrates a use in the medium term.

The viability assessment makes an assumption of the potential rental income of the site but provides no evidence of current achieved rental income, despite the fact the site is owned by the developer. Additionally, in calculating the Land Value, the assessment does this on a yield basis of the calculated potential net rent, again with no comparable evidence. There is no assessment of the Land Value from its sale to the developer which is a recent transaction and would provide the most pertinent evidence.

Aside from the missing evidence to support the viability assessment, it notes in the conclusion that the value is highly sensitive with models producing land values of between negative c. £2.7million to positive c.£5million. An assessment of this sensitivity should not be considered suitable as the sole justification for the height of a building which has a significant impact on a Grade II* listed structure.
This is not clear and convincing justification for substantial harm as set out in Paragraph 194 of NPPF:

'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. Substantial harm to or loss of:
a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'*

Stockport's core strategy states:

'The Core Strategy will seek to safeguard and improve the borough's natural and built environments.It will achieve this by:
h. Recognising the unique place that the historic environment holds in the borough's cultural heritage and the multiple ways in which it supports and contributes to the economy, society and daily life; and
i. Conserving and managing the historic environment for future generations.'
'Development will be expected to make a positive contribution to the protection and/or enhancement of the borough's heritage assets. Buildings, sites, monuments, places and areas positively identified as having a degree of historic, architectural, artistic or archaeological significance (including canals and other transport infrastructure of historic value) will be safeguarded for the future.'

The development is therefore not considered to be compliant with Core Policy CS-8.

The proposed development is not considered to be in accordance with Regional or National Planning Policy and will result in significant harm to the Grade II* listed Stockport Viaduct.

A development of this scale and in such close proximity to the structure also sets a dangerous precedent for development in the Stockport West Regeneration Area which could result in the loss of views of the iconic structure should future development follow suit.

It is imperative that an impartial Heritage Statement is commissioned by SMBC to fully assess the impacts of development however based on current evidence it is my opinion that planning permission should not be granted for the development in its current form based on the planning policies noted above.

I vehemently object to the content of this and any associated applications in respect of this site which involve obstructing the view of or diminishing the horizon around the viaduct.

Stockport viaduct is almost Stockport's trade mark and any attempt to diminish its presence or the view of and from it is an insult to the heritage and history of the town and the public in general.

I am, not against development or the creation of a modern townscape in any way, but the nature of the valley here and the availability of a better engineered solution could provide a viable and suitable aspect that would help Stockport stand proud just as the planned pyramid village could have done in the 80s if it had been completed as envisage.

Don't be sorry for 60 years - be proud of Stockport and do it right!

My objection is based on the impact the proposals will have on Stockport's skyline, the heart of which is the magnificent railway viaduct built in 1842. I'm sure appropriate development could take place without this unfortunate consequence.

I was invited to comment on the plans for Weir Mill.

A mail shot was sent out to local residents, and I fell into the catchment area as I live at the near end of Chatham Street. In addition to the paper plan, I was directed to https://weirmill.com/weir-mill, where I was shown images of its current undeveloped state and a single piece of concept art, which is no longer on the site and the wayback machine's copy of the website is too broken to prove it, but was used in other contemporary media articles such as https://marketingstockport.co.uk/news/consultation-launches-for-weir-mill-regeneration/.

Given it was in the middle of summer and I was feeling cooped-up because I wasn't prepared to go anywhere without outdoor seating, the possibilities of a nearby waterfront café and open spaces that could facilitate events like open-air comedy nights I was enthusiastic about opportunities that would revitalise Stockport centre.

There was some talk of an exhibition of plans after that, but I wasn't prepared to visit an indoor space unnecessarily.

Come January local Facebook pages started sharing articles about the latest plan some with the perspective of it being an exciting new development, but prominent in all the pictures was a tower not part of the designs I saw and a majority of the comments were about how bad the tower looked, and the press releases spoke about building on enthusiasm from the consultation, the one I'd been invited to, so I felt cheated that my views were being used to justify something I'd had not input on.

I'd love it if Stockport centre were revitalised, and had entertainment opportunities in the evening other than pub or cinema. I understand it's hard to design buildings with modern techniques that fit in sympathetically with older constructions.

I can accept the pragmatism of property developers building tall to get a return on their investment and there may be negotiations in that so that property developers will do redevelopments, and reputedly earlier plans had a larger tower. It may even be part of their strategy to use the tower as leverage to instead have permission for more development land elsewhere. I do feel cheated from being tricked, and that does affect my objectivity, but it really doesn't feel like they've tried hard enough.

Whilst I am wholly for the redevelopment of Weir Mill and like what Capital + Centric do, I don't think it this should be at the detriment of the character of Stockport and views of the viaduct.

Once it's built, it's built, what basis would there be for rejecting others like it that will hide the viaduct?

I don't think the Travelodge building should have ever been given permission and I don't think this should either as it is closer to the viaduct. I think the buildings surrounding the viaduct should remain low-rise.

I've just read of the proposal to construct of a 14-storey block of flats adjacent to the railway viaduct and would urge you and your council to oppose this idiocy. Stockport

has much going for it but surely a reputation for barbarianism isn't an attribute you wish to add, is it?

So the Council you lead wants to erect a 14-story tower block next to Stockport Viaduct. Isn't one accident involving Stockport Viaduct enough? Hopefully the Council will do the decent thing and refuse the application. Or be assured it will go down in history as an act of vandalism akin to the demolition of the Euston Arch.

Stockport is my town , born and educated in the area which means very much to me , Stockport is a town with a very good history and good focal points , the indoor market and surrounding area with a fine parish church St Mary"s ,also the lower area of the town which has the fine Plaza Theatre, the river mersey and mersey square with central shopping all with an historical view.

The view has a focus on the construction of the age built in 1840 The tockport Railway Viaduct Grade 2 listed and renowned for its superb construction which is a fine sight also when floodlit at night ,therefore to propose a Tower Block to block out this long lived mersey view in my opinion should be a non starter and i am fully against the proposal and therefore wish to register my protest against it.

I have to say that with 87 documents on the planning website it is hard to ascertain exactly what is being planned.

Whilst I am fully supportive of developing the Weir Mill site, and providing more housing I have to object to the height of the East New Building.

There is a document on the planning website 'Option 8b' which suggests reducing the height of East New Building to the height of the Viaduct, but this ends with stating that it is 'unviable'. So, am I to assume that the planning decision is to be made with a 14 storey building adjacent to the Viaduct?

One of the diagrams in the Tall Buildings document refers to 'revealing the Viaduct' – exactly how do you reveal something by putting a large building in front of it?

The implication being that the Viaduct is only viewed from Chestergate, whereas most people probably see it from Mersey Square. It does not 'safeguard key views of the viaduct' as the developers think, it hides the Viaduct.

East New Building is supposed to be a 'landmark' building – no, it just looks like an office block placed in front of a Grade II listed Viaduct. A landmark building is something like the Town Hall or Central Library: something with architectural merit.

Why would anyone want an apartment next to a railway line? All that glass and a train full of people staring in!

I have not yet worked out whether these apartments will be for rent or sale, it would be better if they were for sale, given the large number of buildings either recently built or planned in Stockport that are just rental. People have a more vested interest in their surroundings when they own a property.

I'm afraid I can't tell from the website whether comments on this planning application are still being accepted. I am writing following a prompt from Capital & Centric as I commented on their original plans. In summary the idea to rejuvenate the Weir Mill site is a good one, but not with a 14 storey building next to the Viaduct.

I am very concerned that the proposal of a 14 storey build at Weir Mill would be an unsuitable siting. I would hope that there might be a compromise for this? Extra much needed housing must be built but with conservation in mind. Stockport's viaduct is one of its 'jewels' and deserves due consideration.

Core Policy CS8
SAFEGUARDING AND IMPROVING THE ENVIRONMENT
Quality Places
3.285 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 will be given positive consideration. High quality design which promotes a sense of place is of importance throughout the borough and should be an integral part of all development proposals, paying high regard to important local natural and built environment features, including the historic environment,

How does the new tower help to achieve any of these objectives? The tower will dominate the principle view from the A6 and that will establish a new sense of place. The Applicant has failed to include the impact that the tower will have on the view probably because a photo montage of the view with the tower within it would reveal the true impact of the proposals and the harm it will do to the view.

Heritage Conservation
3.300 *The Council recognises the unique place the historic environment holds in Stockport's cultural heritage and the multiple ways in which it supports and contributes to the economy, society and daily life. The historic environment is a non-renewable resource and its fragile and finite nature will be a particularly important consideration in the allocation of sites in the Allocations DPD and in Development Management decision-making. Conserving and managing this resource for future generations is a key component of the wider principle of sustainable development which forms an overarching principle of the LDF.*
The viaduct is unique (in Stockport - there are no others here as far as I know).

Much still remains of the historic environment especially in the context of the Stockport town centre where so much has been lost over the previous 50 years and more. This includes existing views. Possibly the most important view of this site is from the A6 as this is where most people will get a
first glimpse of the site as they pass by in car and bus. The view is also from the viaduct as people
pass by in trains.

Here is the currently uninterrupted long view of the viaduct from the A6 without the tower and below it the same view but with the approximate placement of the proposed new tower.





Note how this completely changes the dynamic of this view. It is not longer a wide open vista of the whole length of the viaduct presently in view.

It is quite evident from the height and position of the tower that it will interrupt the view from the A6 and that this will harm the setting of the grade 2* listed viaduct. I would argue that it would be substantial harm. Regent House built in the 1960s in less enlightened times when it comes to protection of our heritage, will further separate the viaduct from the principle view point and this just adds to the harm caused to it by the proposals.

We cannot change the past. We cannot turn the clock back to 19th century mills, smoke and deprivation of the people who worked in the mills and lived near them and neither would we want to. However it is to be applauded that the proposals do

save the existing buildings on the site but this should not be at the cost of losing crucial views within the townscape.
The Viaduct is special because in its history it was never usurped by a building which contrasted to it in terms of style, mass and height.

In this photo the massing of the existing mill buildings can be seen relative to the viaduct and beneath this more or less the same view now showing the tower projecting above the viaduct. This gives some idea of how much higher the tower must be to be able to be seen from this viewpoint.





3.30 1 *Development will be expected to make a positive contribution to the protection and/or enhancement of the borough's heritage assets. Buildings, sites, monuments, places and areas positively identified as having a degree of historic, architectural, artistic or archaeological significance (including canals and other transport infrastructure of historic value) will be safeguarded for the future.*

It is difficult to see how the new Tower contributes to the protection of and/or enhancement of the Viaduct as it seems to do quite the opposite. It will detract from the heritage asset that is the viaduct and it will detract from the views from within a conservation area.

The Viaduct is a 'Heritage Asset', it has been identified as having a degree, which in my opinion would be a significant degree, of historic and architectural significance and it should be safeguarded. In my opinion this includes its setting and these proposals would substantially harm both the setting of the heritage asset and also the views from within a conservation area.

National Government Guidance is set out in The National Planning Policy Framework as follows:-

194. 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. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

The setting of a heritage asset WILL BE harmed by these proposals by virtue of the tall building being proposed. Therefore there should be clear and convincing justification for it. If the harm is considered to be substantial, and I and others argue that it will be, the substantial harm should be wholly exceptional.

In this case, the tower is both close to the viaduct and also clearly within the field of view of one of the principle points of view. This has not been addressed by the Applicant.



The two views above demonstrate the impact and substantial harm that the new tower will have on the setting of the heritage asset.

195. 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, or all of the following apply:

Loss of significance will result to the Viaduct and views of it and also to views from within the conservation area by virtue of the proposed the Tower hindering and interrupting vies across the space between the A6 and the viaduct and from other points of view in a way that has never been in the past.

Consent should be refused unless it can be demonstrated that the substantial harm is
necessary to achieve substantial public benefits that outweigh that harm.

Has the developer provided clear evidence that the benefits cannot be achieved in another location? It is not enough to say that they do not own any land anywhere else. It is enough to show that land exists elsewhere in a more suitable location that will not result in harm to the heritage asset. justification . If other sites within the area being considered for public benefit exist then these should be taken into consideration. Has this review proves been carried through by the Applicant and by the Council (who cannot determine this application without such knowledge).

a) the nature of the heritage asset prevents all reasonable uses of the site; and
This does not apply - development that respect the viaduct can still be achieved

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
This is not applicable

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
This is not applicable

d) the harm or loss is outweighed by the benefit of bringing the site back into use.
The applicant must show that the development cannot be achieved without the proposals that would result in harm to the heritage asset.

1*96. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

This is a matter of subjective judgment but it seems to me that the tower will cause substantial harm to the viaduct by virtue of the domination of the views of the viaduct from the Conservation Area and elsewhere. What would it need to be less than substantial. In my opinion that would be perhaps where a proposal involved a building in a similar location but which is say as high as the viaduct as opposed to being higher than it.

It could still be argued that there is harm because there would be a building higher than anything that was historically present on the site and which obscures part of the viaduct but it doesn't actually project above the parapet and completely dissect the horizontality of the top of the structure.

The Design and Access Statement has commented that "We have met with Historic England three times during the course of the design development, and they have commented that the proposals result in less than substantial harm."

Nevertheless, in my opinion the proposals would result in substantial harm to the heritage asset.

Notwithstanding the comments from Historic England (and also it is suggested in the Design and Access Statement The Victorian Society), proposals that cause less than substantial harm should be weighed against the public benefits of the proposal. The public benefits are additional residential accommodation and employment during the co9nstruction. The harm will be obstruction of the open view of the viaduct from the A^ and other places.

There is already a large building partly obscuring the view of the viaduct from the A6 that being the 1960s white multi storey building on ???? Street. Further buildings in the open view is a serious detraction from the present views.

The Design and Access Statement also comments on the design of the new tower as follows "The building is shaped by the viaduct arches which the building aligns with and results in a compact floor plate approach with a central vertical circulation core."

Far more appropriate is the blocking of views which the Design and Access Statement hardly looks at.

To the lay person reading this it would not be unreasonable for them to be left with a puzzled expression. There would appear to most reasonable people that just because the block is 'aligned' with the viaduct is not a reason for considering it to be appropriate.

Stockport Heritage Trust

The Stockport Heritage Trust (SHT, the Trust) hereby objects to the current proposals affecting the Grade II listed Weir Mill complex and Grade II* Viaducts, and recommends that planning permission and listed building consent be refused.

SUMMARY

A. The Trust's principle objection concerns the 14-storey tower proposed for the eastern part of the site. It would sit in front of and obstruct iconic views of the Grade II* listed viaducts. This is especially true when considered in the wider context of the cumulative effect of tall buildings in the vicinity i.e., including both the existing Regent House, the imminent construction of the Council's own Interchange Tower and bus station, and future plans for development towards the south, along the hillside towards the railway station. The Interchange scheme is noticeably absent from the applicant's environmental impact assessment, and most of Capital and Centric's own representations of the Weir Mill tower are from close range, or bird's eye views taken from the west – not from the town centre.

B. Equally important, and totally ignored by the developers, are the views of Stockport's historic town centre and its key landmarks from commuter and inter-city trains passing over the viaducts. These important views potentially attract visitors to the town, are seen by at least 4 million passengers per year (i.e., 650 train movements per day), and would be concealed by the towers at Weir Mill and the adjacent Interchange site. Views of the listed St. Mary's and St. Peter's churches and of the town hall would all be gone or drastically reduced.

C. Iconic town centre views of both the Viaducts and Weir Mill have been documented since the first railway structure's erection in 1840. The views include popular mid-nineteenth century engravings and lithographs (including Tait's famous 1848 depiction); numerous artistic works by L.S. Lowry RA (1887-1976) and other painters, photographers and now film-makers.

D. The viaducts are beloved of townsfolk, by tourists and other visitors, and are revered in fond memory by the Stockport diaspora. Local councillors and members of parliament campaign for their welfare. The broad span and soaring height of the structures are represented in popular culture in business and social club logos, and in posters and postcards sold around the world. The historic structures have enormous aesthetic, technical-scientific, and social / community values. The viaducts create Stockport's sense of place.

E. While the Trust accepts the need for enabling development to help fund the repair and rehabilitation of the Grade II listed Weir Mill, it objects to the 14-story eastern tower proposed in the development. There are ample vacant sites in and around the Council's Town Centre West development zone, including some to the immediately west of the Weir Mill complex (partially owned by the Council), that could be provided by the Council and/or the Mayoral Development Commission to facilitate a more benign Weir Mill development. Considering the already heavy public subsidy being arranged through Homes England for the Capital and Centric scheme, the cost-benefit of marginal land transfer would be considerable. Especially so, if the development plans became protracted through fundamental objections being raised by the Trust, the Victorian Society and Historic England leading to a Ministerial call-in and public inquiry fought on the issue of the offending tower.

Detailed comments on the applications and reasons for objection are given below.

1. HERITAGE ASSETS IMPACTED BY THE PROPOSALS

The Mill Complex

1.1 SHT stresses to your Council the special architectural and historic significance of the Grade II mill complex because of its completeness, revealing the continuing development of the site through time. This is emphasized in the Royal Commission on Historical Monuments for England's seminal study, original description and analysis of the site that underpins the current explanation in the Statutory List. Historic England have called this site a "highly significant example of a multi-phase cotton mill."

1.2 The Trust agrees with developer's assessment that the late-nineteenth and early-twentieth century structures on the site (excluding the second matching viaduct of 1889) have low or negligible heritage or other values. The mid- and earlier-nineteenth century and eighteenth century buildings, however, SHT deems to have high or considerable value, and therefore agrees with Capital and Centric's plans for them to be saved, repaired and reused.

The Viaducts and the Mill

1.3 The Trust's understanding is that at least one pier of the Grade II* viaducts lies within the curtilage of the Mill. The Mill's form and development in relation to the construction of the viaduct overhead is an integral part of the history of both statutorily protected structures. And the views of the Mill though the arch of the viaduct form part of the cherished local appearance of the site as a whole, as illustrated in many engravings, paintings, and photographs of the area.

1.4 The developer makes a poor case for the non-economic arguments in support of the eastern tower where it affects the viaducts. The potential harm caused by the development to the appearance of the Viaduct is underplayed and takes no account of the cumulative visual impacts caused by other nearby planned or existing developments i.e., the Council's own 17-storey Interchange residential tower and bus station, and the extant Regent House. Certainly, both short- and long- range views to the combined sites will be detrimentally affected by the planned 14-storey residential block on the east side of the Weir Mill site. Indeed, the view-shed images presented in Capital and Centric's reports are misleading and fail to account for the intended Interchange tower, where the cumulative stacking of tall buildings against the east side of the viaduct will badly block public views from much of the town. The viaduct's iconic dominance over the town would be vastly reduced and spoilt by the unnecessary height of the new tower.

The Viaducts

1.5 The Grade II* Viaducts (built 1840 and 1889) span the Mersey valley and gorge in 22 arches more than 0.5 km long at a height of 33.9 m. They remain a crowning achievement of the Victorian Age and are the largest, most prominent and iconic heritage asset in the town. The presence of the viaducts can be seen from many long-distance viewpoints in Heaton Norris, Heaton Mersey, Edgeley, on Lancashire Hill and throughout the town centre. At least up to 1 km from the Weir Mill site.

1.6 A fundamental feature of the landscape setting of viaducts is the nature of their span across natural topography: in this case, Stockport's steep-sided industrialized valley sides and rockcut river gorge. The awesome nature of the nineteenth century

engineering is accentuated by multiple archways being seen head-on, or at oblique serried angles of study. The height of the structure is especially appreciated when seen against the depth of the river Mersey in its gorge, and by contrast with the physically puny scale of buildings scattered at its feet.

1.7 Until recent history, nearly the whole expanse of the brick structure was exposed to public view and appreciation along its full length on both east and west sides. Most buildings at the viaduct's feet remain visually subservient to the mighty structures' geometry – being generally shorter than the arch springing lines.

2. CONSERVATION PRINCIPLES

2.1 The applicant offers hardly any references to, or justifications against, important cultural heritage criteria cited in Historic England's *Conservation Principles* (2008 as amended) pertaining to the proposals' impacts on the Values and Significance of the heritage assets, and in particular, of the Grade II* Viaducts.

Evidential (Scientific and Technical) Value

2.2 Evidential values are proportional to their potential to contribute to people's understanding of the past. The town's steep river gorge topography, adjacent land forms, and industrial landscape are encompassed in the giant spans of brickwork crossing the River Mersey. Therein, lies an enormously tangible panorama of Victorian engineering and transport history: including the consequential development of the town to the north and Manchester; the fast connection of the town to Birmingham and London markets; and so on.

2.3 The significance of the Stockport Viaducts lies in equal parts to their exposed great length and height – indicating logistical, economic and craft prowess that have inspired local pride, admiration and awe. The Trust draws parallels with other designated heritage assets around the country and overseas where the full span of such railway and other structures is fully displayed, rather than intermittently seen between blocking vegetation, topography or buildings.

Aesthetic Value

2.4 Through conscious design, fortuitous juxtapositions in the town- and land- scape, inspirational form, proportions, massing, silhouettes, views and vistas, the awesome nature of the viaducts soars across and exemplifies mid-nineteenth century popular industrialization.

2.5 Iconic town centre views of the Viaducts and Weir Mill have been documented and used for inspiration by artists since the railway structure's erection in 1840. The views include popular c1845 engravings and lithographs, including Arthur Fitzwilliam Tait's famously heroic 1848 industrial depiction (redolent of Philip James de Loutherbourg's 1801 *Coalbrookdale by Night*); numerous artistic works by L.S. Lowry R.A. (1887-1976), including *Industrial Landscape* (1955), *Industrial Landscape Stockport Viaduct* (1958), and The Viaduct, Stockport (1969-72); black-and-white architectural photographs of the Viaduct and Mill (1954) by Eric de Mare (1910-2002); black-and-white photos of Lowry on Wellington Bridge steps (1962) by Crispin Eurich (1935-1976); numerous paintings inspired by the Lowry photographs on the steps by Chris Cyprus, Mervyn Levy, Phil and Rolf Harris; and viaduct inspired paintings by Clare Allan, Beryl Baguley, Albert Barlow, Gordan Bruce, Stephen Campbell, Helen Clapcott, Arthur Delaney (1927-1987), James Downie, A. E. Gill, Alan Harris, Sophie Holt, Alan Knight, Alan Lowndes, Kate O'Brian, Stafford

Simeon, William Ralph Turner (1920-2013), Dolt Vincent, and Martin Whittam. Most recently, movie actor Timothy Spall played Lowry at the Viaduct in a scene in *Mrs. Lowry and Son* (2019, Vertigo Films www.youtube.com/watch?v=TTOiVivEmwo for Amazon Prime).

2.6 In many of these artistic scenes (see Appendix B), the vastly wide and generally uninterrupted span, overpowering height and relative scale of Stockport viaducts are key elements of the artists' designs. The views, equally divided between the east (town centre) and west sides of the listed structure have entered popular imagination both within and beyond the town, and become closely associated with Stockport's sense-of-place; its industrial heritage, its witness to the sublime awesome power of the Industrial Revolution, and other impressions of Northern Grit.

Communal Values

2.7 As of 2pm today, more than 2,800 people, the vast majority of them local residents, have signed a petition: https://you.38degrees.org.uk/petitions/don-t-hide-our-viaduct objecting to the Weir Mill tower on the east side of the viaducts. A hard copy of the document with all the signatures is enclosed with this document at Appendix C.

2.8 The Grade II* structures have deep meaning for locals and provide them with a sense of place. The structures have been assigned both symbolic and social values, as a source of identity, distinctiveness and coherence. They and cherished local views form part of collective memory.

2.9 Images of the viaducts can be found in railway and other posters and postcards; news blog web pages e.g., *The Viaduct*; and in local company and club logos: for example, those of Viaduct Care CIC; Aqua Design; Stockport College (now defunct); Stockport County Supporters' *Marion's Board* Website; Stockport & District Railway Modelers Club; Stockport Gin; Stockport Homes; and Viaduct Life Coaching.

2.10 Local Councillors, Matt Wynne and David Meller, and local MPs Navendu Mishra and Andrew Gwynne, have been campaigning for Network Rail and the Ministry of Transport to improve maintenance and repair on the Grade II* structures.

2.11 These actions signify a popular response to the Grade II* structures and widespread public care for their welfare and sustainability. This concern includes not only a desire for cleanliness of the brickwork's appearance at the micro-scale, but also a broader apprehension about the hiding of the viaduct from general view and appreciation in the town centre.

3. ENABLING DEVELOPMENT: ALTERNATIVE SITES

The Trust's early comments submitted on the developer's Scoping Report in the current submittal were largely ignored or dismissed by Avison Young's EIA Scoping Report response. Nevertheless, the Trust recites the principal objections here again.

3.1 The developer's EIA report failed to encompass any sensible review of Alternate Sites. Alternative uses or combinations of uses have been addressed. But only within the confines of the existing Weir Mill site. However, given the Council's Town Centre West strategy, and its intention to work with the Mayoral Development Commission to free up redundant brownfield sites by negotiated agreement or compulsory purchase, the Trust feels it ought to be possible for Capital and Centric to trade a reduction of a minimum of 60 of the 78 units planned over ground floor

retail / food and beverage spaces for the Weir Mill east tower in return for alternative land for that amount of accommodation elsewhere in the immediate area.

3.2 The 14-storey tower is contentious and will raise planning objections as articulated in this document and from other heritage interest groups including Historic England. But a shorter building with 18 apartments over three floors with commercial spaces below would raise few objections on that same site.

3.3 To make the developer's finances work, it is recognized by the Trust that compensatory enabling development would be required, and the Trust agrees that this would be impossible within the confines of the current site. The developer has not tested or fully explained why nearby sites could not be conjoined to the development and freed up for construction by Stockport Mayoral Development Corporation (SMDC). Key aims in the Corporation's five-year business plan 2020-2025 for Stockport Town Centre West are, after all, to:

- Tackle development viability constraints (page 5)
- Provide new approaches to development on brownfield land (page 9)
- Unlock sites (page 12)
- Accelerate delivery through land acquisition to facilitate site assembly (page 12), especially at the King Street West / Chestergate intersection (page 14) adjacent to the Weir Mill site.
- Provide gap funding (page 12)

3.4 Such provisions appear to the Trust as direct and specific means to aid the developer to achieve its goals without materially and significantly affecting the special interest and setting of the Grade II* listed Viaducts on their east side.

4. SOCIO-ECONOMICS: local planning policy

4.1 With regards to the town's Strategic Regeneration Framework (SRF) – the developer has not demonstrated how the development's eastern tower will "showcase the town's heritage" when, in fact, it will directly obscure part of the Grade II* listed viaduct, and contribute in cumulative fashion to limiting other panoramic and direct views when combined with obstructions caused by the existing Regent House and the planned Interchange tower developments.

4.2 The Trust fails to see why the Weir Mill eastern tower would act as a landmark for Town Centre West when the adjacent and taller Interchange tower will already create such a marker. The term, "Landmark" infers that the structure would form a singular visual marker for navigation. But the new Interchange will already have such a function, as its primary use is already concerned with travel and navigation.

5. IMPACT OF TOWER ON THE GRADE II* VIADUCTS

5.1 The Trust objects to the lack of definition for the Zone of Visual Influence (ZVI) suggested by the developer. SHT proposes a 1 km zone to account for all significant views and vistas of the viaducts, and the cumulative effects of Regent House, Interchange Tower and the Weir Mill tower on the engineering features' eastern side.

5.2 Stockport Heritage Trust strongly contests the developer's assumption that Townscape and Visual attributes should be deemed insignificant, or minor, and excluded from the scheme's Environmental Impact Assessment. Indeed, the developer conveniently focuses solely on the development site in the scoping report,

while expanding the study area to 1 Km in other sections. In this regard, the suggested scoping is partial and biased.

5.3 Considering that the previous developer appears to have withdrawn its planning application on the basis of strong objections from Historic England, the Victorian Society and the Stockport Heritage Trust regarding the impact of a tall tower on the east (town centre) side of the Grade II* Viaduct, it would seem to the Trust essential that the current scheme be contested on the same basis.

5.4 It remains the Trust's opinion that many panoramic views of the east side of the Grade II* structure and its familiar skyline would be obstructed by the cumulative effects of tall buildings. The current Weir Mill development's tall tower would, if permitted, significantly add to the cumulative visual impacts already generated by the existing Regent House to the north and the proposed Interchange tower to the south. Appendix E provides a reassembly by the Trust of the developer's computer-generated imagery from which to study visual impacts. But these images are preceded by the Trust's own panorama comparisons from a view point on the west side of Wellington Bridge. They illustrate the obstructed views created by Interchange Tower, the proposed Weir Mill Tower and by the unfortunate extant Regent House.

CUMULATIVE VISUAL IMPACT OF WEIR MILL AND OTHER TOWERS ON STOCKPORT'S GRADE II* VIADUCTS



Prepared for the Stockport Heritage Trust: 11 February 2021
John Fidler Preservation Technology Inc

5.5 The Trust insists that visual impacts modelled on the townscape and cherished local viewsheds seriously affects the special interest and setting of the railway viaduct. The Trust refers to Historic England's Conservation Principles cited above; Planning Advice Notes #3, The Setting of Heritage Assets; and #4, Tall Buildings; and the references in the latter documents to the National Planning Policy Framework that all emphasize the contribution of settings of historic assets to their significance, local character and distinctiveness.

5.6 Stockport Heritage Trust is aware that Stockport Council (SMBC) has no urban design expertise in its planning department. It does not appear to have carried out any urban skyline, cherished view or vista studies as part of its strategic planning functions.

Tests in the National Planning Policy Framework

5.7 In the Trust's view, the current proposals represent "substantial harm" to the historic viaduct and require either major mitigation benefiting the heritage assets (e.g., by eliminating the residential tower) or be rejected as overloaded development.

5.8 The Trust contests arguments that an NPPF test of "less than substantial" harm should be applied to the proposals. This is illogical. The identified heritage benefits of retention and adaptation should and must be applied to the public benefits side of the balance equation, not used to offset substantial harm.

6. ECONOMIC VIABILITY

6.1 The Trust notes from the viability studies that the developer claims that the Weir Mill eastern tower "results in a more viable development." But elsewhere, its consultants admit that economic viability is marginal and heavily subsidized by Homes England, through a proposed £7 million Housing Infrastructure Grant focused upon the "viability challenges with the listed asset (i.e., Grade II listed Mill complex). Indeed, so unviable is the current scheme, that no affordable (subsidized) accommodation is now planned, and Capital and Centric appear to be waving standard profit margins in an attempt to make the project work.

6.2 Considering the economic shortfall assumed for the project, the developer appears to have based its enabling activities solely around the most expensive new element to build – a high rise tower with all its complicated structural and mechanical infrastructure.

6.3 No applications appear to have been made to Historic England, or to the National Heritage Lottery Fund (NHLF) for additional targeted public sector grants to offset the costs of repair of the Grade II listed Weir Mill complex. The NHLF's Grants for Heritage programme provides funding to large deserving heritage projects from £250,000 to £5 million. Such grants might reduce the developer's reliance upon building a high-rise tower, thus saving Weir Mill and not destroying the setting of the Grade II* viaducts.

7. CONCLUSIONS

7.1 In conclusion, and for the reasons outlined above, Stockport Heritage Trust objects to the current proposal to erect a high-rise tower on the east side of Stockport's Grade II* viaduct and recommends that planning permission and listed building consent be refused.

The Trust is copying this letter to both Historic England and the Victorian Society for their information.

Navendu Mishra MP

Stockport Viaduct is a Grade II* listed structure and an iconic part of the town's built heritage. It is incorporated into the branding of many local organisations. Capital and Centric has applied for planning permission for a development on either side of the viaduct which includes a tower between the town centre and the viaduct, and which will have a damaging impact on its prominence in our community and spoil the enjoyment for all those who live, work and visit our town.

I want to set out my position on the current proposal in response to all the constituents who have contacted me about it. I'm grateful that so many have taken the time to get in touch.

A petition opposing the tower has more than three thousand signatures to date https://you.38degrees.org.uk/petitions/don-t-hide-our-viaduct

Significantly, the Victorian Society has now objected to the scheme. I am grateful for the time that Stockport Heritage Trust took to explain its reasons for opposing the current proposal. Its biggest concern is that a 14-storey tower will ruin the view of the viaduct, while Historic England says the development would be a 'considerable visual intrusion'.

I welcome plans to make the river accessible and it is important to see historic buildings brought back into use and protected. When I met with Capital and Centric, I saw exciting indoor spaces and an attractive 'public realm'. I recognise that public aspects of schemes like this have to be funded from the money generated through 'enabling' residential development.

But there are seven thousand households on Stockport's housing waiting list. The crisis is not simply about the number of homes. It is also about improving the alternatives for the people who live here already. This development can – and should – make an important contribution if commercial considerations are balanced with a real commitment to improving the stock of social housing. My priority remains good quality and affordable housing for everyone who lives in Stockport.

A commercially viable development which preserves the views of the viaduct and provides an inclusive mix of housing must be our goal. Stockport Council and the Mayoral Development Corporation should consider making more adjoining land available. The Victorian Society points out that 'there is plenty of space in the areas proposed for redevelopment immediately to the south and west of the site to provide the extra units that the tower would offer.'

I am not against the whole development, but a balance must be struck. We do not need the tower to enable high quality development in Stockport town centre. We need a rethink that protects the view of the viaduct for future generations.

I look forward to seeing such a vision put forward for the people of Stockport.

Save Britain's Heritage

SAVE Britain's Heritage objects to the above planning and listed building consent applications for the redevelopment of the Weir Mill site and the construction of a 14-storey tower adjacent to the Stockport Viaduct. Listed at grade II*, this viaduct is a historic monument of the highest significance to both the city of Stockport and the nation's railway heritage. The tower proposed in its immediate setting will substantially harm not only the viaduct's historic significance but also the defining views to and from it which are integral to the unique character of the city. The applications therefore fail to comply with national and local policy for preserving Stockport's historic environment. For these reasons we call on the Local Planning Authority to refuse planning and listed building consent.

Significance

Passing through the heart of the application site and spanning much of the city itself, Stockport Viaduct is arguably the defining landmark of the city. Completed in 1840 to designs by George Watson Buck for the Manchester and Birmingham Railway, the viaduct was at the time the largest viaduct in the world and is still considered to be an icon of the early railway age. Constructed from over 11 million bricks, the substantial scale and span of the viaduct over the River Mersey were deliberate expressions of civic pride in a city proud of its industrial role in the region, a characteristic reflected in the historic Weir Mill which sits beneath it. Such is the impact of the viaduct, that it also became something of a cultural icon, portrayed in several works by the noted landscape artist L.S. Lowry.

The historic Weir Mill forms the remainder of the application site, sitting to the west and partly beneath the viaduct. Listed grade II in 1996, the Weir Mill was originally a cotton spinning mill and dates in part from the late 18th century, with extensions in the 19th and early 20th centuries. It is acknowledged to be of high heritage significance to the city, a fact recognised in the Stockport City Centre Masterplan which emphasises the council's intention to see it restored.

Our Assessment

SAVE has long supported the principal of restoring and reusing the Weir Mill, an intention originally set out in our 1976 report *Deserted Bastions*, featuring a number of historic industrial landmarks in need of reuse.

However, having assessed the current proposals, we consider the substantial harm the tower proposed will cause to the setting of Stockport Viaduct to outweigh the benefits of restoring the Weir Mill.

At 14-storeys high, the tower would be three times the height of the Weir Mill and rise well above the listed viaduct, diminishing its landmark setting and unbroken views of the historic structure from the east of the city. Historic England state that the tower would be a '*considerable visual intrusion',* a concern also echoed in the formal objections of the Victorian Society, Manchester Civic Society and the Stockport Heritage Trust.

We consider this setting harm to be substantial and therefore unacceptable in the context of National Planning Policy Framework para 189 which states that "*Significance derives not only from a heritage asset's physical presence, but also from its setting."* Paragraph 193 also 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."

The viaduct is a grade II* listed building of the highest value in national terms, and its setting, both immediate and in long distance vistas, is integral to its heritage significance and landmark quality as a symbol of Stockport. It is therefore essential that any proposals for new development of this site protect and enhance this setting, a duty set out under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990. A 14-storey tower at this location, just metres from the viaduct's structure, does not achieve this.

We also question the fundamental justification for a tower at this. We note that the council's adopted City Centre Masterplan identifies several locations in the western city centre in need of regeneration and suitable for housing. The applicant states that the tower is in part, an enabling factor in their restoration of the Weir Mill but fails to justify why 14-storeys specifically is needed to achieve this. In our view, these applications, if approved, risk setting a dangerous precedent that tall buildings and the harm they cause to the immediate setting of the Stockport Viaduct are acceptable.

The regeneration of this site, including the restoration of the Weir Mill, is set to benefit from £7 million of public HIF funding awarded by Homes England. We therefore urge the council to ensure this public money is invested in a scheme that respects, not harms, the historic character of Stockport without the need for a 14-storey tower. This is also a key policy aspiration of the Unitary Development Plan Policy TCG3.1 'RIVERSIDE', which states that "*In this area the extension of leisure and office uses into the area will be appropriate, with new buildings being designed to respect historic features and the dramatic setting of the viaduct and river gorge*."

The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the long term. The aim is to achieve the right development in the right place; it is not to allow development at any cost. To create high quality sustainable places, the *National Planning Policy Framework* 2019 advises in paragraph 184 that heritage "*assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*".

<u>Conclusion</u>

We do not believe that the present proposals are the only means of achieving either the restoration of the Weir Mill or the regeneration of this part of the city, and for the reasons outlined above, we call on the Local Planning Authority to refuse planning and listing building consent. I trust these comments are useful to you and I ask that you keep me informed of further decisions or consultations regarding these applications.

Friends of Trans-Pennine Trail

Overall, this development represents a great opportunity to bring back to life a very dilapidated and neglected area of Stockport Town Centre. In particular, there is the ambitious aspiration for the development to be largely car-free and for active travel modes to be promoted for all residents. There is substantial provision of residential

cycle storage and public cycle parking, along with the potential for a cycle hub or café. However, aspects of this ambition are not supported by the actual proposals and as such, we cannot fully support this application.

Trans Pennine Trail

The Trans Pennine Trail (TPT) runs along Chestergate, the southern boundary of the development. It is a popular walking and cycling route (for both local transport and as part of a long distance national coast to coast route), and is also part of the National Cycle Network, NCN62. It is the key active travel route into the centre of Stockport from the west, providing a mostly traffic free route from many areas including Cheadle, Edgeley, the south Heatons, and Didsbury. The route will become much busier in future, in part due to this development, but also because it runs through the Transport Interchange to the immediate east of the development and also the longer term Stockport Town Centre West MDC project to the west of the development.

At present, the TPT in this area comprises a shared use footway of varying width with multiple Toucan crossings of road junctions and unprioritised crossings of entrances to various businesses. It is clear that motorised vehicle traffic is the priority, with the signalised Toucan crossings providing slow and tedious interruptions to journeys into Stockport. In addition, because there is no segregation between pedestrian use and cycling, there is the potential for conflict. Whilst this is relatively infrequent at present due to the relatively low footfall, that will change significantly in the future, due to the various developments in progress, as discussed above.

Meetings with Weir Mill Developers

Once we became aware of the plans by the developers for Weir Mill, we contacted them to engage with them to discuss the active travel opportunities in this area. Whilst the developers were very happy and willing to meet and discuss their plans, it soon became apparent that these did not include any improvements to the existing infrastructure along Chestergate and that potential alternative routes through the site would not be suitable for cycling. It also became apparent that there did not appear to have been any discussions with Stockport Council about the wider context of this site with regard to the Transport Interchange or the Stockport Town Centre West MDC project. This is very disappointing, since without some joined up thinking, we are never going to achieve the high quality infrastructure that developments, such as Weir Mill, need in order to realise their car-free ambitions.

LTN 1/20 and Gear Change

In July 2020, the Government published LTN 1/20 and an accompanying document, “Gear Change: A bold vision for cycling and walking”. These are “must read” design manuals for anyone involved in planning active travel infrastructure. In particular, we would like to draw attention to this section:

> 6.5.4 In urban areas, the conversion of a footway to shared use should be regarded as a last resort. Shared use facilities are generally not favoured by either pedestrians or cyclists, particularly when flows are high. It can create particular difficulties for visually impaired people. Actual conflict may be rare, but the interactions between people moving at different speeds can be perceived to be unsafe and inaccessible, particularly by vulnerable pedestrians. This adversely affects the comfort of both types of user, as well as directness for the cyclist.

Shown below is a plan taken from the Stockport Town Centre West brochure, clearly indicating the ambition for the “sustainable transport corridor” along Chestergate,

with Weir Mill outlined in blue. In order to meet LTN 1/20 standards, this will need to be fully and clearly segregated (minimum 2m wide for pedestrians and 3m for cycling) along with prioritised parallel crossings at any intersections with roads. Please note that the route labelled as TPT on this map is the walking route – the main TPT cycling route already runs along Chestergate.



On the plans provided by the developers (see below), they have stated that the existing 3m wide shared use footway meets the LTN 1/20 width requirements for shared use (ringed in green on plan). It should be noted that this is a disingenuous statement bearing in mind the paragraph taken from LTN 1/20 above. In addition, ALL of the existing cycling infrastructure in this immediate area (eg Astley St, Heaton Lane, the A6, and around to Travis Brow) is shared use and much of it has a usable width with various obstructions that is well below that 3m width and therefore does not meet that absolute last resort minimum stated in LTN 1/20. How therefore do the developers and Stockport Council think the existing infrastructure is going to be fit for purpose to meet their active travel aspirations?

In addition, the proposals show a loading bay with an entrance and exit which is crossed by the shared use footway. Again, this has the potential for conflict and does not prioritise active travel. The route should be redesigned to run behind the loading bay (using a similar concept to the floating bus stop) as indicated on the plan in red. Even if this cannot be done, then there must be continuous footways, which prioritise walking and cycling over vehicle movements, as shown by the pink hatching.

<u>Summary</u>
The Trans Pennine Trail shared use walking and cycling route going past Weir Mill must be improved to the recommended LTN 1/20 fully segregated standards, in order for the future ambition for Stockport Town Centre West and, more generally, active travel into Stockport Town Centre to be realised.

We ask that Stockport Council Planning and Highways departments to talk to each other and the Weir Mill developers urgently. A commitment to reallocate space, either from the Weir Mill development or the existing highway (or both) must be agreed in order for the required fully segregated facility to be built, even if this is actually built at a later stage. The opportunity to ensure that there is provision for a

high quality active travel corridor (which meets LTN 1/20 standards) into Stockport must not be missed.

CONSULTEE RESPONSES

SMBC Heritage Conservation

SITE LOCATION AND CONTEXT

The application site comprises the GII listed Weir Mill complex. The site is bisected by the Grade II* Railway Viaduct, which oversails the site, with four of its supporting piers located within the site boundary. The site is contained by Astley Street to the east, King Street West to the west, Chestergate to the south and the steep sided banks of the River Mersey to the north.

The site is in close proximity to a number of heritage assets of special architectural and historic interest, the collective group value of which help to define Stockport's unique identity, townscape and sense of local distinctiveness. Most notably they include Wellington Mill and chimney (Grade II), Wellington Bridge (Grade II), the former Wellington Bridge Inn (locally listed) and the St Peters Conservation Area to the east, King Street West bridge (locally listed) to the north and King Street House Hatworks (locally listed) and Kingston Mill (locally listed) to the west.

The Railway Viaduct and Weir Mill together with Wellington Mill, Mentor House and Kingston Mill retain the legibility of the Victorian Industrial composition of this part of the town. The mill buildings illustrate the historic importance of the textile and clothing industry to the town and its relationship with the river, and represent surviving examples of a once more prevalent type of industrial building. The numerous road bridges that skirt the site and the Railway Viaduct are illustrative of improving transport, as a result of increased industrialisation, highlighting the site's evolving connectivity and valley topography.

The valley setting and building pattern allow important views across the town centre from a number of vantage points across Stockport as well as providing views into the area and vistas towards key buildings and structures. These views and vistas are defining elements of the character and identity of the town centre of Stockport.

Weir Mill is identified as a key site, which contributes to the Stockport Mayoral Development Corporation's ambitions for housing provision and the regeneration of the town centre, falling within the 'Weirside Neighbourhood' of Town Centre West. The *Stockport Town Centre West Strategic Regeneration Framework* (SRF) establishes the expectations for Town Centre West in line with the principles of sustainable development and places an emphasis on celebrating heritage, promoting good design and responding sensitively to character and landscape. The vision for 'Weirside Neighbourhood' is the creation of a 'low rise mixed-use employment and leisure area under the viaduct, which creates a new gateway into the town - showcasing the river and the town's heritage'.

Historic asset descriptions for statutory and locally listed buildings and conservation areas can be accessed via the Council's interactive mapping system at the following link: https://www.stockport.gov.uk/find-conservation-and-heritage-assets

The heritage context of the site engages the requirement for the applications to be assessed in accordance with relevant policies and legislation as they apply to the

historic environment / heritage assets, being CS8 and SIE-3 of the Core Stragey DPD, HC1.3 of the UDP, policies contained within Chapter 16 of the NPPF and S16(2) S66(1) and S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

HERITAGE SIGNIFICANCE OF WEIR MILL AND STOCKPORT RAILWAY VIADUCT

Paragraph 195 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Annex 2 of the NPPF defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

As described below, the significance of Weir Mill and Stockport's Railway Viaduct, both individually and collectively, derives from a wide range of inter-related values. Weir Mill, the Railway Viaduct and their setting are of exceptional cultural, architectural, historic and archaeological significance, making a substantial contribution to the identity and local distinctiveness of Stockport.

<u>Weir Mill</u>

Weir Mill was listed for its group value, as a multi-phase integrated cotton spinning and weaving complex displaying the greatest number of phases of development represented on any mill site in Greater Manchester, dating from C18th to C20th. It includes important examples of fire proofing technologies and floor construction, which reflect the advancing abilities of the era to construct large span, multi storey buildings that carried the huge weight of the machinery. The buildings on the site further reflect the advancement of technologies in the cotton industry itself, driven by the need to produce ever-increasing amounts of goods. There is evidence of early waterpower and then the progression to steam power, as well as the early weaving shed, which survives as a reminder that the mill capitalised on the advantages of a combined process. The surviving fabric of Weir Mill is unique because it encapsulates the development of the cotton industry in a single site and represents the key role that Stockport played in contributing to the technological advancement of the Industrial revolution. It remains substantially intact with its ancillary buildings grouped together within a tight knit urban site abutting the River Mersey. This level of completeness and early retained fabric displays a legibility of the variety of uses which contributed to the life of the textile mill, which is key to its overall significance.

Assessment of the regional significance of Weir Mill in the context of historic textile-manufacturing buildings, undertaken by Salford Archaeology in January 2019, identified the following:

- In the context of C18 mills in the region, Weir Mill by virtue of evidence of the original elements of its 1790 construction, particularly the lower levels of the wheelhouse, is the oldest textile mill in the urban setting of Stockport.

- In the context of water-powered mills in the region, Weir Mill is a rare survival. It retains elements of the housing of its mechanics as well as legible water

management features in the red sandstone bedrock such as tunnels and sluices. Weir Mill's wheelhouse uniquely extends into the River Mersey

- In the context of steam-powered mills in the region, there is a greater number of surviving steam-powered textile mills. Evidence of Weir Mill's internal engine house (within the East Mill block) is important, though the loss of the chimney and power plant is regrettable.

- In the context of its innovation of structural design, Weir Mill retains fine examples of the developing fireproof construction of the time, incorporating the 'hodgkinson-type' floor beam construction with cast iron columns and brick vault ceilings. The structural arrangement of the standing west spinning mill was unique to notable architect George Woodhouse and Potts' design and likely the last textile mill that Woodhouse designed.

- In the context of integrated cotton mills, the adoption of power-loom weaving and the erection of the weaving end of Fernley's mill made Weir Mill one of the earliest integrated cotton spinning and weaving mills. Theearliest riverside weaving shed was demolished to accommodate the Railway Viaduct, however the remaining weaving shed to the east of the site provides useful evidence of this building typology. There are few remaining integrated mills in the region, and a number of those that do remain have already had their weaving sheds demolished. Other textile mills identified with surviving weaving sheds are without statutory protection, indicating a level of regional rarity.

Weir Mill and Stockport Viaduct

The significance of Weir Mill is reinforced by its association with the Grade II* listed viaduct and the Mersey river, in terms of physical proximity, historic and visual interrelationship. In the 1890's the railway was widened but was hindered by the presence of Weir Mill. To overcome this, a section of the spinning block was taken down, and rebuilt projecting under an archway of the bridge, creating the distinctive relationship between the two. Views of the Mill though the arches of the viaduct form part of the cherished local appearance of the site as a whole, as illustrated in many engravings, paintings, and photographs of the area - some famously featuring LS Lowry. The contrast between the polite architectural character and overt confidence of the design of the viaduct, contrasts with the functional and vernacular architectural character of the mill group, reinforcing the sense of progress as well as a sense of loss of local identity and control – this is something echoed in the paintings of LS Lowry, many of which depict Stockport Viaduct as a motif or symbol of the impact of the industrial revolution upon the daily lives of ordinary people.

Stockport Railway Viaduct

Stockport's Railway Viaduct stands out as a truly awe-inspiring piece of Victorian industrial engineering. The massive scale of the vivid red structure with its exposed great length of 27 brick arches marching across the landscape, is a defining landmark of the town, emphasising the town's steep river gorge topography, adjacent land forms and industrial landscape, and contrasting with lower scaled buildings beneath it, dominating its visual surroundings. It is of considerable architecture interest, which stems not only from the exceptional quality and complexity of its construction, but also from its enormously impressive visual character. It is an iconic structure, a symbol of Stockport that invokes feelings of nostalgia, familiarity, destination and a sense of place, symbolising logistical

innovation and economic and construction prowess that inspire local pride, admiration and awe.

The Viaduct makes a substantial contribution to our understanding of the evolution of railways and railway architecture. Its soaring nature is a tangible reminder of the wealth and ambition of the railway companies in the nineteenth century. The deep Mersey Valley was a major impediment to north/south rail connections, and the construction of the viaduct – which remains the largest brick structure in Western Europe – represented a monumental effort to overcome the topographical challenges in connecting Manchester/SE Lancashire to the rest of the UK and was achieved with notable architectural flair and innovation. Constructed only 10 years after the first passenger railway (Manchester to Liverpool in 1830) the viaduct embodies the spirit of the early Victorian age and the rapid technological advances brought about by the industrial revolution; the importance of the railway network in supporting the supply of raw materials; transporting people and facilitating trade; and the growing confidence in applying engineering innovation to overcome obstacles.

In April 2018 the MEN recognised the viaduct as being ‘one of Greater Manchester’s most recognisable landmarks’. It is visible over short, medium and long range views, both day and night (thanks to its fine floodlit form); from within and outside the site from public spaces and from private homes, making a vital contribution to the Townscape character of Stockport.

The viaduct holds significant amenity value and cultural significance for all those that live, work and visit the town and is of great importance as part of a main artery connecting the North with the South. The viaduct has been a source of artistic inspiration since its construction, as evidence by the wealth of artworks that have made the structure their subject, and it is notable that even today, with its overpowering scale and generally uninterrupted length, it remains the most utilised image in promotional materials for Stockport.

HERITAGE IMPACT OF THE PROPOSALS

Weir Mill complex is listed grade at II, while the Railway Viaduct is listed at grade II*. Weir Mill, the Railway Viaduct and their setting are of exceptional cultural, architectural, historic and archaeological significance, making a substantial contribution to the identity and local distinctiveness of Stockport. These two assets have a considerable interrelationship, historically, visually and physically. The impact upon the significance of heritage assets varies in nature and scale – from demolition and physical alterations to new development within their setting – and so are considered separately.

<u>Weir Mill</u>

<u>Retained buildings</u>

The application proposes retention of the following buildings, which have been assessed within the Heritage Assessment as the most significant buildings at the site, in individual terms:

East Mill (fireproof spinning mill 1&2) - comprising building 1 dating from c1831, largely rebuilt in 1843, which includes a former engine house with evidence of beam engine, & building 2 dating from 1840, which was built as an extension to building 1.

West Mill (fireproof spinning mill 3) – design by George Woodhouse, dating from 1884, replacing an earlier 1790 structure and retaining a double-height engine room and boiler house. Elements of the 1790 structure potentially retained.

Wheelhouse (building 4) – 1790 mill building, largely rebuilt in 1884. Includes a surviving three-bay block incorporating part of the original wheelhouse

West Shed (building 8) – dating from c.1856. Identified historically as a 'factory'. Singe storey building with early examples of 'Hodgkinson' floor beams and cast iron columns supporting brick-vaulted ceilings and innovative raised roof lights

The repairs to, and restoration of, the original fabric and architectural features of the retained buildings are to be welcomed and would represent a significant benefit of the scheme. Whilst the complexities involved in the conversion of these buildings to residential and commercial use are acknowledged they would nevertheless involve interventions and alterations that would have a harmful impact on their significance. This however should be considered in the context of bringing the buildings back into positive use.

In order to facilitate repurposing of the buildings, the proposed scheme would, for example, result in:

- loss of existing fabric and original architectural features, original character, and legibility of earlier phases of construction / building uses, from the alteration to original openings, creation of new openings and the blocking up of, or visual obstruction of existing original openings (including windows, doors, hoist voids etc.)
- Loss of original fabric and architectural features, loss of legibility of original industrial plan form and loss of legibility of earlier phases of development and their relationship with other component buildings, arising from partition walls and from the insertion of new and replacement floor levels
- Loss of original fabric from stripping back of existing roofs and rebuilding with insulation and new roof coverings
- Loss of original fabric as a result of replacement staircases and new lift
- Impact on original character and existing fabric, arising from the installation of plant, services, fixtures and fittings and advertising

The quality and sensitivity of the conversion of the retained buildings on the site will have a considerable role to play in assessing the impact on the significance of Weir Mill. The Heritage Assessment conveys an aspiration to minimise the impact of interventions and alterations to the retained buildings, with the form of buildings guiding subdivision. Nevertheless the submitted documents (DAS, Structural Surveys, Heritage Assessment and drawings) express uncertainty in respect of a number of aspects of the proposed works / methods and extent of repairs and restoration, due to incomplete surveying arising from access restrictions at the site. It is acknowledged that assessment of some of the earliest phases of development – most notably the Wheelhouse and early engine rooms, has not been possible due to the current structural condition of the buildings. As much of the proposed work requires further detailed surveys to be undertaken to enable assessment of feasibility and to inform the detailed design and form of the proposals, it would be necessary for these matters to be covered by conditions applied to any consent.

In respect of the proposed window and door replacement strategy the Heritage Assessment provides details of the original design and materials of windows at the buildings highlighting that the different size, shape, pattern and arrangement of openings assists in distinguishing between different phases of construction and

uses. Buildings features a range of square headed, arch headed, and round / semi-circular headed openings representing different architectural period design as well as different functionality. The subtleties between designs makes an important contribution to architectural character and appearance, particularly given their scale and the repetition of openings across elevations. All new windows and doors are proposed to be of metal construction, rather than timber, as per the original and the existing windows, though justification for this change is currently missing from the application. Whilst some consideration has been given to the division / number of small panes to windows of different buildings, the window units that would occupy arch headed openings would not be shaped to reproduce the curved head of the openings. This would diminish their visual quality and reduce the ability to read the subtle design differences, which is important in emphasising the different periods of construction.

The form and legibility of original openings to the west elevation of building 2 of the East Mill would be significantly impacted upon by the design and scale of the proposed new central circulation core / link. The existing Woodhouse link building is of discrete form being of matching materials and design and set 8m back from the north facing elevation. This allows public views of the existing openings to the west elevation, including the large Diocletian attic window. The proposed circulation core would obscure all of the existing openings to this elevation and would involve the 'bricking up' of existing opening and the creation of new access points. Whilst the loss of the Woodhouse link is regrettable, the need for a circulation core / link between the East and West Mill is understood and the avoidance of harmful interventions involved in locating it internally is supported, however it is not evident from the submission that the impact to the external elevations has been minimised as far as is possible. As such further information is requested in this regard.

As proposed the East Mill would experience significant change to its east elevation, impacting on original fabric and legibility of existing openings, including windows to the engine room. The proposed new staircase to this elevation would avoid internal interventions, the principle of which is supported and it is acknowledged that the orientation of the staircase has been rotated to present the shortest length to the east elevation in order to reduce its impact, however justification for the proposed design, scale and appearance is not sufficiently clear at this stage and it is difficult to assess what level of transparency would be afforded by the mesh materials without detailed samples being provided. The DAS considers that the design of the staircase has been informed by the nature of the cast iron escape stairs, however its appearance would be considerably more bulky and lacks the elegance of the existing external staircases, instead relating aesthetically to the mesh clad circulation core. The proposed retention, repair and reuse of the existing cast iron staircases to the East and west Mill buildings is to be welcomed.

Limited justification is provided for the proposed interventions to the west elevation of the West Shed involving the partial demolition of the wall reducing its height, and inserting openings into the presently blank elevation, impacting on the sense of enclosure at this part of the site and the original character of the building.

Demolition of buildings

Whilst the importance and value of bringing underutilised and poorly maintained historic buildings back into positive use as part of the regeneration of the site is recognised and welcome, it is noted that the current proposals involve a high proportion of demolition of surviving listed buildings. Whilst it is accepted that some demolition would be required at the site, in order to facilitate its redevelopment, it is

particularly regrettable that the proposal includes loss of building components that are identified as being of considerable heritage significance in the submitted Heritage Assessment, namely the West Factory building fronting Chestergate and the 1874 Weaving Shed to the east. Given the high level of significance that is attributed specifically to its completeness as a multi-phase integrated mill complex, the demolition of a considerable number of buildings raises significant concern from a heritage perspective, diminishing the significance of site and the historic, architectural and technological evidence that the site embodies, causing a high level of permanent and irreversible harm.

With respect to the relative completeness of the complex, the survival of weaving sheds on the site is of particular interest and importance. In the context of integrated cotton mills, Weir Mill is one of the earliest integrated cotton spinning and weaving mills. There are few remaining integrated mills in the region, and a number of those that do remain have already had their weaving sheds demolished. Other textile mills identified with surviving weaving sheds are without statutory protection, indicating a level of regional rarity. Only six other former textile mills in Stockport retain elements of a weaving shed and of these, just four were integrated spinning and weaving mills. Weir Mill is the only mill complex within this small group that is afforded statutory protection as a listed building

Almost all of the weaving sheds at the site are proposed to be demolished under the current application. By way of mitigation the application proposes the ‘partial retention of a portion of the grid of structural elements’ of the 1874 weaving shed (building 11) in order to ‘create a visual clue to the former footprint and identity of the buildings’. It is noted that the submitted information indicates that the precise feasibility of this proposal has not yet been determined and would need to be a matter for conditional control. Nevertheless the proposal would involve a substantial degree of demolition and alteration and would result in the loss of its inherent architectural character, so as to be unrecognisable. North-light weaving sheds are recognisable for and derive much of their significance from their characteristic form, typically being single storey with expansive floor plates and distinctive saw-toothed north-light roofs. The proposed retention of only a ‘portion of the structural elements’ of the building would result in the loss of the characteristics that make it recognisable as a weaving shed – as such in my opinion only very limited heritage benefit could be attributed to it. The loss of the legible form of the north-light weaving shed would compromise the ‘integrated’ nature of the listed mill complex causing a high level of harm to its significance.

The submitted Heritage Assessment and DAS suggests that the building form does not lend to retention and conversion of the weaving shed ‘for uses other than industrial and commercial buildings’ and provides little opportunity for reuse within the proposed mixed use / residential context. In my opinion however, the numerous examples of north light weaving sheds that have been successfully refurbished and repurposed demonstrate that such buildings can be put to a wide range of imaginative and innovative uses, including retail, office space, creative industry hubs and food and drink offers. It is therefore disappointing that the submitted documents do not evidence that such opportunities have been explored. I do however acknowledge that I must base my comments on the application in front of me.

The Heritage Assessment states that the proposal seeks to retain elements of the complex that have been identified within the Heritage Assessment as being of the highest individual significance, with an aim of retaining evidence of important innovations in mill construction, as well as some of its sequential evolution. The 1897 weaving shed and west factory are however recognised within the Heritage

Assessment for their high level of significance individually. Given the nature of the significance of the Weir Mill complex and its rarity of completeness as a multi-phased integrated mill, the significance of the site as a 'whole' is even greater than the sum of its parts. As such, the level of proposed demolition would still have a highly harmful impact on its significance.

Public Realm

The proposed opening up of parts of the site and the riverfront and creation of an attractive publicly accessible space represents a positive intervention that could deliver considerable benefits. The enhanced access, providing potential for greater public appreciation and contemplation of the historic and architectural interest and environmental qualities of site, and the relationship between the listed structures, the town and the river are welcomed. This would provide valuable opportunities for the interpretation of the history and development of Stockport and in particular the key contribution played by water from the River Mersey and its tributaries to provide power for the early textile industries which is welcomed.

New Buildings

Turning to the new build elements of the scheme, it is recognised that the conversion and repurposing of the site presents a number of clear challenges and it is acknowledged that the scheme is heavily reliant on grant funding in the form of a £7 million housing investment fund grant from Homes England.

The proposed scale, massing and orientation / layout of the new buildings, which would be of a different height, form, floorplate, siting and architectural character to the replaced buildings, presents considerable challenges when considering them in the historic context of the site.

In respect of development on the south and west of the site, the relatively low level of the existing West Factory (building 5), which articulates the corner site with its distinctive curved elevation, allows for views of the taller mill buildings, which are sited closer to the river, and also allows the viaduct to the east to be seen from viewpoints in the street to the south and west of the site. The arrangement and scale of existing buildings on this part of the site allows for views, which provide legibility of the layered composition of the site, with the single and two storey structures contrasting with the imposing scale of spinning mills, and all being dwarfed by the monolithic viaduct oversailing east portion of the site. The proposed new buildings would be significantly taller than the factory building, and also taller than the East and West Mill Buildings, obscuring them from some views from the south and undermining their street presence from the west. This would dilute the character of the complex, and diminish the context in which the retained buildings are experienced.

The spinning mills, with their imposing scale, are the dominant structures of the Weir Mill complex and are considered landmark structures, currently being dwarfed only by the viaduct. All of the proposed new buildings at the site would be larger than the spinning blocks, which would impact significantly on the perceived scale and dominance of the spinning mills, weakening their landmark status and impacting negatively on the character of the site. Views of the East Mill projecting through the arch of the viaduct that are gained from Chestergate on the south side of the site, would be lost, harming the legibility of the interrelationship between the listed structures.

The orientation and layout of the proposed west towers have been designed with the intention of opening up the site in order to create visual and physical permeability. This is contrary to the notable lack of permeability in the planned form and the sense of enclosure, arising from the arrangement and design of the existing mill buildings, which is a key characteristic of the Weir Mill site and mill complexes in general. The associated benefits of this design intent in respect of the enhanced ability to appreciate, experience and interpret the historic environment and listed structures is however acknowledged.

Stockport Viaduct

The very high level of historic and architectural significance of the viaduct is recognised in its designation as a grade II* listed building, placing it in the top listed buildings in the country. It is of the highest value in national terms and its setting, in short, medium and long distance views and vistas, is integral to its heritage significance and landmark quality, as a symbol of Stockport.

The East Tower as proposed would have a substantially adverse and irreversible effect on the setting of the GII* listed viaduct. This would have a highly damaging impact on views of and from the viaduct and would negatively affect the understanding of the historic relationship with the Weir Mill complex and its development. The proposed residential tower would be significantly taller than the viaduct, which would have a detrimental impact on the sense of scale and dominance of the Viaduct in key views from short, medium and long distances.

The proposed width of the tower, at 23m, is approximately equal to the combined width of one arch and one pier of the viaduct. The submission suggests that this limits the impact of the tower on the viaduct, however even at this width the tower would foreshorten / truncate the views from positions where some of the longest continuous length of the viaduct can be best appreciated, and in doing so would fundamentally diminish the quality of these views and the appreciation of the viaduct and a key characteristic of its special significance. Only in the instance of viewpoints directly opposite the tower would its visual impact be limited to just one arch of the viaduct. This does not acknowledge or truly reflect how the viaduct is experienced or appreciated outside of a single viewpoint. There are a number of static, progressional and panoramic viewing points that allow for excellent linear views of the viaduct, revealing the majority of the arches. When experienced in the ‘oblique’ the East Tower would either block out a series of arches or would completely truncate the viaduct, obscuring most of the visible length that lies beyond it. At 44m tall the tower would project 19m above the viaduct and would be perceptible in views from all directions.

Being sited just 5m from the viaduct this would be an inescapable consequence from any angle that would be completely contrary to the horizontal quality of the viaduct and discordant with its special character and appearance. The tower would seriously undermine the ability to appreciate the scale, grandeur and visual dominance of the viaduct stretching across the river valley, and would obstruct the complete nature of iconic views of this important landmark. This significant alteration would result in sporadic views of shorter lengths of the viaduct from the best vantage points as well as introducing development of an incongruous form, scale and materials rising above the viaduct from a significant number of other important long-range views (including approaches towards Stockport traveling in a southerly direction on the M60). In close range views the viaduct’s immense scale and feelings of awe that it induces would be substantially weakened by the presence of the tower rising above it.

The tower would also harm the quality of views from the top of the viaduct, when travelling by train, which allows for a unique elevated perspective of the valley below, and wide panoramas, taking in the skyline and important buildings of Stockport's historic core and closer views of nearby heritage assets including the listed Wellington Mill, Wellington Bridge, Plaza Cinema, St. Mary's Church and St. Peters Church. These views and the important sense of place they evoke, in approaching Stockport, which cannot be enjoyed in any other circumstance, would be drastically reduced, or lost, by the presence of the East Tower, rising 19m above the top of the viaduct. It is disappointing that the Heritage Assessment makes no analysis of these views or the impact of the tower upon them.

In my opinion, the submitted visual aids have failed to properly illustrate the impact of the tower, by omission of key views and by focusing on a limited number of narrow angled / single framed shots / closed views. The submitted analysis of the heritage impact in respect of views of the viaduct substantially underestimates the magnitude of harm from a number of key vantage points. In respect of views from Wellington Road North to the north east, the only view offered within the Heritage Assessment is View 7 to which they attribute low value. The Heritage Assessment does not analyse the impact on high quality views from this locality, where excellent progressional and oblique views of the continuous length of the viaduct are available, particularly at the junctions of Wellington Road North and the A5145 / Railway Street, as shown below where approximately 20 of its 27 arches can be seen.



High quality long and medium range views of the viaduct from the north-west are also generally overlooked, being limited to a single view from the M60 motorway bridge (View 10), rather than from road level approaching Stockport or from elevated pedestrian routes, as shown below:





There is a notable absence of any analysis of the value of, or impact on, night-time views of viaduct, which is dramatically and beautifully emphasised by the unbroken string of lights to its piers. The harmful impact of the east tower would be particularly striking, interrupting the continuous length of illuminated piers and arches, and the verticality of the tower, which itself would be lit, projecting above the viaduct would detract from its strong horizontal lines.



The impact of the proposed development must also be considered in the wider context of the cumulative effect of other existing and approved tall buildings (Regent House and the recently approved Interchange building). The current proposal for the tall tower on the east of the site would significantly add to the cumulative visual impacts already generated by the existing Regent House to the north and the recently approved Interchange tower to the south. The approved 19-storey Interchange tower will block some views of the viaduct on the south side of the valley, whilst the existing Regent House blocks some views to the north. The proposed 14-storey East Tower, positioned between these blocks would obstruct both central and oblique views. The cumulative impact on the setting of the viaduct is considered to be severe.

For the reasons set out above the impact on the setting of the GII* listed viaduct by the imposition of a tower of this scale and location would be substantially harmful to its significance. The NPPF makes it clear that significance derives not only from a heritage asset's physical presence, but also from its setting. The judgment of the Court of Appeal in Barnwell Manor confirmed that considerable weight must be given to the desirability of preserving the setting of all listed buildings. That general duty applies with particular force if harm would be caused to the setting of designated

heritage asset of the highest significance (which includes GII* listed buildings). Even if the harm to the setting of a GII* listed building were considered less than substantial there remains a presumption against the granting of planning permission.

The Viaduct, St Peter's Conservation Area, Wellington Bridge and the former Wellington Bridge Inn

In its assessment of the impact of the development in View 8, the Heritage Statement identifies that the East Tower, by virtue of its height, siting, design and materials, would have a harmful impact on a 'key view' identified within the approved St. Peters Conservation Area Character Appraisal, and the setting of the heritage assets within the view. This important view encapsulates the impact of the Industrial Revolution on this part of the town. Significant elements include the high quality buildings that frame the views, the visual relationship between the viaduct and Wellington Bridge displaying a unique aspect of their respective arches and strong horizontal form, and the interrelationship of the Railway Viaduct and Weir Mill, all in one view. Notable to the composition is the way the structures respond to the topography of the river valley. The proposed East Tower would not convey the identified positive qualities of structures in the view and would instead diminish the quality of this important view, which at present remains substantially unaltered from its late 19th / early 20th century appearance.

CONCLUSION

When assessing what constitutes 'harm' to a heritage asset the NPPF categorises harm into three areas: substantial harm; less than substantial harm; and no harm.

It is noted that Historic England consider that cumulatively, the harm would fall at the high end of the spectrum of less than substantial harm.

It is my view that cumulatively the proposals would cause substantial harm to heritage assets, principally arising from the demolition of elements of the Weir Mill complex, the impact of the proposed new build development and the impact on the setting of the Grade II* listed viaduct, which is a building of the highest significance. The assessment of harm is a matter of judgment and in reaching this view it is recognised that substantial harm is a high test, involving serious impacts on key elements of an asset's special architectural or historic interest. In this respect, the National Planning Practice Guidance (NPPG) was updated in 2019 to provide additional clarity on assessing substantial harm. The NPPG at Paragraph 018 states that 'in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.'

Paragraph 200 of the NPPF and CS policy SIE3 require 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.

The application proposes development that seeks to regenerate a key gateway site and deliver much needed housing. The associated benefits that would arise, including the retention, repair and reuse of listed buildings, the creation of high quality public spaces and opportunities for engagement with the historic environment is recognised. However, the harmful impact of the development upon the setting and significance of heritage assets is not considered to be underpinned by clear and

convincing justification within the Heritage Assessment to justify the scale of the proposal, measure the level of harm involved and does not adequately explain why other options have been discounted.

In respect of the proposals for the retention of historic buildings and required interventions, further work is still required in order to understand feasibility, deliverability and design, much of which cannot be achieved currently due to access constraints and safety issues. I remain concerned in respect of the proposed degree of demolition of important historic buildings and consider that thorough justification is lacking, particularly in respect of the loss of weaving sheds.

The harm that would be caused has not been clearly justified with respect to the planning or wider strategic context of the site. In respect of Stockport's Strategic Regeneration Framework (SRF), the applicant has not thoroughly demonstrated how the development would be compatible with the Masterplan's requirements that future proposals for the Weirside Neighbourhood 'should respond by sensitively integrating with listed, locally listed and non-designated assets' and that 'new infill buildings will be of an appropriate scale, working with retained and refurbished historic buildings'. The vision for the area is defined as the creation of a 'low rise mixed-use employment and leisure area under the viaduct which creates a new gateway into the town - showcasing the river and the town's heritage' where 'the setting of the viaduct will be enhanced' rather than undermined. The application rather focuses justification for the scale and design of the East Tower on the provision of a 'landmark' building, however, a review of landmark buildings of Stockport, including the existing spinning mills at Weir Mill, which sit under the viaduct, evidences that a building of landmark quality need not be a tall building.

Historic England Advice Note 4 – Tall Buildings sets out that in assessing a tall building proposal, local planning authorities must pay particular regard to the policies in paragraphs 8 and 9 of the NPPF that state economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment. This may involve the examination of alternative designs or schemes that might be more sustainable because they can deliver public benefits alongside positive improvement in the local environment. If a tall building is harmful to the historic environment, then without a careful examination of the worth of any public benefits that the proposed tall building is said to deliver and of the alternative means of delivering them, the planning authority is unlikely to be able to find a clear and convincing justification for the harm.

The submitted 'Options Appraisal' explores a relatively limited number of possibilities, being variations on the same principle of redevelopment of the site. It is unfortunate that opportunities for other neighbouring sites to be conjoined to the development, in order that housing density may be increased whilst minimising the effect on historic assets, have not been explored, which could potentially address issues in respect of density and numbers of housing. I note that this land lies outside of the application site and is not in control of the applicant. There is also no evidence presented by the application at this stage to demonstrate that opportunities for additional targeted public sector grants to offset the costs of repair of the historic buildings or bridge the funding gap in relation to conservation deficit (such as those offered by the National Lottery Heritage Fund), have been sought. I am however advised that further clarification in respect of this, is expected.

In my view it is not evident that this degree of harm is necessary, by virtue of the scheme being the only way of delivering perceived benefits.

The overarching policy objective of Chapter 16 of the NPPF (Conserving and Enhancing the Historic Environment) is found at paragraph 189, which states “assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.

When considering the impact of a proposed development on the significance of a designated heritage asset, the paragraph 199 of the NPPF instructs that, irrespective of whether harm amounts to substantial harm, total loss or less than substantial harm to its significance “great weight should be given to its conservation” and “the more important the asset, “the greater the weight should be”. The NPPF states that substantial harm to Grade II Listed assets should be exceptional. Substantial harm to Grade I or II* assets should be wholly exceptional.

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, paragraph 201 of the NPPF states that 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, or all of the following apply:

a. the nature of the heritage asset prevents all reasonable uses of the site; and
b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d. the harm or loss is outweighed by the benefit of bringing the site back into use.

In closing, I must emphasise the need to consider the above and apply all the relevant tests when determining this application. I must also emphasise that the question to be addressed by a decision maker is not a simple balancing exercise but is one which is mindful of and applies the need to have ‘special regard’ or give ‘special attention’ to the heritage assets whether under section 16(2) 66(1) or 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990. Harm to the special interest of a listed building is not a matter to be weighed equally with other material considerations, as the priority given by parliament effectively amounts to a ‘strong presumption’ against approval of development that would cause such harm**.**

Historic England

<u>Summary</u>
Weir Mill is a well preserved example of a mill complex, the greatest significance of which derives from the completeness of its survival, and the evidence it provides of multiple phases of mill construction and technological innovation. Spanning over the site, the viaduct is an exceptional example of Victorian railway infrastructure, which is a dominant landmark in the landscape, and which demonstrates considerable constructional complexity.

The proposals would require the demolition of a number of buildings within the Weir Mill complex, something which would considerably diminish the valuable evidence of the evolution of mill architecture that it provides. This impact is compounded by the scale, massing and orientation of the new buildings.

The development also proposes to erect a new tower element on the eastern section of the site. This is identified to harm the ability to appreciate the special architectural character of the viaduct, and to diminish its townscape value.

Historic England would identify that the proposals would result in a high level of harm (albeit less than substantial) to the significance of Weir Mill. We would also identify that it would result in a medium level of harm to the significance of the viaduct, and would impact on the important contribution that it makes to the townscape of Stockport.

It is acknowledged that the site has historically faced considerable economic and viability concerns, which will affect the optimum viable use for the site. The applicant has submitted a viability statement and development options appraisal, which seek to support the quantum of development proposed. This is a central element of the applicant's justification, and it is recommended that these documents are specifically assessed by an appropriately qualified independent professional.

Historic England Advice

Significance

Weir Mill

Weir Mill is a well preserved example of a mill complex, which exhibits outstanding evidence of multiple phases of evolution. The earliest of these are the surviving elements of a late eighteenth century water powered mill. The complex also includes phases of rebuilding and expansion in the early, mid and late nineteenth century, as well as more recent alterations in the twentieth century. A number of these phases are highly significant in their own right, but their greater historic interest derives from the ability to consider them as a collective sequential whole.

In particular, Weir Mill provides exceptional evidence of the evolution of mill architecture. This includes evidence of a number of different technological innovations, such as two forms of fireproof construction. It also retains evidence of multiple power sources (including water and steam), which allow an important understanding of the configuration and operation of mills throughout the eighteenth, nineteenth and twentieth centuries.
This historic interest also derives from the fact that a number of these elements are also relatively rare survivals. For example, we have limited other examples of either surviving water powered mills, or of eighteenth century mills in urban contexts.

Weir Mill also has considerable communal value, particular when considered as part of the wider group of mills across Stockport and Greater Manchester. This is because mills and industry are elements which are integral to defining not only the character of Stockport, but also the wider industrial heartland of Greater Manchester. This placemaking value gives the complex considerable architectural and aesthetic interest, which in part also derives from the characteristically robust nature of its architecture.

Stockport Viaduct

Passing through, and over, the site, the Railway Viaduct is an astonishing and audacious piece of Victorian industrial engineering. The structure spans twenty-seven colossal brick arches, and is reputedly the largest brick built structure in the Western Europe. It dominates its visual surroundings, and is an iconic landmark of

Stockport. This gives it considerable architecture interest, which stems not only from the exceptional quality and complexity of its construction, but also from its imposing and striking character.

The viaduct also makes a substantial contribution to our understanding of the evolution of railways and railway architecture. It not only provides important evidence of the speed and breadth of the spread of railways, but also of the confidence and entrepreneurial spirit of early investors. In particular it is a striking testimony to the ambition of the railway companies, that the viaduct was erected just ten years after the opening of the railway between Liverpool and Manchester, and fifteen years after the Stockton to Darlington Railway. It is accordingly also of exceptional historic interest.

Weir Mill is listed grade at II, while the viaduct is listed at grade II*. The two assets have a considerable interrelationship, visually and physically, something which is perhaps best illustrated by the fact that the construction of the viaduct required the taking down and rebuilding of a section of Weir Mill.

Impact

Background

Historic England would continue to stress our support in principle for the regeneration of Weir Mill, provided that it allowed for the site's sensitive and viable reuse. We are also aware that previous iterations of proposed development on the site have encountered considerable viability issues, which have constrained the ability to sensitively bring it forward. We therefore acknowledge that this will have an impact on determining the optimum regeneration scheme for the site.

Impact on Weir Mill

The application proposes the demolition of a number of the buildings which form part of the Weir Mill complex, including the buildings fronting onto Chestergate. This would considerably diminish the important evidence of mill architecture and technology which the complex currently provides, something which stems in part from the completeness of its survival. Given the level of significance which is attributed specifically to this completeness, the demolition of a considerable number of buildings raises a large concern from a heritage perspective.

It is, however, acknowledged that the proposals would retain the elements of the complex which have individually been identified to be of the highest significance. The complex would also still retain evidence of a number of important innovations in mill construction, as well evidence of some of its sequential evolution. However, this demolition would still have a highly harmful impact on its significance.

The impact would also be emphasised by the configuration of the new built form, which would be of a different height, form, floorplate, siting and architectural character to the replaced buildings. This would dilute the character of the complex, and diminish the context in which the retained buildings are experienced. They would also not create the same sense of enclosure as the historic built form. This is significant, as the sense of enclosure, and a lack of permeability through the site, is characteristic of mill complexes, and served a functional purpose when it was in operation.

It is noted that the current proposals would retain more of the historic buildings than the previously submitted scheme, most notably the building indicated as building 8 in the submitted reports. Given the significance placed on the ability to read the complex as a complete multi-phased entity, the retention of additional buildings is acknowledged to be an improvement from the previous scheme.

The proposals would also retain the structural element of building 11, historically a weaving shed. This is identified to have some heritage benefit, as it will partially retain the ability to read the historic character of the building, and its place within the wider Weir Mill complex. However, as only the frame will survive, and it is not identified to be one of the more significant phases of construction on the site, the heritage benefits accrued from its retention will be comparatively lower.

The impact on the significance of Weir Mill will also be considerably determined by the quality and sensitivity of the conversion of the retained buildings on the site. In discussions it was set out that these works were designed based on a mantra of letting the buildings guide the subdivision, with the accommodation being adapted to the buildings, as opposed to vice versa. This is a positive philosophy. However, given the extent of our remit, we would defer to local authority's own specialist advisors to assess the specific details of these proposed works, as well as the weight, positive or negative, which they ascribe to them within the planning balance.

Impact on the Viaduct

The proposals would span either side of the viaduct, and would result in the redevelopment of a site which has a strong visual and physical interrelationship with this heritage asset. In principle therefore, there would be some benefit to the way in which is the viaduct is experienced, if the Weir Mil site was sensitively redeveloped. However, this would be highly dependent on any scheme positively maintaining and reinforcing the historic interrelationship between the two.

The proposed scheme envisions the erection of a large tower element. This would not only considerably alter the physical and visual interrelationship between the Weir Mill site and the Viaduct, but it would also be a considerable visual intrusion, especially in views from the east.
This is significant, as the viaduct's landmark architectural character stems to a large degree from the fact that it is the dominant and striking feature within the skyline, soaring over the landscape below it. A visual intrusion, which partly obscured it, and which visually competed with it, would therefore harm the ability to appreciate the special architectural interest of this section of the viaduct. In particular, the fact that the tower will be taller than the viaduct negatively alters the relationship which the viaduct has with the surrounding townscape.

This soaring nature is also a tangible reminder of the wealth and ambition of the railway companies in the nineteenth century. The diminishment of the viaduct's prominence therefore also harms the historic and evidential value of the asset.

The development would therefore result in a considerable impact on the significance of this section of the viaduct. It is however acknowledged that the building would obscure one of the twenty-seven arches. The ability to appreciate the scale, grandeur and visual dominance of the viaduct would therefore be partially, rather than completely, impacted.

Policy

The national policies which relate to the conservation and enhancement of the historic environment are set out within section 16 of the National Planning Policy Framework. These policies require that heritage assets be conserved in a manner appropriate to their significance (paragraph 184) and that great weight should be given to the asset's conservation, when considering the impact of a proposed development, (paragraph 193).

Where there will be harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), it is required by paragraph 194 that a clear and convincing justification is provided.

Where a proposed development will cause less than substantial harm to the significance of a designated heritage asset, it is stated in paragraph 196 that *this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

These national polices are supported by local planning policy. In this instance this is elucidated in the Stockport Metropolitan Borough Council Core Strategy (adopted 2011), with Strategic Objective 5, and Policies CS8 and SIE-3 being of particular relevance to the assessment of this application.

Position

Historic England would conclude that the proposals would result in a high level of harm to the significance of Weir Mill and a slightly lower level of harm to the significance of the viaduct. Cumulatively, this harm would fall at the higher end of the spectrum of less than substantial harm. This would trigger the need for the decision maker to consider the requirements set out within paragraphs 184, 193 and 196 of the NPPF, and would be a considerable material consideration in the planning balance.

We would, however, reiterate our support for the principle of bringing the Weir Mill complex back into an active viable use. Mill buildings as a typology make a considerable contribution to establishing local and regional distinctiveness, and are important in allowing an understanding of our shared national history and heritage. More locally, mills make an important contribution to the historic character of Stockport, relating to the evidence they provide of the town's development, and the contribution they made, and still make, to its visual character.

More broadly we would acknowledge the public benefits attached to securing the optimum viable use for Weir Mill, and that the site presents acknowledged viability issues. It is therefore positive to note that the applicant has supported the application with a robust evidence base, including a viability report and development options appraisal. These are detailed, and have been produced by professional companies with demonstrable experience in their respective fields.

However, while we cannot fault the methodology, we are not able to comment on the accuracy of the exact figures, which will be specific to the local market. We would also suggest that a number of the financial assumptions would benefit from a more detailed assessment. Given the complexities of this subject, and the centrality of it to the applicant's justification, we would recommend that the local planning authority has the viability report and development options appraisal independently assessed by a suitably qualified professional. This would better clarify the exact weight which

can be placed in the planning balance on the justification provided. It would also clarify whether the scheme is viable, and whether the extent of development proposed is the minimum necessary to secure this.

Recommendation

Historic England has identified demonstrable harm to two designated heritage assets. This is a material consideration in determining the application, which needs to be fully considered and addressed in order for the application to meet the requirements of the relevant paragraphs of the NPPF. In particular, we would highlight the requirements set out in paragraphs 194 and 196.

In determining these applications you should also bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. These require the decision maker to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and note the great weight which should be placed on the conservation of heritage assets, as per paragraph 193 of the NPPF. You should also seek the further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

The Victorian Society

Thank you for consulting the Victorian Society about this application. We object to the proposals and would like to offer our comments.

There are several elements to our objection; our principal concern, however, is the proposed tower, and the impact it will have on the grade II*-listed Stockport Viaduct. The justification for a tower in this location remains negligible, both in the context of the site and in the wider context of the Stockport SRF and the proposed future developments to the south and west. Overall, the proposals fail to meet the requirements of national policy, especially the NPPF, paragraphs 194 and 196, and we urge your authority to refuse consent.

Proposals and Harm

The Victorian Society objected strongly to the previous proposals for this site on two grounds: first, that the degree of demolition proposed for the historic mill buildings would cause substantial harm to their significance; second, that the proposed tower would cause harm to the significance of the grade II*-listed Stockport viaduct by affecting its setting.

The current proposals still involve a high proportion of demolition: the factory building to the south-west corner of the site, the later attached office buildings, and almost all of the weaving sheds are to be demolished under this scheme. In comparison to the earlier scheme these losses will be mitigated to some extent by the retention and conversion of the West Shed (building 8) and by the retention of elements of Weaving Shed 1. We consider that these proposals for retention are probably enough to reduce the technical level of harm below the threshold of ‘substantial’; it must be emphasised, however, that the degree of harm is still very high. As the list entry and the current heritage statement make clear, an important aspect of the mill complex’s significance is the degree of survival of different phases. The list entry

states unequivocally: ‘Wear Mill displays the greatest number of phases of development represented on any mill site in Greater Manchester, including two different types of fire proof construction. It remains substantially intact, with its ancillary buildings.’ The current proposals will cause the loss of many of these ancillary buildings, which will harm significance. The loss of the weaving sheds will be particularly harmful: as the Heritage Statement points out, the survival of integrated mills (mills for both spinning and weaving) with their weaving sheds intact is relatively rare.

The proposed retention of the West Shed is welcome, and the modest alterations to its fabric acceptable. The retention of elements of the Weaving Shed as part of new public realm is also welcome. We must point out, however, first that there is still some uncertainty about the degree of retention, and second that the significance of the weaving sheds does not simply inhere in their fabric. What is currently proposed is that a number of iron columns will be retained, forming a grid on plan, along with the timber beams that currently link them — the retention of the latter subject to survey. The fact that the precise feasibility of these proposals has not been determined before the application has been made is concerning. If this retention of historic fabric is seriously intended to limit, to some extent, the degree of demolition and hence harm to significance, it should be pursued with as much rigour and attention to detail as the other elements of the scheme. Even if as much fabric as possible is retained, the harm to significance will still be relatively high, because the characteristic form of the weaving shed will be destroyed. The significance of weaving sheds inheres strongly in this characteristic form — single storey, expansive floor plate, saw-toothed north-light roofs — and we think that serious consideration should be given to retaining something more meaningful — more recognisably part of a weaving shed — than simply a grid of columns and beams.

As well as through the demolition of surviving phases, these proposals will cause harm by radically changing the character of both the mill complex and the surrounding streetscape. Currently, Weir Mill presents to the street edges a hard and closed landscape characterised mostly by brick. This is most strikingly the case along Chestergate and King Street West, where the site boundary is defined by the long curving external face of the factory building, tight along the back edge of the pavement; the views into the centre of the site from further east also contribute. The proposals to replace the factory building with a new block and to transform the spaces at the centre of the site with extensive planting will change this character radically. The new block is designed explicitly to make the site more permeable: where there is currently a continuous wall, the proposed masterplan has large openings intended to offer views and to funnel pedestrians into the centre of the site.

Taken purely as a change to the character of the mill complex, this new permeability will be harmful — it is entirely alien to the character of the historic site and will erode its legibility. We understand that, in the predominantly residential emerging context both of Weir Mill and the surrounding area, the increased permeability and landscape treatment of the internal courtyards will bring some benefits. Nonetheless, we have concerns about the extent of the soft landscaping and opening-up proposed, especially to the edges of the site. Whereas the benefits of planting in the proposed central courtyard and the river-facing terraces are clear, those of the proposed soft landscaping at the new entrances to the site are not. The planting in these places will do the most harm to the hard character of the historic buildings and streetscape, and is not clearly purposeful. Given that the new routes into the site will anyway offer views of the planted areas within, the extra planting at the edges of the site does little to justify the harm it will cause, and should be omitted.

We also have serious concerns about the proposed new building on this part of the site. As well as the proposed permeability at ground level we accept the rationale for its plan-form generally — the way in which it reconciles the non-orthogonal alignments of existing structures is clear. We object, however, to the materiality of the proposed building. In a context of massive brick structures the use of the kind of cladding systems proposed seems a retrograde approach: whatever the conceptual justification the proposed materiality fails to reflect anything about the historic built forms, and reads as an alien imposition. We are unconvinced, too, by the qualities of the proposed materials. The powder-coated cladding, both sheet and sinusoidal, will look flimsy, in contrast to the robust existing character of the site, and we are concerned that the expanded mesh cladding especially will weather badly. As a major development in the setting of two strongly characterised designated heritage assets the proposed materiality seems particularly insensitive.

Finally and most importantly, the Victorian Society objects strongly to the proposed tower to the east of the site. Our concerns about materiality also apply here, but our fundamental objection is to such a building in principle. As we pointed out in our objection to the earlier scheme, a tower in this location will cause serious harm to the grade II*-listed Stockport Viaduct by breaking its silhouette, disrupting its compelling horizontal form, and undermining its dominance in the landscape. Further, any tower built in such close proximity to the viaduct will have a disproportionately harmful effect because it will affect all views, from all angles. The impact on the significance of the viaduct should not be underestimated: it is an exceptionally important structure in its own right and an icon of the town, and the erection of the proposed tower will cause a great deal of harm to significance by transforming the way in which it is experienced.

This harm has still not been clearly justified, either with respect to the planning of the site, or to the wider strategic context. We understand that a balance must be struck on this site between the retention of historic structures, the provision of public space, and the construction of new elements. We also understand that the applicants have undertaken an options appraisal to assess different possible compromises. We maintain, however, that this options appraisal does not offer the clear and convincing justification required by the NPPF, para. 194, for the harm that will be caused to the significance of the viaduct and the wider townscape by the construction of the proposed tower. The options considered explore a relatively limited number of possibilities and the variation of only a few of the relevant parameters. The fundamental concept for the site — large new block to the west, higher block to the east — is the same as it was for the last scheme, and remains seriously harmful. This fundamental concept is nowhere seriously questioned. The assertion that the proposed masterplan is the most viable of the options considered does not resolve the question as to whether something less harmful is possible with a more radical change of perspective. We note in this context that large apartment blocks and towers are not the only way to create high-density housing, and that alternative plan-forms exist which offer similar densities at much lower heights.

The justification for the tower on the site is also weak with respect the emerging context as detailed in the Stockport SRF. If this framework is to be taken seriously as a *strategic* framework then it must be made clear why specifically a tower is necessary in the proposed location to fulfil the framework's strategic aims. A convincing justification for the proposed tower from this strategic point of view would have to show that there were very good reasons why increasing the housing density nearby would be impossible. No such reasons are given in the current application, and it appears to us that there is plenty of space in the areas proposed for

redevelopment immediately to the south and west of the site to provide the extra units that the tower would offer.

Advice

The Victorian Society considers these proposals an improvement on the previous scheme. The degree of retention of historic elements is higher, and proposed treatment of these retained elements is broadly acceptable. The present scheme remains, however, harmful, for the reasons given above. In particular the erection of a tower to the east of the site will seriously harm the significance of the Stockport Viaduct. We strongly object in principle to this part of the proposals. The harm that will be caused by any tower in this location has not been clearly and convincingly justified (NPPF, para. 194), and the public benefits of the proposals are not such as to outweigh this harm (NPPF, para. 196). We urge your authority to **refuse consent** to these proposals, and to work with the applicants to develop an alternative scheme.

Greater Manchester Archaeological Advisory Service (GMAAS)

Thank you for consulting GMAAS on this proposal. The application is supported by an Archaeological Desk Based Assessment prepared by Salford Archaeology in December 2020 and a Heritage Statement and Impact Assessment produced by BDP in December 2020. Both are comprehensive reports which give an excellent understanding of the site's historic development, the location and nature of known and potential buried archaeological features, historic fabric and its relative significance. GMAAS were consulted on the previous application for this site, by Maryland Securities, and our comments are essentially the same for this proposal by Capital & Centric.

Weir Mill is a fine surviving example of a multi-phase integrated cotton mill combining spinning and weaving. It displays a remarkable number of development phases from its inception in 1790 to closure in the 1960s. Regeneration of the site is welcome, given its poor condition, but it is disappointing that the development requires demolition of two major historic building components: the two storey building fronting Chestergate and the single storey weaving shed. The former has an unusual mid-19th century fire-proof cast iron framework, whilst the latter is a rare survival of a weaving shed.

Buried archaeological remains of particular interest have been identified as the footprints of former steam-powered engine houses, boiler houses and associated chimneys and a gas house. The riverside area has considerable archaeological interest in terms of features cut into the natural bedrock, such as steps and tunnels which may relate to the early water powered use of the site, and recommends that these are subject to a more detailed survey.
The desk based assessment considers that the archaeological remains are at least of high local and potentially regional significance. The archaeological importance of the site also extends to the historic built fabric which should be fully recorded and interpreted prior to re-purposing or demolition works. Of particular interest here are the features identified in the assessment reports such as the evidence for phasing, early power features including the rare survival of the water wheel house projecting into the river, the early engine and boiler houses, cast iron framework including evidence for transmission systems.

GMAAS would like to see a scheme of commemoration of this highly significant industrial heritage site, especially as it is proposed to remove so much of the historic

fabric. The scheme should incorporate some of the artifacts that come out of the demolition process and below-ground archaeological investigations, and should tell the story of the mill through interactive media as well as referencing this through a more comprehensive and integrated landscape scheme. There should also be published material on the results of the archaeological investigations and the history of the site, along with digital resources and on-site interpretation such as information boards. Similar schemes are well underway at the NOMA regeneration site (Shudehill Mill), Ordsall Chord new rail bridge, Murrays Mill in Manchester, and Chapel Wharf in Salford. It may be possible to exhibit in the Hat Museum or Story of Stockport Museum, especially as it is anticipated that the Museum will take the archaeological archive. This heritage interpretation scheme should be secured through a dedicated condition of consent. Initially, a 'Principles of Interpretation' document should be compiled for approval by Stockport LPA.

Archaeological investigation and recording works should be secured through an appropriately worded condition. Essentially, these works should include the list below, which is set out in the desk based assessment and with which GMAAS agree. The results will be set out in a technical report, the archive deposited with the museum and the results published commensurate with their significance. This might include an academic article and a popular publication in the Greater Manchester Past Revealed series.

The archaeological desk based assessment identifies a variety of further archaeological works which should be secured by condition to protect archaeological interests. These comprise:

- Evaluation trenching focused on the footprint of demolished mill structures including former engine and boiler houses and associated flues and chimney, the gas house and associated structures, the former weaving shed and the river bank area including the rock-cut steps which has the potential to retain remains of early water power features that might pre-date the earliest known phase of mill building.

- Further more detailed, targeted excavation and recording will be required should significant remains be encountered.

- A targeted archaeological survey will be undertaken of the river bank area and rock-cut tunnels to enable a better understanding to inform heritage interpretation.

- An archaeological building survey and recording of standing buildings will be required prior to development work commencing. Further, targeted historical research is needed as part of and to inform the survey interpretation. Access will be required to areas that have been hard to reach and a watching brief will be undertaken during demolition, stripping out and repairs to ensure that previously hidden historic fabric is recorded. Of particular importance is the need to gain safe access to the wheelhouse to make a comprehensive record of this significant and rare historic structure to inform proposals for repair and conversion. The archaeological recording might identify fixtures and fittings that should be preserved in situ.

- The desk based assessment makes further recommendations identifying the potential for preserving significant features found by archaeological investigations within the landscaping scheme. Key features should be

conserved and presented, and interpretation provided. These might include rock-cut features such as the steps.

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

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

1. A phased programme and methodology of investigation and recording to include:
- a historic building survey (English Heritage Level 3/4)
- an archaeological watching brief and any further appropriate recording during any demolition, stripping out, opening up of historic fabric and ground-works
- an archaeological survey of the river bank and tunnels
- evaluation through targeted trial trenching
- targeted, more detailed excavation (subject of a new WSI)

2. A programme for post investigation assessment to include:
- analysis of the site investigation records and finds
- production of a final report on the significance of the heritage interest recorded

3. Dissemination of the results of the site investigations commensurate with their significance, including popular and academic publication

4. Provision for archive deposition of the report, finds and records of the site investigation

5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI

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

A scheme of heritage display and interpretation should be secured through the following condition:
Details of proposals for a physical interpretation package, including phasing details and maintenance, shall be submitted to and approved in writing by the Stockport Planning Authority, prior to the commencement of the landscaping scheme. Details of proposals for a digital interpretation package shall be submitted to and approved in writing by the City Council as local planning authority, prior to occupation of development. The first phase of interpretation will be delivered within six months of first occupation of the development.

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

RIBA Places Matter Design Review

Findings

The public realm is well considered and very exciting, particularly the Weaver's Square element.

The enrichment of landscape and place-making is all very positive and fully supported by the Panel. This will be a very special addition to Stockport.

The approach to the expressed form in the group of buildings next to the mills, to the West of the Grade II* viaduct, was supported.

The Panel supports the notion of breaking beyond the height of the viaduct, but you need to create a tower that is more elegant, simpler and of a different architecture.

Background

The site is in the centre of Stockport, adjacent to the Grade II* Listed railway viaduct and containing the Grade II Listed Weir Mill. The boundaries to the site are formed by Chestergate and King Street West, with the site forming the main element of the Weirside Neighbourhood of the Stockport Town Centre West Strategic Regeneration Framework, 2019.

The proposal is for a residential-led (c. 250 homes) mixed-use scheme with retail, leisure and commercial uses and a new public realm frontage to the River Mersey. This requires selective partial and whole demolition of some buildings.

Design Review

The Panel thanked you for your very informative presentation and referencing of the Panel's previous feedback. This is a really exciting scheme that has many positives and you are continuing to refine it and develop things well. Your grasp of the level of detail and placemaking energy comes across in everything you presented to the Panel.

Overall, there were felt to be some really good improvements on what was already a great scheme. You were particularly praised for the manner in which the west shed is now emerging, with the heritage adjustments and the retention of the connecting shed. The bulk of this scheme is "nailed on and truly well thought through".

The public realm is well considered and very exciting, particularly the Weaver's Square element, which continues to feel impressive. The enrichment of landscape and placemaking is all very positive and fully supported by the Panel and will be a very special addition to Stockport.

The permeability of the main courtyard, which is intended mostly for residents, will be important to the overall scheme. The facilities and amenity of this space need to ensure that there is no tension between the users, and this space needs to be managed in a manner that allows the residents to "share it".

The reduction in drop off space and the overall approach to the modest scale car park were felt to be encouraging, but you were asked to see if you could green the edges a little more and allow the space to bleed to the back of the buildings. You

have presented a plausible and appropriate balance, which avoids the dominance of highway infrastructure.

The riverside edge space looks good, but it will be predominately in shade so you must challenge yourselves to ensure that it has a meaningful function, given that there is so much choice in the spaces available that you have designed.

The Panel raised a number of very detailed points with you about the architecture, many of which look like they are working well. In essence though, the approach to the expressed form in the group of buildings next to the mills to the West of the Grade II* Listed viaduct was supported, but the “elephant in the room” remains the Eastern tower.

The tower still feels too squat, almost “head in shoulders” and if anything, its appearance seems to have dropped in height. The verified view doesn’t flatter the scheme and we are not yet convinced that this is as elegant or special as it might be. If viability issues prevent you from going higher then you need to find a way to make the building look taller – perhaps by introducing a slip plane, that would articulate its elegance better and in a more pleasing way. You are persisting in trying to make this a family of buildings, when the tower should be something different.

Once you have a structure that breaks beyond the viaduct, from an urban design perspective, then it really needs to be shown in a much wider context, in relation to the new interchange and the whole town centre. Once you step back from the immediate site then you will be able to show how height, through a different personality, can celebrate the verticality more and so justify the building being taller.

The more detailed issues raised included liveability concerns over some of the lower ground floor apartments; daylight restrictions from the opaque balconies; signage strategy (think about introducing an artist for this); North-East facing chamfered internal walls; water shedding; and, durability of some of the materials – all of which were just “picking away at the detail” and things that we feel sure that you can fix. All this will help to ensure that the quality of expression remains intact.

In summary, the Panel fully supports the ambition and direction of travel of this proposition and thanked you for bringing this scheme back to Places Matter Design Review and for your constructive response to participating in the ‘remote’ format.

The landscape and place-making are, if anything, even more compelling than they were before. The respect for heritage issues and the group of buildings to the West of the viaduct is all working well.

You do though need to “pull a rabbit out of the hat” and create a tower that is more elegant, simpler and of a different architecture.

Chief Executive of Stockport Mayoral Development Corporation (MDC)

Thank you for your letter of 4th June 2021 in relation to the above applications.

I note the contents and the objections which have been raised to both the heritage impact of the tower both on the Grade 2* Listed Viaduct and the Grade 2 Listed Mill complex itself. I also note the observations made by Places Matter in the design review although these do appear to be different and possibly contradictory to the heritage objections which have been raised.

The MDC are absolutely committed to high quality design and have had a number of discussions with Capital & Centric to ensure they are aware od this and can produce the best possible design for this scheme.

However the regenerative impact that the proposed scheme would have in relation to both the existing Mill complex and the wider Town Centre West is in line with the Strategic Regeneration Framework adopted by the Council in November 2019, is of the utmost importance to the Mayoral Development Corporation (MDC).

The Mill complex itself appears to be in very poor condition and is currently a less than ideal setting for one of the elements of the Viaduct. I think there is little doubt that the regeneration scheme proposed by the applicant can only improve upon the current situation but perhaps more importantly, it would bring back into beneficial use a Grade 2 Listed heritage asset which, without this type of intervention, has little prospect of being improved. The work to the retained buildings themselves would secure their future and provide better quality heritage assets for people to enjoy.

On the wider impact, the regeneration of Weir Mill is a key part of the wider regeneration of Town Centre West and presents an opportunity for a nationally, well-regarded developer like Capital and Centric to deliver new homes in Stockport. Their track record in breathing life back into heritage buildings such as Phoenix and Crusader Mills, and Ducie Street Warehouse, together with the delivery of high profile schemes such as Kampus gives credibility to their proposition.

They also create homes which people want to live in and this scheme, if consented, would without doubt encourage further investment and delivery in Town Centre West. Together with the Interchange and Royal George Village schemes, this would continue to build upon an improved residential offer in the Town Centre which has begun with the Mailbox.

On the specific questions that have been raised:

1. The scheme has secured Housing Infrastructure Fund (HIF) grant and I am aware that it was unsuccessful in its application for Brownfield Housing Fund monies. Unfortunately the MDC Investment Facility does not extend to provide grant funding into schemes as there is an expectation that it is a recyclable fund which will require repayment.

2. As mentioned above, the scheme was unsuccessful in its application for Brownfield Housing Fund monies. The MDC would support the applicant in any future funding bids although I am not aware of any other opportunities through Homes England or other public sector funding bodies which currently exist.

3. The MDC is not the accountable body for the HIF grant and therefore I am unable to comment on the detail of this but Robert Goulsbra, Head of Development and Regeneration at Stockport Council, should be able to provide this information. I have sent Robert a copy of my response.

4. As per my answer above, the Head of Regeneration and Development should be able to provide this information.

As suggested, I have also looked at the update section in the online petition and note the reference to MDC or Council land swaps to facilitate either a lower tower or no tower at all to the eastern side of the viaduct. I have assumed for these purposes

that the only land in question for a land swap is the site of the tower to the east of the Viaduct and there is no suggestion of a swap of the whole site.

This would raise a number of potential issues.

The first is that a land swap would lead to a two site development and this would lose the significant economies of scale which would arise from a single site development as per the current applications and this would potentially worsen the viability position.

The second issue is that the MDC or Council would potentially haver to swap land which would have a greater capital value than the land currently owned by Capital and Centric on the east side of the Viaduct which would have limited value given its restricted development potential.

This issue relates to the legal considerations that apply to both the MDC and Council as public bodies. S.123 of the Local Government Act 1972 requires that a public body obtains the best consideration which can be reasonably obtained for disposal of its land. Given the assumption above that the land owned by the Council or MDC would have a greater value than the land currently in the ownership of Capital & Centric, this would mean that even if a land swap were possible, Capital & Centric would be required to pay the difference in value between the two sites which would again have a negative effect on the viability.

I refer to your letter of the 4th June 2021 to the Chief Executive of the Stockport Mayoral Development concerning the Weir Mill project. This letter was forwarded to me as two of the questions concern Homes England Housing Infrastructure Fund Marginal Viability (HIF) grant support. Stockport Council is the local accountable body for this fund, therefore it is more appropriate for myself to answer these queries, on behalf of Robert Goulsbra, Head of Development and Regeneration. I would be grateful if you could treat this response as confidential.

The questions you raised are as follows and my answers are below:

1. *Please provide full details of the conditions of the HIF funding including requirements around the 'drawdown' of funding so this information can be fed into the independent assessment of viability commissioned by the Council.*

2. *Please also confirm if the secured £7M HIF funding would be reduced should the number of new homes in the development be reduced? Please provide full details.*

As you are no doubt aware, Stockport Council is the local accountable body for administrating Homes England's Housing Infrastructure Fund (HIF) grant to those projects that have been successful in securing a grant offer and have entered into a Funding Agreement.

A Funding Agreement with an offer of up to £7.0m capital HIF support was secured for the Weir Mill project in November 2019 to deliver 303 units. Subsequently, due to a change of ownership and new timetable, a Deed of Variation was entered into between the Council and Homes England in July 2020. Together these form the current grant agreement between the Council and Homes England (HE) for a scheme of 297 units. At the moment a new Deed of Variation is being finalised with Homes England. This has been assured by Homes England internally, and once

executed, will extend the grant availability period from March 2022 to March 2023. It will also take account of the proposed new scheme design with reduced housing unit numbers to 253.

SMBC Head of Regeneration and Development

Homes England are the grant providing body for HIF so ultimately it is their decision on the impact of any changes to a project. However, it is the Council's opinion from the knowledge of how the grant works, that if the number of homes are reduced substantively in the Weir Mill scheme from the proposed 253, then the HIF grant is at high risk of being withdrawn altogether. The HIF grant works on a viability gap basis, along with a positive Benefit Cost Ratio (BCR) requirement, and a view on the scheme's strategic importance and overall quantum of units. It does not work on a grant per unit basis. Given that the number of units is already been reduced (from 297 to 253), and that the HIF grant amount is being protected based on the strategic importance of the scheme, any further changes to unit numbers, and hence also risk to the delivery timetable, is unlikely to be supported by Homes England.

The reasons for this conclusion are summarised below:

- HIF Marginal Viability is a very competitive fund and nationally oversubscribed. Projects that delay further, for example due to redesign, or substantial changes in outcomes, are at high risk of not being supported.
- Homes England has confirmed that there is no further HIF available to support any increased viability gap due to lower unit numbers, even if hypothetically, the grant assessment allowed it. HE have already increased the grant offer from the original submission and so are highly unlikely, or able, to do this again.
- HIF support is unlikely to be reduced pro-rata against unit numbers because HIF works on viability, not a per unit amount. If the scheme is not shown to be viable, and deliverable within the grant timescale, then all the HIF will be withdrawn.
- Additional public funding can be sought subject to Subsidy Control advice. The Council has already sought additional funding to support the Weir Mill scheme in 2020 through the GM Brownfield Housing Fund (£3.5m). This was not successful.
- We are not aware of any other appropriate public grant based funding sources to support the scheme.

There are also some more technical reasons why we believe HIF would be withdrawn, rather than reduced, if unit numbers were lower.

- The Council's HIF Funding Agreement with Homes England is conditional on fulfilling a number of grant conditions, these include planning permission, milestones and pre-draw down conditions. Weir Mill is already flagged up as behind schedule. So any further changes to the DoV currently being processed would further escalate the scheme in Homes England's risk category.

- Delay of the scheme, due to a further revised design, also risks breaching the HIF grant availability period in which the grant can be spent (currently March 22 but being revised to March 23).
- A case, through a DoV mechanism, is currently being finalised to agree to reduce the housing units from 297 to 253. This is on the basis of liveability, a better product and place making objectives. It is highly unlikely that Homes England would accept this case again for any further reduction.
- The scheme has a large proportion of fixed costs, e.g. mill conversion and external works, so we believe that reducing unit numbers will not result in a pro rata cost reduction. Therefore making the scheme less viable and supportable.
- The Weir Mill grant offer of £7.0m is on the basis that a positive BCR can still be achieved. Any further reduction in unit numbers, or changes that decrease viability, risks making the whole scheme unsupportable due to a negative BCR and over large funding gap.
- The above, in terms of an unviable scheme, also applies to the planning permission process, as viability is required to be demonstrated as part of this process.

SMBC Air Quality

No objection subject to the mitigation measures within the submitted Air Quality Assessment for both the building phase and the occupation phase being implemented.

SMBC Environmental Heath (Noise)

Noise Impact Assessment
In support of the application, an Environmental Noise and Vibration Assessment has been undertaken by BDP, Doc No: P3000938/ (REP)U001, Rev: P04, Date: December 2020.

Any amendments to the planning layout must comply with the NIA or the NIA may require review.

The impact of the noise on the proposed development has been assessed in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings
- BS4142:2014 Methods for rating and assessing industrial and commercial sound
- BS 6472-1:2008 Guide to Evaluation of human exposure to vibration in buildings, Part 1: Vibration sources other than blasting

The assessment covers external noise and vibration impacts on the development; retail and commercial noise break-out from the development during occupation; and building service noise break-out from the development during construction and occupation.

The report recommends noise mitigation measures (at section 6) designed to achieve BS8233: 2014 and WHO guidelines to ensure that future occupants of the

properties are not adversely affected by external and internal generated noise sources. The assessment concludes that the proposals are capable of complying with the assessment noise and vibration limit criteria provided mitigation measures are implemented:

- sound insulation performance recommendations for external windows, walls and roofs
- background ventilation requirements will be met in all residential apartments through mechanical ventilation
- recommended maximum mechanical ventilation noise levels within residential apartments
- operational noise limits for the commercial units
- operational noise limits for the external communal space noise
- emission limits for external plant
- limiting operational noise from the commercial units and external communal spaces, installation of suitable external windows and glazing, mechanical ventilation noise levels

Residential element

Background ventilation requirements will be met in all residential apartments through mechanical ventilation, rather than natural ventilation openings in the façade (e.g. trickle ventilators).

Vibration Impact Stockport Viaduct
The report advises that no measures are required in the retained Mill buildings or the New East or New West Buildings as there is a low probability of adverse impacts.

Daytime and night-time vibration dose value (VDV) measurement and prediction calculations have been undertaken for rail vehicle traffic on the Stockport Viaduct impacting floors of residential apartments in the new retained Mill buildings.

For the new buildings the predicted VDV daytime and night-time was 0.01 ms-1.75 and in the East Mill building the VDV daytime and night-time was 0.04 and 0.03 ms-1.75 respectively. Comparing these results to Table 1 of BS 6472-1:2008 Guide to Evaluation of human exposure to vibration in buildings, Part 1: Vibration sources other than blasting, the lowest VDV measurement producing a low probability of adverse comment for daytime is 0.2 ms-1.75 and 0.1 for night-time. This indicates that the VDV's within the proposed residential accommodation within the East Mill, West New and East New Buildings, will be lower than the value ranges for 'low probability of adverse comment' within residential buildings defined in BS6472-1.

This service accepts the consultants, VDV assessment that indicates no building vibration isolation measures will be required, in the retained mill buildings or the New East or New West Buildings to mitigate ground borne noise levels and building vibration from existing environmental vibratory sources (Section 6.2) as there is a low probability of adverse comment for daytime and night-time.

External communal amenity spaces
Music noise or any form of amplified sound should not form part of the typical use of the external communal spaces.

The use of the space should typically be limited to general amenity, social and dining space; the exception to this would be an atypical event which has been granted

consent by the local authority. Such occasions would be assessed by EH under the temporary event notice (TEN) licensing consultation process.

The NIA consultant recommends that the use of external commercial unit spaces is limited to general, amenity, social and dining activities. This should be secured by way of planning condition.

Commercial element

WEST SHED - Single storey, brick jack vault arched, top lit, 550 sqm commercial space.
WHEELHOUSE - 320 sqm of new commercial space, proposed use as a restaurant

The NIA indicates that plant should be selected and/or designed to ensure that external noise emissions generated within at least some areas of the project external communal amenity space should not exceed LAeq 50 dBA or the background noise level LA90, whichever is less onerous.

The hours of operation of the commercial units and the proposed hours of use of external amenity areas for commercial use has not been detailed. This will require further assessment / attention, to ensure that noise sensitive residential receptors overlooking the outdoor areas are not unduly disturbed. This should be secured by way of planning condition.

Commercial kitchen odour abatement has not been addressed but this can be conditioned.

Private amenity – roof terraces / large balconies

The NIA has not addressed private external amenity spaces – apartment balconies and the roof-top terrace.

It is reasonable to expect that the roof garden might be intended to be used for relaxation by apartment occupiers. In high-noise areas, consideration should be given to protecting these areas by screening or building design to achieve the lowest practicable levels. Achieving levels of 55 dB LAeq,T or less might not be possible at the outer edge of these areas, but should be achievable in some areas of the roof-top space.

If after application of the planning balance assessment, it is considered necessary to further assess the roof top terrace, so that some areas can achieve levels of 55dB LAeqT for the enjoyment of future occupiers, by the introduction of screening, or provision of outdoor rooms. This would be an attractive addition for future occupant benefit and would future-proof the development.

Small balconies can be used for drying washing or growing pot plants; BS8233 (s.7.7.3.2) noise limits should not be necessary for these uses.

Proposed Metrolink station
Noise and vibration will be potential issues from the proposed Metrolink station, however under the NPPF and the agent of change principles, any mitigation required to protect residential amenity from the introduction of new sound sources, would have to be considered as part of that proposal, rather than through this application. Any attempt to consider impacts through this scheme would be contrary to planning process.

Noise impact assessment (NIA)
With all large scale mixed commercial and residential developments, the design/ proposed use may alter as the project moves forward. To account for the NIA consultant statement at Section 6.1.2 Building Envelope Sound Insulation recommendations: It should be noted that the recommended sound insulation performance requirements outlined in the following subsections may need to be revised to account for design development at further Project design stages, however the principles of adequately specifying building envelope elements to enable compliance with the proposed assessment criteria in Section 3.1.1 is recommended to be maintained.

Should any design changes impact acoustic properties of the proposal, the NIA shall be considered and addressed.

To overcome various NIA addendums/ iterations, it is suggested that prior to first occupation of the development that a noise impact verification report is required to be submitted to the LPA demonstrating compliance with the acoustic design criteria and therefore should be conditioned in any planning permission granted.

Construction Environmental Management Plan
Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) should be submitted for assessment by the LPA. This can be secured by condition.

The CEMP should address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase. There should be no burning of materials on site during construction and the CEMP should be implemented throughout the demolition and construction phase of the development.

The CEMP should show mitigation measures in respect of:

- Noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic route. Comply with BS5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1: Noise and Part 2: Vibration.

- Dust Management - For the prevention of dust emissions beyond the site boundary, a scheme detailing all dust suppression measures and the methods to monitor emissions of dust arising from the development. The demolition / construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the demolition / construction phase.

- Pile Foundation Method Statement - Should piling be required as part of the development, the applicant shall submit a method statement, to be approved by the LPA. The piling work shall be undertaken in accordance with the approved method statement. The method statement shall include the following details:

    1. Details of the method of piling

2. Days / hours of work
3. Duration of the pile driving operations (expected starting date and completion date)
4. Prior notification to the occupiers of potentially affected properties
5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

Informatives are also recommended in respect of construction hours, pile foundations and commercial kitchen extraction systems.

SMBC Contaminated Land

Chapter 9 of the ES Addendum concludes that *'Since the December 2020 Environmental Statement ground investigation has been undertaken on the site. Based on the data output of this ground investigation, this assessment concludes the identification of no unexpected ground conditions outside the envelope of possible ground conditions considered in the December 2020 ES. Therefore, no changes are necessary to the December 2020 ES and the impacts identified remain valid. Appropriate mitigation is committed to in the form of detailed remediation strategy which is proposed to be secured by condition'.*

I have reviewed the preliminary ground investigation report and whilst they state it is complete except for four further rounds of gas monitoring there is no interpretation of results, just laboratory reports. I do expect they will undertake the interpretation of results when designing the remediation strategy though, as such I am satisfied from a soil and gas perspective that there is no requirement for the an investigation condition. Conditions are though required in respect of:

- A contamination remediation strategy
- Validation report in respect of approved remediation
- Ground gas investigation
- Ground gas remediation

The Environment Agency should comment regarding the groundwater monitoring with such close proximity to the river.

Environment Agency

<u>Flood Risk</u>

We have reviewed the revised Flood Risk Assessment (FRA) from Ove Arup & Partners Ltd. (Ref WM-ARU-XX-X-RP-C-0001 Rev B dated 22 March 2021) submitted with the application and we are satisfied that it demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with the FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Therefore, we consider that planning permission for the proposed development should only be granted if the following mitigation measures as set out below are implemented and secured by way of planning conditions on any planning permission:

Condition
The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Ove Arup & Partners Ltd. (Ref WM-ARU-XX-X-RP-C-0001 Rev B dated 22 March 2021), and the

following mitigation measures detailed within the FRA:

1. *New buildings' ground floor levels are set at least at 41.82 metres Above Ordnance Datum.*
2. *Provision of compensatory flood storage tank at least 105m^3 in size with associated pipework to the adjacent River Mersey.*
3. *Flood resilience works within existing buildings as detailed in section 10 of the FRA.*
4. *Identification and provision of safe routes into and out of the site to an appropriate safe haven.*
5. *The preparation of an emergency evacuation plan, including the registration with Floodline on 0345 988 1188 to receive a Flood Warning.*

Reason

1. *To reduce the impact of flooding on the proposed development and future occupants.*
2. *To reduce the impact of flooding on the proposed development and future occupants.*
3. *To reduce the impact of flooding on the proposed development and future occupants.*
4. *To ensure safe access and egress from and to the site.*
5. *To ensure safe access and egress from and to the site.*

Informatives advising the applicant on permit requirements and flood proofing measures such as barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Biodiversity

With regard to Biodiversity we welcome the key design element of the scheme to open up the River Mersey Corridor as per general arrangement plan DR-L-2000/ S4/P04, and with commitment of new riparian development (Environmental Statement, Dec 2020) & WFD assessment (Avison Young, Dec 2020) to adopt best practice environmental mitigation measures; particularly during the demolition and construction phases; through an agreed Construction Environmental Management Plan (CEMP), ensuring protection of adjoining River Mersey key ecological receptor and important salmonid fishery.

Based on results of ecological assessment (R. Hacking, 2019 & 2020), including species such as otter, kingfisher and sand martin; and with known migratory salmon fishery; showing the River Mersey is an important ecological network, that any ecological mitigation measures are orientated to protecting and where feasible enhancing the ecological quality of this key asset through appropriate design i.e., inclusion of new riparian bird roost/nesting opportunities, sensitive riparian lighting design, maximise use of locally native species, and inclusion of multifunctional SUDs options as part of new site surface water drainage design.

Contaminated Land

We have reviewed the following documents to understand the risks to controlled waters and the environment from the current and future condition of the site.

- Environmental Impact Assessment Scoping report by Avison Young dated Oct. 2020, and

- A Geotechnical desk study report by ARUP dated Aug. 2020

The site is located in a sensitive environmental location being immediately adjacent to the River Mersey and above a Principal Aquifer.

Based on the likely presence of land contamination and the associated risks to controlled waters we agree that additional works are required to safeguard environmental receptors.

The National Planning Policy Framework (NPPF) paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 178(c))

We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition
No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons

For the ongoing protection of the Water Environment from risks arising from land contamination.

Condition
No infiltration of surface water drainage into the ground where adversely elevated concentrations of contamination are known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried

out in accordance with the approval details.

Reason
For the ongoing protection of the Water Environment from risks arising from land contamination.

Condition
Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason
For the future protection of the Water Environment from risks arising from land contamination.

Condition
Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason
For the future protection of the Water Environment from risks arising from land contamination.

Further technical advice is provided that would be added as informatives should planning permission be granted.

Natural England

Response to initial submission (January 2021)

No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Generic, standing advice was appended to the response.

Response to amended application (April 2021)

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 29 January 2021

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

SMBC Nature Development Officer

I have been in correspondence with the ecological consultant (Rachel Hacking Ecology Ltd) regarding this project since October 2020 and the below comments are informed by the Environmental Statement (December 2020), Environmental Statement Addendum (dated April 2021), Appendix 2 of the ES: Ecological Surveys at Weir Mill (updated March 2021) and the updated DEFRA Biodiversity Metric 2.0 submitted to the LPA on 18 March 2021.

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

Legally Protected Species
Ecological surveys have been carried out to inform the Ecological Impact Assessment (EcIA) within the Environmental Statement. The surveys have been undertaken by suitably experienced ecologists.

Habitat Assessment and Biodiversity Impact/Net Gain Assessment (DEFRA Metric)
The site comprises bare ground and buildings with scattered trees, scrub and ephemeral vegetation.

The submitted Landscape Plans shows the provision of new tree and shrub planting together with native planting along the river edge. It is recommended that planting of native species along the bank top is maximised. It is stated within the updated Ecological Survey report and Environmental Statement Addendum (and submitted DEFRA 2.0 metric) that following on-site landscaping and mitigation measures, there will be an increase of 0.07 habitat units, which equates to a 10.11% net gain in habitat units.

Bats
Many buildings and trees have the potential to support roosting bats. The site is located adjacent to the River Mersey: a key foraging resource for the local bat population. This increases the likelihood that bats may be present on site. 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 (EU Exit) (Amendment) Regulations 2019. 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.

Ecological survey work has been carried out as part of previous applications relating to the site (DC072907 and DC072908). Buildings were assessed for their potential to support roosting bats in 2018. No evidence of bats was recorded during the survey but many potential roosting opportunities were observed. East Mill (referenced as building B1 and B2), West Mill (B3) Wheel House (B4) and part of

the Factory (B5) were assessed as having high potential to support a bat roost; the Weaving Shed (B6, B10 & B11) part of the Offices (B7) and West Shed (B8) were considered to offer moderate potential and; the Weaving Shed Annex (B12) and part of the Factory/Offices (B9) were assessed as offering low and negligible potential respectively. Of the 12 buildings surveyed, internal access was only possible for four of the buildings: part of East Mill (B2), West Mill (B3), West Shed (B8) and part of the factory/offices (B9).

Further survey work of the buildings was subsequently carried out in 2019. The buildings were reassessed as generally offering low-moderate suitability. Two dusk emergence surveys were carried out in June and July 2019 at East Mill (B1 & B2), West Mill (B3), Wheel House (B4), part of the factory and offices (B5 & B7), part of the Weaving Shed (B6) and the Weaving Shed Annex (B12). The remaining parts of the factory and offices (B9), and the remaining part of the Weaving Shed (B10 and 11) were assessed as offering limited bat roost suitability and it was not possible to view the West Shed (building B8). No bat emergence was recorded during the surveys however it should be noted that it was not possible to view the entirety of the buildings. Moderate levels of bat activity from common and soprano pipistrelles and noctule bats was recorded – this was focused along the river corridor and between East Mill and West Mill (buildings B2 and B3) in the northwest corner of the site.

Given the limitations associated with internal access and the nocturnal surveys, a further inspection survey was undertaken in July 2019 with the aid of a mobile elevation working platform (MEWP) and endoscope. Due to access constraints it was only possible to inspect East Mill (B1, B2) and West Mill (B3) No MEWP access was possible on the north-facing elevations along the river, nor access along the two roads that run adjacent to the site on the western and southern parts of the site. During the MEWP survey three bat droppings were observed on two adjacent boarded up windows on West Mill (building B3). The lintels above the bat droppings were found to be small, offering no significant cavity and no other evidence of bats was recorded. In light of these findings it was assessed that the roost is a transitional roost for small numbers of bats. Subsequent DNA analysis of the droppings identified them as being from common pipistrelle.

An update bat inspection survey was carried out during site visits between October and December 2020. All buildings were subject to an external and internal (where access was possible) inspection to search for signs of bats. The former air raid shelter was also surveyed in 2020 (this does not appear to have been surveyed as part of the previous surveys in 2018 and 2019). No internal access was possible to the Weaving Shed Annex, Wheel House and the upper floors of East and West Mill. No evidence of roosting bats was recorded during the 2020 inspection surveys.

Several tunnels exist under the site. Tunnels 1-5 are west of the viaduct and tunnels 6-10 plus ‘courtyard tunnel’ are located east of the viaduct. Each tunnel entrance was searched between October and December 2020 via a boat (kayak) and abseiling survey visits, with some tunnel entrances being accessed on foot during lower water levels on the River Mersey. The tunnels were searched internally as far as possible, using torches, endoscopes, thermal and infra-red cameras to search for evidence of and potential for roosting bats. In general, the tunnels were found to be unsuitable for use as a roosting site due to a lack of suitable roosting features and fluctuating water levels. No evidence indicative of bat presence was observed during the inspection surveys. Static bat detectors were deployed within Tunnels 7 and 8 for a two week period in late November/early

December 2020. No bat activity was recorded. Static bat detectors were also deployed for two weeks along the river bank in early November 2020. Common and soprano pipistrelle and Daubenton's bat activity was recorded along the river corridor.

In addition, a survey was carried out in late October 2020 using thermal cameras, infra-red cameras and bat detectors to establish whether there was any swarming bat activity at the tunnels. Low levels of bat activity was recorded during the survey with no indication that the tunnels are used as a swarming site (which can indicate a mating and/or hibernation site).

All trees at the site were assessed in 2018 as having negligible bat roosting potential due to their immature age and absence of potentially suitable bat roosting features.

Most of the site itself offers limited potential for use by foraging and commuting bats as it comprises mainly hardstanding and buildings. The adjacent River Mersey and habitats along the river corridor have a much higher value and are a key foraging and commuting resource for the local bat population.

Breeding birds

All breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). Some species, such as kingfisher and black redstart receive further protection through inclusion on Schedule 1. The scrub and trees located on the site's north-western boundary are considered to offer suitable habitat for nesting birds. Pigeon activity has also been recorded within several of the buildings on site and sand martins were observed (presumably nesting) within the Wheel House (building B4) in 2019. Kingfisher and black redstart surveys were carried out in June and July 2019. No black redstart or kingfisher were recorded during these surveys. In 2020, during the abseiling and boat surveys, it was noted that many shallow cavities and potential bird nesting sites exist within the sandstone and remains of walls close to the water's edge. A kingfisher was observed flying along the river corridor in October 2020.

Otter

The banks of the River Mersey were searched on foot and via boat (Kayak) for signs of otter and water vole. Otter receive the same level of legal protection as bats (outlined above) and water vole are protected by the Wildlife and Countryside Act 1981 (as amended). No evidence of water vole was recorded and it is considered unlikely that this species is present. Signs of otter (footprints and spraint) were however observed. Trail cameras were deployed along the river bank and within tunnels over a six week recording period in November and December 2020. Otter were recorded entering Tunnel 7 on two occasions during this survey period The otter was not observed to sit down/rest within the tunnel and so the ES and ecological assessment currently concludes that the tunnel is not a lying-up site.

In order to establish with sufficient confidence that the tunnel is not used by otter as a lying-up site, I would however consider that further survey work would be required to confirm this assessment. Although there is currently no published 'best practice guidance' relating to camera trap monitoring and otter surveys in terms of level of survey effort required, CIEEM (Chartered Institute of Ecology and Environmental Management) In Practice (Issue 102, December 2018) advises that a minimum of two months camera monitoring data, with monitoring carried out over different seasons to account for seasonal variation in otter activity, is undertaken.

Nonetheless, the Environmental Statement Addendum confirms that there will be no direct or indirect (e.g. noise and vibration) impacts on the tunnels and that sensitive working measures (e.g. during site demolition) will be adopted to ensure this. As such, even if the tunnel is used by otter as a lying-up site it has been established that with the implementation of appropriate mitigation measures, no impacts are anticipated and so in light of this confirmation no further survey work in relation to otter would currently be required.

Invasive Species

No invasive plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded within the application area. Japanese knotweed and Himalayan balsam were observed on the riverbank opposite Weir Mill. The legislation makes it an offence to allow these species to spread in the wild.

American mink was seen within Tunnel 2 during the river corridor surveys, along with feeding remains and scats observed. It is an offence to release or allow the escape of this species into the wild.

Recommendations

It is considered that sufficient ecological information has been submitted to inform determination of the application.

A common pipistrelle bat transitional roost was recorded during 2019 at a window lintel on West Mill (building B3). Although no signs of bats were recorded during the 2020 inspection survey (which it is understood did not involve inspection via a MEWP like the 2019 survey), since bats can regularly switch roost sites and also given that bat roosts are afforded legal protection even when bats are not present it is considered that the proposed development would result in the destruction of a bat roost site with the potential to kill or injure bats/ and damage their habitat without appropriate mitigation and compensation measures. As a result a European Protected Species Licence (EPSL) or Bat Mitigation Class Licence would be required from Natural England. The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats.

Furthermore, the Council will need to have regard to the 3 Habitats Regulation derogation tests when determining the planning application: -

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

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

The first two tests are outside my area for comment. In terms of the favourable conservation status test, the proposed bat mitigation measures outlined within Appendix 2 of the ES: Ecological Surveys at Weir Mill (updated March 2021) relating to the provision of 10 bat boxes (6 x 2F Schwegler crevice bat boxes (or similar) to be provided on site and 4 integrated Habibat 001 bat boxes (or similar) on the newly constructed buildings) would be sufficient to satisfy this test. Please note that update bat surveys would most likely be required to inform any licence application.

Should planning permission be granted, the principles of the bat mitigation measures as described in Appendix 2 of the ES Addendum should be used to produce a Bat Mitigation Method Statement. This method statement should include details of the mitigation including results of updated survey work (as required), timing of the works, appropriate sensitive working measures, compensatory roost spaces (during and post construction), and lighting. All mitigation should be based on sufficiently up to date survey work where appropriate. Given the access limitations associated within inspection and emergence surveys of the buildings it is recommended that static bat detectors are used to supplement update survey work. The Bat Mitigation Method Statement should be submitted to the LPA for approval. Once approved, unless otherwise agreed in writing by the LPA, the method statement should be undertaken in full, and the mitigation measures shall be permanently maintained and retained in accordance with the approved detail.

To avoid impacts on nesting birds it is advised that building demolition and vegetation clearance works are timed to avoid the bird nesting season where possible. The following condition should be attached to any planning permission granted: No vegetation clearance/demolition works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check of vegetation/buildings for active birds' nests immediately before vegetation clearance/demolition works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the LPA. This can be incorporated into the CEMP (see below) if preferred.

Otter was recorded along the River Mersey and within Tunnel 7. It is considered that there is currently insufficient survey data to determine with sufficient confidence whether the tunnel is used by otter as a lying-up site. However, the Environment Statement Addendum confirms that no direct or indirect (e.g. noise and/or vibrations) impacts will occur on the tunnels due to sensitive working measures to be adopted during works. As such no further survey work in relation to otter is currently required to inform determination of the application. Should planning permission be granted, an Otter Mitigation Strategy should be submitted to the LPA for approval and detail how impacts on otter and potential otter lying-up sites will be avoided (this can be included within the CEMP if preferred – see below). Should proposals change and any impacts (either direct or indirect) be anticipated on the tunnels, then further otter monitoring surveys would be required in advance of any works commencing to ensure all potential impacts on otter are fully assessed and appropriate mitigation measures are implemented (along with any licensing requirement).

It is important that retained habitats (the river corridor) are adequately protected during the construction phase. The following condition should therefore be used: No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the LPA. The CEMP shall include:

a) risk assessment of potentially damaging construction activities
b) identification of 'biodiversity protection zones'
c) measures and sensitive working practices to avoid or reduce impacts during construction
d) location and timing of sensitive works to avoid harm to biodiversity
e) times during construction when specialist ecologists need to be present on site to oversee works
f) responsible persons and lines of communication

g) roles and responsibilities on site of an ecological clerk or works (EcOW) where one is required
h) use of protective fences, exclusion barriers and warning signs

And shall include details of measures to:
- Avoid the impact on nesting birds
- Avoid the spread and details of treatment (where appropriate and as informed by update surveys) of invasive species listed on Schedule 9 of the WCA
- Avoid negative impact on sensitive ecological features during construction (such as the river corridor) and protect all retained features of biodiversity interest.
- Sensitive working measures and Reasonable Avoidance Measures (RAMS) to be adopted relating to bats
- Sensitive working measures and RAMS to be adopted relating to otters

Opportunities for biodiversity enhancements are expected within the development in line with national and local planning policy (NPPF and para 3.345 of the LDF). The DEFRA metric 2.0 calculations indicate that proposed mitigation will deliver a Biodiversity Net Gain (BNG) of 10.11% gain in habitat units. Landscape planting should comprise wildlife friendly species (ideally locally native) to maximise benefits to biodiversity. A mix of species should be provided that are chosen to provide a year-round nectar/berry resource for invertebrates and birds. Habitat connectivity along the river corridor should be maintained and enhanced. In particular it is recommended that native planting along the river corridor is increased if possible. The provision of bat boxes and bird nesting facilities (leaving gaps in brickwork for sand martin) are outlined in Appendix 2 of the ES. It is also advised that swift bricks are integrated within new buildings and also nesting features for kingfisher provided within the riverbank. The number, type and location of all proposed bat and bird boxes should be submitted to the LPA for review. These biodiversity enhancement measures are particularly important to contribute to the Green Infrastructure network within the centre of Stockport (local policy CS8 para 3.286) and these required details can be provided on a Biodiversity Enhancements Plan which can be secured by condition.

A Landscape and Ecological Management Plan (LEMP) for habitats and species on-site should also be submitted in conjunction with the on-site landscaping scheme to ensure that the reported Biodiversity Net Gain and ecological enhancements are delivered. This document needs to also consider the roles and responsibilities for delivery of subsequent long-term (for a minimum of 30 years) management measures. The following condition can be used: A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by the LPA prior to the commencement of development. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed
b) Ecological trends and constraints on site that might influence management
c) Aims and objectives of management
d) Appropriate management options for achieving aims and objectives
e) Prescriptions for management actions
f) Preparation of a work schedule (including an annual work plan to be rolled forward for long-term management for a minimum of 30 years)
g) Details of the body or organisation responsible for implementation of the plan
h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following principles outlined in Bat Conservation Trust guidance: https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting) . It is of particular importance that the River Mersey is not subject to light disturbance as this is a key foraging and commuting resource for the local bat population and other wildlife. It is advised the following condition is used: Prior to occupation, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and otters and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Ecological conditions can change over time. If the development has not commenced within two years of the submitted survey work, update ecological surveys will be required. The following condition can be used to secure this update survey and ecological assessment.

If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the ecological surveys (summer 2019 for bat activity surveys of buildings and black redstart surveys, and 2020 for other ecological receptors), the approved ecological measures secured through the above conditions shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

i) establish if there have been any changes in the ecological baseline and

ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development .Works will then be carried out in accordance with the proposed new approved

ecological measures and timetable.

The following informative should be applied to any planning permission which may be granted: The developer should be aware that a full Bat Mitigation licence or Bat Mitigation Class Licence needs to be obtained (in relation to West Mill) prior to the commencement of works to ensure no degradation of nature conservation legislation unless otherwise demonstrated by subsequent bat update surveys that no roost will be lost.

Greater Manchester Ecology Unit (GMEU)

Confirm that they have worked closely with the Council's Nature Development Officer and having carefully considered the submitted ecology reports agree with their recommendations in respect of conditions and informatives:

- Condition for Bat Mitigation Method Statement including updated survey using static bat recorders, should be agreed and implemented.
- The determination of the proposals should include consideration of the Conservation of Habitats & Species (Amendment) (EU Exit) 2019 Regulations tests.
- An informative should be used to highlight that there may be a need for a Natural England Licence for works to West Mill (or other buildings) as a result of the updated surveys.
- Condition for avoidance of site clearance/demolition in the bird breeding season.
- Condition for implementation of Otter Mitigation Strategy during construction
- Condition for the agreement and implementation of a Construction Environmental Management Plan (CEMP)
- Condition for the implementation of biodiversity enhancement plan to demonstrate > 10% net gain to be provided by the landscape proposals and details of additional features (eg bird box specification and locations).
- Condition to provide for the submission of a Landscape Ecological Management Plan (LEMP) to be resourced and implemented for a 30 year period.
- Condition for the provision of detail and implementation of a wildlife sensitive lighting scheme
- Condition requiring updated ecological survey assessments if greater than 2 years expires/12 month gap in development implementation and adjustments to any necessary mitigation if necessary. Any identified changes and adjustments will subsequently need to be agreed and implemented.

SMBC Arboriculture

The proposed development is not within or affected by a conservation area.

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

The proposed development footprint and access route areas are shown or indicated at this time within the informal grounds/former hard standing areas of the existing commercial site and it is assumed the proposed new developments will potentially not impact on trees as indicated by their arboriculture impact assessment.

A full tree survey has not been supplied as part of the planning application to show the condition and amenity levels of the remaining trees in or around the red edge and where applicable which trees could be retained to increase the amenity levels of

the site with retained mature trees on site. The information supplied is therefore short this information but due to the poor amenity and biodiversity of the poor specimen trees all comments are based on this assumption, the impact the development will have and the how the replacement trees will greatly improve the amenity and biodiversity of the area on site.

Further consideration should be given to the level of tree planting opportunity throughout the site as currently there is a reasonable attempt supplied for tree replacement which in my opinion could increase with options for tree pits within the existing hard standing areas to improve screening, amenity and SUDs potential for the whole site subject to utility services searches as the current site has a sparse level of tree cover on site. If the potential for tree planting in site is not an option off-set planting could be achieved in the neighbouring parks and open spaces.

In principle it is considered the main works and design will require the removal of trees to implement the design, however due to the poor amenity value of these trees it could be easily replaced and would only require the potential submission of a landscaping plan to enhance the local environment.

The landscaping plan would need to further consider the species with some greater biodiversity/wildlife benefit species such as Sorbus or Crataegus in areas where amelanchier or alnus are proposed. In addition, a greater number of new trees along the boundaries of the site and improved specification for trees in the hard standing areas and approach to the site to improve the amenity and aesthetics of the site for users and local community making sure a percentage of these are native large species, such as Quercus robur fastigiata. The proposed multi stem species option is ok in small numbers to achieve the amenity aspect they require but they need to consider single stem Betula species as well and consider increasing diversity with possible fruit tree planting in areas where no planting is currently proposed to allow access to free fruit for the residents or businesses creating an urban orchard with zero carbon miles.

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

- Tree protection
- Tree protection (construction fencing)
- Full details of all tree planting proposals

Manchester Airport (Aerodrome Safeguarding Authority)
The following planning conditions are requested:

- Construction related dust and smoke cloud controls
- All exterior lighting to be capped at the horizontal with no upward light spill.

Advice is also provided that would be included as an informative should planning permission be granted.

Network Rail

<u>Clearance/Encroachment</u>

A 5m offset the Network Rail Viaduct was originally requested as part of the initial planning application on this site, the developer has proposed an offset circa 4.75m

which has been accepted. The offset request it to provide uninhibited vehicle access to the structure for future maintenance.

- No structure above ground to encroach within this limit
- No vegetation to encroach within this limit
- No street furniture to encroach within this limit unless it can be removed to provide vehicle access
- Levels to be considered to ensure vehicle access can be maintained, 2421-PLA-XX-XX-DR-L-4000-STREET_FURNITURE_GENERAL_ARRANGEMENT.PDF-1300420 – Level access not provided, steps appear to be in the way.
- Surfacing to be suitably engineered to support vehicle loading

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.
- All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
- Buildings and structures must not over-sail Network Rail air-space.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Rainwater goods must not discharge towards or over the railway boundary
- Should the applicant require access to Network Rail land to facilitate their proposal they will need to agree access requirements and timescales with Network Rail Asset Protection Team. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement will be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.
- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.
- Hazards and risks to be considered form Balconies facing the railway, hazards include projectiles been thrown onto the railway and items coming into contact with the Overhead Electrification.
- 2.75m offset to the Overhead Electrification to be maintained at all times

<u>Drainage proposals and Network Rail land</u>

In order to comply with the NPPF, the applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

- Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's land and infrastructure.
- Drainage works must not impact upon culverts, including culverts/brooks etc that drain under the railway.

NB: Soakaways can materially effect the strength of soil leading to stability issues.

A large mass of water wetting the environment can soften the ground, and a build-up of water can lead to issues with the stability of Network Rail retaining walls/structures and the railway boundary. Network Rail does not accept the installation of soakaways behind any retaining structures as this significantly increases the risk of failure and subsequent risk to the travelling public.

If the developer and/or the council insists upon a sustainable drainage and flooding system then the issue and responsibility of flooding, water saturation and stability issues should not be passed onto Network Rail. We recognise that councils are looking to proposals that are sustainable, however, we would remind the council that flooding, drainage, surface and foul water management risk as well as stability issues should not be passed '*elsewhere*', i.e. on to Network Rail land.

The drainage proposals are to be agreed with Network Rail and surface water drainage on the site should be removed by a closed sealed pipe system unless agreed otherwise.

Network Rail would request that a condition is included in the planning consent as follows:

<u>Excavation and Earthworks and Network Rail land</u>

In order to comply with the NPPF, the applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree the following:

- Alterations to ground levels
- De-watering works
- Ground stabilisation works
- Works to retaining walls
- Construction and temporary works
- Maintenance of retaining walls
- Ground investigation works must not be undertaken unless agreed with Network Rail.
- Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.
- For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review.
- Excavation or infilling/backfilling should be limited so as to not to adversely affect the passive resistance/active pressures acting upon the piers, or surcharge the same.

Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail. The council are advised that the impact of outside party excavation and earthworks can be different depending on the geography and soil in the area. The council and

developer are also advised that support zones for railway infrastructure may extend beyond the railway boundary and into the proposal area. Therefore, consultation with Network Rail is requested. Any right of support must be maintained by the developer.

Network Rail requests a condition is included in the planning consent as follows:

Vibration and Monitoring

- Vibration limits at the viaduct are set at 5mm/s PPV and should be maintained at all times.
- Anticipated movement of the structure to be considered during temporary and permanent works including excavations/backfilling adjacent to the structure and any long term settlement due to adjacent construction
- Asset management plan required to detail any anticipated level of vibration/ movement, trigger levels and mitigation measures
- A detailed and annotated de-lap survey will be required from the developer and agreed in advance.

Parking / Hard Standing Area

Where a proposal calls for the following adjacent to the boundary with the operational railway, running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:

- hard standing areas
- turning circles
- roads, public highways to facilitate access and egress from developments

Network Rail requests the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway. Network Rail requests that a condition is included within the planning consent as follows:

"Details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to the Local Planning Authority (in consultation with Network Rail."

Reason: to prevent vehicle movements from impacting the adjacent operational railway with accidental vehicle incursion.

Scaffolding

Scaffolding which is to be constructed and the collapse radius encroaches onto Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, they must have a minimum 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

This is to ensure that the safety of the railway is preserved, and that scaffolding does not:

- Fall into the path of on-coming trains
- Fall onto and damage critical and safety related lineside equipment and infrastructure

- Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

Network Rail would request a condition is applied as follows within the planning consent:

"Details of scaffolding works, to be submitted to the council and Network Rail for agreement."

Reason - In the interests of protecting the railway and its boundary from over-sailing scaffolding

Vegetation

The vegetation planting must be in line with the Network Rail recommended planting species which has been agreed with the Tree Council.

Reason: to prevent long term issues with leaf fall and encroachment to the Overhead Line Equipment impacting on the operational railway

Network Rail would request a condition is applied as follows within the planning consent:

"Details of landscaping works, to be submitted to the council and Network Rail for agreement.

Noise

The council and the developer (along with their chosen acoustic contractor) are recommended to engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings.

The NPPF states:

"182.Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use), in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Network Rail is aware that residents of developments adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the council via mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

To note are:

- The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.
- Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.
- Network Rail carry out works at night on the operational railway when normal rail traffic is suspended and these works can be noisy and cause vibration.
- Network Rail may need to conduct emergency works on the existing operational railway line which may not be notified to residents in advance due

to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.

- Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for works.
- The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.
- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.
- Any assessments required as part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.
- Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.
- Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.
- Noise and Vibration Assessments should take into account any railway depots, freight depots, light
- maintenance depots in the area. If a Noise and Vibration Assessment does not take into account any depots in the area then the applicant will be requested to reconsider the findings of the report.
- Railway land which is owned by Network Rail but which may be deemed to be ‘disused ‘ or ‘mothballed’, may be brought back into use. Any
- proposals for residential development should include mitigation measures agreed between the developer, their acoustic contractor and the LPA to mitigate against future impacts of noise and vibration, based on the premise that the railway line may be brought back into use.
- Works may be carried out to electrify railway lines and this could create noise and vibration for the time works are in progress. Electrification works can also result in loss of lineside vegetation to facilitate the erection of stanchions and equipment.

RAMS

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail

The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

SMBC Energy Efficiency

The revised energy statement clearly and readily addresses all of my comments made in January and the energy statement is now compliant with Core Strategy Policy SD3 in terms of fully assessing low / zero carbon technologies for their technical feasibility and financial viability.

As stated in my earlier comments the proposed use of solar PV will reduce the carbon emissions from the development through achievement of the Core Strategy minimum carbon reduction target of a 13% improvement over current Part L.

SMBC Lead Local Flood Authority

Redevelopment comprising the repurposing of existing buildings and erection of new buildings for a mix of uses comprising 253no, residential homes alongside flexible commercial space. The following documents from the Planning Portal have been reviewed in support of the application.

- DC_079225-FLOOD_RISK_ASSESSMENT-1302219
- DC_079225-WM-ARU-XX-XX-DR-C-00001 P01-Weir Mill Drainage Layout Plan
- DC_079225-2421-PLA-XX-XX-DR-L-0001-LANDSCAPE_GENERAL_ARRANGEMENT.PDF-1300399

1. The site is a former mill. Intrusive ground investigations have yet not been undertaken but are acknowledged to be incorporated in subsequent design stages.

2. Existing site runoff is discharged uncontrolled to the River Mersey.
3. Proposed site runoff is to be attenuated via a buried tank to 50% of existing with discharge into the River Mersey.
4. The strategy does not incorporate any SuDS source control components such as surface storage, permeable paving, rain gardens, rills etc.
It is considered that the strategy is acceptable in principle and whilst any revisions from the above may tweak the strategy it should not alter the fundamental approach.

Therefore planning approval could be granted subject to the following condition:

Notwithstanding the approved plans and prior to the commencement of any development other than demolition, 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, this should include a comprehensive assessment of source control SuDS components; (b) include an assessment and calculation for 1in 1yr, 30yr and 100yr +

40% climate change figure critical storm events showing flood exceedance routes. (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

Reason
To provide sustainable drainage in accordance with Policy SD-6 of the Stockport Core Strategy DPD, Paragraph 163 the National Planning Policy Framework and the Planning Practice Guidance.

United Utilities

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

Following our review of the submitted Flood Risk Assessment, 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
The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. WM-ARU-XX-X-RP-C-0001 Draft 1, Dated 22/12/20) which was prepared by Arup. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. 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.

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

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United

Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems
Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply
Our water mains may need extending to serve any development on this site and the applicant may be required to pay a contribution.
Any necessary disconnection or diversion of the private main(s) must have the approval of the pipeline owner and be carried out to our standards at the applicant's expense.

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

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand,

this could be a significant project and the design and construction period should be accounted for.

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

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

United Utilities' Property, Assets and Infrastructure
There is a 9" water main on Kings Street and 180mm and 9" water main on Chestergate that are on the perimeter of the proposal and an easement mast be maintained of 5m either side of the mains.

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

Cadent Gas

No objection but technical advice provided in respect of the development's interface with their infrastructure.

Electricity North West

We have considered the above planning application and find it could have an impact on our infrastructure.

The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Land Rights & Consents, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:

- HS(G)47 – Avoiding danger from underground services.
- GS6 – Avoidance of danger from overhead electric lines.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity

Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

SMBC Highway Engineer

The application is for the redevelopment of the Weir Mill site to provide 253 apartments, 2315sqm of ground floor commercial space, drinking establishments, hot food takeaways, new public realm, vehicular access, car parking and cycle parking. The site is currently occupied by industrial buildings with a total floor area circa 9,500sqm that are home to a number of operators. There is car parking provided across the site for circa 50 cars.

The proposal would deliver 253 apartments and 2,315sqm of ground floor commercial uses. The apartments would be provided across four buildings, 37 in the West Mill, 50 in the East Mill, 88 in the West New and 78 in the East New. The commercial floorspace would be spread across the same four buildings plus the Wheelhouse and the West Shed buildings. The proposal is submitted to be car-free, other than 11 accessible parking spaces that would be provided on the site and would each have electric vehicle charging facilities.

Consideration of the application requires a review of a number of matters, that being site accessibility, traffic generation and consequent highway impact, access arrangements, servicing arrangements, car parking demand, provision and potential overspill, cycle and electric vehicle parking and measures to influence travel choice.

I provided some earlier commentary of the location of the New East building which would be situated on highway land and would inhibit a protected forward visibility envelope to the controlled crossing point across Chestergate / Astley Street. This matter has been subjected to further review and I will provide updated comment later.

The application is supported by a package of drawings, a transport assessment (TA) and an interim travel plan.

<u>Site accessibility</u>

The location of the site within the Town Centre provides residents convenient access to public transport opportunities and numerous and various services and amenities. It is clearly reasonable to consider and conclude that the site would benefit from a good level of accessibility and potential for reducing the reliance on car travel as residents could make the choice to live sustainable and active lives without needing to own a car. Whilst car ownership potential and likelihood is significantly reduced I still feel there will be a need for residents to be able to access a vehicle on occasion and this is the benefit of car clubs and other initiatives, a matter for discussion later.

The site is close to the heart of the Town Centre, a relatively short walk to services, amenities and public transport infrastructure. Within a 500m walk of the site is the bus depot, retail opportunities, leisure opportunities and numerous eating and drinking facilities. Within a 1km walk of the site are extensive shopping facilities, the railway station and a few education establishments. Having regard to this I am accepting that there are several employment, retail, travel, education and many other services and amenities within recommended walking distances of the site and it is therefore considered highly accessible on foot.

There are various local cycle routes off road and on road within relatively close proximity of the site and part of the National Cycle Route runs alongside a border of the site. Within the Town Centre there are cycle parking facilities, many carriageways have cycle lanes and many junctions have advanced stop line facilities for cyclists. It is expected that the development will deliver cycle parking with each residential unit to have access to a secure facility which should incentivise residents to acquire and use a cycle. In conclusion it is reasonable to consider the site to be highly accessible by bicycle.

Stockport Bus Station is located adjacent to the proposed site. Several buses service the station at frequent intervals throughout the day and across seven days a week. These services provide access to a variety of locations across Stockport, Manchester City Centre and the Airport. The site has a good, indeed high, level of accessibility to the bus network. The site is approximately 400m from Stockport Train Station. The rail services that run to the station provide regular and frequent access to various locations across the North of England and South to London. It is evident to conclude that the site is highly accessible to public transport opportunities and this could and indeed should encourage residents and visitors to make sustainable travel choices, reduce dependence on private car usage and the general need for parking spaces within the development.

In addition, a modern transport interchange is under construction at the bus station site and there remains the possibility that Metrolink will be provided to Stockport. These measures will and would further enhance the accessibility of the Town Centre.

In summary, I am accepting that this development site has to be considered highly accessible by sustainable modes of transport. The surrounding area exhibits good levels of pedestrian and cycling infrastructure and there are a number of public transport opportunities within acceptable travel distance of the site. Furthermore, the close proximity to services and amenities leads to a sustainable form of development with the potential for reducing car travel dependence for residents and visitors.

<u>New East building / relationship to Astley Street toucan crossing</u>

The location of the New East building impacts on highway land. The south eastern corner of the building would be built over land that is formed and protected as highway for the purpose of a forward visibility envelope to the controlled crossing on Chestergate / Astley Street to the east of the site. This Toucan crossing was installed as part of Stockport Interchange scheme to compliment the TPT route into Town, to provide better access to the station for passengers and generally assist movement across the Town. It is specifically located on the Astley Street link between Chestergate and Heaton Lane, recently completed.

When the crossing was installed the design incorporated a standard compliant forward visibility envelope measuring 50m. The area across which this envelope falls was formed as the shared footway cycleway and grassed land to the rear and is highway land. The 50m sightline was deemed necessary due to speed limit along Chestergate and the design speed of the Astley Street link at 30mph.

In acknowledging that the potential for a revision of the footprint of the New East building is not a likely to be a realistic option under the circumstances, the only reasonable alternative is to give consideration to implementing a reduction to the speed limit on Chestergate / Astley Street, bringing this down to 20mph. The link is a distributor road that carries bus and taxi traffic in addition to pedestrian and cycle movements and there is a likelihood the nature of the road will change in future

years with it becoming a materially different place when the interchange and Town Centre West are in place. A reduction in the speed limit would offer initial and longer term benefits and my understanding from Network Management is that it would be supportive in principle of such an approach.

A survey of vehicle speeds along the link show that whilst the design speed and current regulation is 30mph, the majority of drivers travelling eastbound and who are reliant on good visibility to the controlled crossing are travelling up to 23mph. A reduction in the speed limit could therefore be deemed to be realistic possibility and reflective of actual vehicle speeds.

The proposed building footprint and its relationship to the highway would afford circa 35m forward visibility to the crossing, which would be considered acceptable and commensurate should the speed limit on the approach be 20mph. This leads me to conclude that the applicant must cover the reasonable costs for the Council to review, amend, report on and advertise a change to the Traffic Regulation Order/speed limit along this link. The estimated cost of £10,000 must be covered under the terms of a S106 or other appropriate legal agreement. This is essential otherwise I would oppose the New East building as it would have an adverse and unacceptable impact on the operation and safety of the adjacent highway network.

I also draw attention to the affected land having highway status and this will require a stopping up order to enable development to take place. Procedurally this would either be under the Highways Act but probably better following Section 247/248 of the Town and Country Planning Act, seeking authorisation from the Secretary of State for a stopping up order to enable development to take place. The applicant will need to ensure that appropriate authorisation to extinguish the highway status is in place prior to any building work taking place on the New East building, a process that can take around 6 months post any planning permission being granted. It should be noted that there is a degree of risk associated with such applications.

<u>Development relationship to TPT / shared footway cycleway</u>

The Trans Pennine Trail (TPT) runs along Chestergate on the southern boundary of the development site and the route is part of the National Cycle Network, NCN62. This is a key active travel route into the centre of Stockport when approaching from the west and in 2018/19 works were undertaken to provide a shared use footway across the site frontage as part of the Stockport Interchange scheme to compliment the TPT route into Town. Widening works to the footway afforded a varying but generally 3m width along the full frontage to the site, this now being a shared corridor for the pedestrian and cycle use.

Whilst I acknowledge that recent guidance in Local Transport Note (LTN) 1/20 states that shared use facilities in urban areas are not desirable, the scheme as implemented pre-dates this guidance and was acceptable at the time, which has to be a material consideration. Whilst a segregated facility would clearly be preferable this would necessitate a revision to the footprint of the development space. I am aware that as part of the Town Centre West, general vehicle movement around the Town Centre and the delivery of accessible and active travel corridors are under continuous review so there may in the future be a revision to this link into Town that would improve facilities for vulnerable road users. Whilst I am minded of LTN 1/20, it is advisory and I would find it difficult to justify and sustain an objection that would have regard to a scheme that the Council provided a couple of years previous.

I note that the development built space does set back slightly the building lines compared to the existing situation which will afford an effective open space alongside the TPT into Town. This set back does give some potential for widening of the shared footway cycleway but not sufficient width for a fully segregated facility to be provided. Being conscious that this development will generate an increase in active travel movements and that the link will be used more intensively it is reasonable and expected that some widening is provided by the development at this stage. There is a width constraint under the viaduct and pinch points along the site frontage but widening where feasible would provide a degree of benefit and improved facilities for pedestrians and cyclists. I feel this is a matter that could be dealt with under conditional control should any permission be granted, matters such as the extent of widening, delineation, materials, signage, drainage and the likely expectation that a continuous footway which prioritises walking and cycling across the two site entrance points on Chestergate can be addressed under the detail of a planning condition.

I am also minded that a reduction in the vehicular speed limit to 20mph along this link will provide added benefit and safer conditions for vulnerable road users, this also carrying weight in my conclusions.

Car and powered two wheeler parking demand and provision

The applicant's ethos behind the development is that it will essentially be car free and no general car parking spaces are proposed within the site. Accessible parking will be provided with a total of 11 disabled spaces to be laid out, with all these spaces having electric vehicle charging points.

The applicant asserts confidence that the development will appeal to residents who do not own a car. The site occupies a highly accessible location in the town centre and is next to the Interchange. The proposal includes a mix of uses to complement the Town Centre location and it is submitted that being car free will reduce traffic generated by the site and the consequent impact on the surrounding highway network. Notwithstanding this it is evident, from the traffic generation exercise commented on later, that the development will generate a level of traffic movement, albeit relatively small, that cannot be accommodated on site when no general parking is provided. There will therefore be some demand for vehicle parking off site

It is submitted that people are choosing central and urban locations to reside as this can allow them to live without needing to own or sometimes even to use a car. The site being in a Town Centre location with convenient access to public transport, services and amenities meets the reasonable and realistic criteria for car-free living and it is difficult to argue that the site will not appeal to people who do not prioritise car ownership. It is fair and reasonable to acknowledge that a car free proposal in this location will assist in meeting local and national policy that seeks to reduce dependence on car use, improve air quality and achieve carbon savings. Research does show that residents have a tendency to choose their home location to satisfy these different priorities. To some extent this suggests that a site with car parking available will attract existing car owners whereas a car free site will inform choice by those who do not see car travel as an essential requirement. Combining a car free site with measures which provide an alternative to private car ownership will make the site more attractive to persons who do not own a car and furthermore lower levels of parking can prove successful in informing choice and changing lifestyles and priorities.

The applicant has been in discussion with the Enterprise Car Club and it is understood that Enterprise wishes to see car club vehicles located in the western area of the town centre. These would primarily serve this site and other community in this area. Enterprise has advised that the preference is for the vehicles to be located on street close to the Interchange to compliment the mobility hub, maximise visibility and ensure that the wider community understands that these are available for use by the general public. To compliment this the applicant has identified possible locations for the car club bays to be provided on the highway network, these being close to the Weir Mill site. The cost for establishing these bays would be covered by the applicant. Whilst this is welcomed a car club bay is of no particular benefit without the presence of a vehicle and the proposal does not address the issue of car club capacity and vehicle availability. The increasing demand for usage of car club vehicles shows there is need for additional vehicle capacity and I strongly feel that this development should be subsidising, for a minimum period of three years beyond a trigger of occupancy, the provision of three new vehicles. It is understood from Enterprise's experience that that one vehicle generally meets the demand associated with 70 residential units so three vehicles would be a reasonable expectation in this case to meet the increase in demand for use that will arise. The provision of three additional vehicles should not prove particularly expensive or prohibitive when club membership and hiring costs are factored into the actual cost per vehicle per year, with my understanding being the cost per new vehicle is circa £5000 per year. The actual cost for subsidising three vehicles for a minimum three year period needs finalising but would be in the region of £45,000. This would need covering under the terms of a S106 Agreement with the applicant to provide a commuted sum payment at a timeline to be agreed. This would be in addition to the cost for amending a TRO to facilitate car club bays on street, estimated at £7000.

I add that should and when a resident or commercial interests needs to park off site or require space to store their own car, I am satisfied that there is sufficient spare capacity within the public car parks that offer long stay and contract parking in the Town Centre and that these have spare capacity. This approach is within the spirit of the Town Centre West SRF and I am also satisfied that existing parking controls around the Weir Mill area should effectively manage and discourage overspill parking that could give rise to road safety concerns. I therefore conclude that I cannot reason or justify an expression of concern with a development that does not deliver general parking within this Town Centre location.

Notwithstanding the above I do have concern that the development does not provide an adequate number of disabled person parking bays and bays with electric vehicle (EV) charge points.

The Local Planning Authority's adopted parking standards contained in the Core Strategy state a minimum provision of one disabled bays per 10 residential units/dwellings plus a relevant number of bays for the commercial uses dependant on end usage. The provision of 11 spaces for a development of 253 apartments plus commercial floorspace is therefore significantly below acceptable standards and I consider a clear reason for an expression of concern.

In response to this concern the TA provides provided detailed commentary. It is commented that the parking standards are those originally adopted in 2006, being prior to evidence of changes in mobility patterns and updated car ownership levels in town centres and also prior to the adoption of NPPF. It is documented that 4.2% of Stockport residents have a Blue Badge. Whilst data on the proportion of the disabled population who hold a Blue Badge by area within Stockport is not publicly available, it is not unreasonable to assume that the proportion of blue badge holder will be less

in areas where car ownership is reduced. There is evidence that this is typical across other town and city locations as where disabled provision is lower, as it tends to be in areas that are less car dependent and more densely developed with local amenities and public transport that are easier to access. Whilst I remain of the view that the development should be compliant with the adopted standards I have to note that the development is proposing 11 disabled spaces which equates to the ratio of 4.2%. As such, a balanced judgement may consider it would be difficult to withhold consent on this ground in particular.

It is also suggested that the commercial elements of the proposal will have reliance on shared use of the disabled parking area, commenting that the uses will serve as a local amenity which is primarily ancillary to the residential use and limiting in terms of traffic generation in its own right. Whilst I am accepting of shared usage as it is fair to comment that conflicting demands for use of the spaces will be low, I do again have concern that insufficient provision is made for accessible parking within the overall development.

All of the accessible parking spaces will be to EV standard with suitable charging points provided. Whilst this is welcomed I have further concern that the provision of 11 vehicle charging bays is also significantly below the Local Planning Authority's expectations and requirements for the provision of electric charging points within new development.

For residential development in Town Centre or other accessible locations where a reduced level of or no car parking is provided, the number of electric charging points provided should be based on the number of residential units. This is set out in in the Councils supplementary document on EV charging. Charging points should be provided for at least 21% of the number of residential units for a development which is to be first occupied in 2024, which is considered a realistic timeline for the proposed development. Where charging points are provided on a communal basis it is considered reasonable and acceptable that one charge point will provide for the charging for two vehicles, with potential for a full charge for a vehicle in the daytime and a second vehicle charge overnight.

In the case of this proposal I strongly feel that the development should deliver the minimum 53 charging facilities (21% of 253 apartments). This expectation and requirements has been applied consistently across development in Stockport in recent years and I see no reason to depart from this view. Noting that each accessible parking space will be provided with a charge point and these have a reasonable potential for 2 charges daily, this accounts for 22 facilities. As such there is a shortfall of 31 EV charging facilities.

The Council will accept and has for other Town Centre development schemes accepted the provision of charging points to parking bays that are off site, either in public car parks or on street. This is a reasonable and logical approach where land constraints may prevent on site provision. Notably as such facilities will be public and communal and each charge point could reasonably account for the demand for charging for two vehicles, the development should be delivering or covering the cost for providing 16 EV charge points off site. Having regard to similar Town Centre developments, this can either be covered under conditional control or alternatively by provision of a financial contribution under the terms of a legal agreement, whereby the cost for each charge point is £6,500.

I note within the TA it advises that no other EV parking is proposed beyond that within the site for reason that the proposal is car free and fewer cars is better for the

environment and it would be counter intuitive to encourage any form of privately owned car use. I do not reach the same conclusion and I do not consider this is a reasonable or acceptable approach. It is inevitable that some households will have access to a car, probably require parking off site and furthermore households will reasonably enjoy visitors who will be seeking car parking off site. The traffic generation prediction is also showing that trips to the site will exceed the number of bays within the site thus requiring parking remote from the site. Noting that it is Government Policy that the sales of new petrol and diesel cars and vans will be phased out by 2030, that Greater Manchester has declared a climate emergency and now has a carbon neutral agenda and at a local level Stockport Council made a resolution on electric vehicle charging points in November 2018, I consider it essential that development complies with the Council's standards for EV charging provision. The development must be realistically seen to be contributing to the medium to longer term of objectives of reducing vehicle emissions and improving air quality.

In conclusion I require the development to deliver a minimum of 16 electric vehicle charge facilities off site, a matter that is capable of conditional control or via a financial contribution under terms of a S106 Agreement. The contribution would be £104,000.
Whilst I seek full provision to ensure compliance, a balanced judgement may be to consider this sum as being sufficient to cover a combination of both EV charge point provision and the subsidy for three cars for the car club.

My only other comment in relation to parking is that within the site provision is required for the parking of powered two wheelers and I require a minimum of 1 space to serve the commercial interests and a minimum of two spaces for the apartment element. There appears to be adequate space and potential for such parking to be provided within the presented layout and I am comfortable that this is a matter capable of conditional control.

<u>Traffic generation and highway impact</u>

The existing site use clearly generates traffic in its own right and a TRICS assessment validated by parking surveys at the site has been provided. This shows that during the morning peak traffic period the site has 20 arrivals and 6 departures and during the afternoon peak 5 arrivals and 21 departures. In terms of goods vehicle movements there is typically 12 two way trips per day associated with the site. This is considered a reasonable and acceptable review of the existing site use and clearly carries weight in assessment of the proposed development's traffic generation, its comparison and consequent impact on highway operation and safety.

In order to assess the residential use trip generation a multimodal approach has been utilised, the preferred approach for developments of significant scale, limited parking, urban location and having potential for multiple travel modes.

The assessment predicts that the residential use generates during the morning peak period 9 vehicle movements to the site and 18 departures, 5 arrivals using public transport and 65 departures, 9 arrival walking trips and 38 departures and only 1 cycle arrival and 3 departures. In the afternoon peak period the prediction is 16 vehicle arrivals and 10 departures, 51 public transport trip arrivals and 7 departures, 32 walking arrivals and 18 departures and 2 cycle arrivals with 1 departure.

In terms of the commercial use on the site the assessment is predicated on wholly office use, which although not ideal given the open class E use that is sought and

the potential for many end users, it is considered reasonable having regard to the Town Centre location, site accessibility, ancillary nature of the use and the reduced parking provision. The assessment predicts during the morning peak period 10 vehicle arrivals and 1 departure and during the afternoon peak period 1 arrival and 9 departures. No specific review of other travel modes has been undertaken, not really necessary given the nature and scale of the use.

The residual vehicular traffic flows associated with the development proposal is 19 vehicle arrivals and 19 departures during the morning traffic peak and 17 vehicle arrivals and 19 departures during the afternoon peak. With totals of 38 vehicular movements in the morning peak and 36 in the afternoon it is reasonable to consider that a generally car free development will not really generate a level of traffic that is considered significant.

When comparing the proposed development's vehicular traffic to the existing site's traffic generation I have to note but do accept that the proposal would be likely to generate slightly more traffic during the peak traffic periods. It would however be difficult to seek to demonstrate that a small increase in traffic associated with development would be anything other than imperceptible to other road users or that it would have an adverse effect on the general operation and safety of the network within the vicinity of the site. I feel it would be unreasonable and extremely difficult to seek to sustain an objection based upon traffic generation for a Town Centre living development in a lesser car provision environment and where a high level of accessibility is evident. That being said it is clear that the development will generate a level of traffic that cannot be accommodated on site given the car free nature of the proposal and lack of general car parking space so there will be demand for parking space off site.

Site access arrangements

The site is proposed to be accessed with a simple priority junction arrangement provided immediately west of the viaduct. This will provide access to the internal parking area, a servicing area for larger service vehicles and to the delivery layby located beneath the viaduct. The layby has a separate exit onto Chestergate, this will need control to ensure it operates on a one way basis. I am comfortable that both access points will have adequate visibility to and for emerging drivers, the exact detail of measurements along kerblines and treatment within splays areas being a matter for conditional control. The deliveries layby will be accessible for day to day service vehicles such as post and parcel drop-off. Site management will oversee access to the delivery areas and parking and I take the opportunity to comments that no gates or other means of obstruction would be acceptable across either access point. I also consider that the entrance points should be formed with a continuous albeit dropped footway across the site frontage which will retain a priority for pedestrian and cycle traffic along the shared footway cycleway. This is also a matter capable of conditional control.

The relatively open nature of the site frontage to Chestergate affords a number of pedestrian and cycle linkages into the site. The development will allow level access across the site and to connect to the highway and crossing points and routes within the site are provided to meet all principal desire lines with gradients not exceeding 1:20. There will also be frequent locations across the site to allow pedestrians to sit and rest.

Servicing and deliveries

The external space accessed from Chestergate is designed to accommodate both small and large vehicle delivery movements. Small delivery vehicles (up to a 7.5t box van) will be able to use the dedicated pull in off Chestergate and larger refuse and delivery vehicles can use the dedicated space within the parking area. Swept path drawings have been provided that show larger vehicles can enter the site, manoeuvre, stand and exit the site without causing obstruction within the car park or the site entrance. Smaller vehicles up to 7.5T can use the delivery layby area and this has sufficient capacity for two vehicles to comfortably stand and load or unload without causing obstruction. The use of both areas will be overseen by site management with arrangements to be established for routine resident's deliveries. The site management area includes storage space where deliveries will be held for residents until collection or distribution around the site. I consider a cold or refrigerated/frozen storage area is necessary for food deliveries which have every possibility of occurring whilst a resident is not home, this matter should be raised with and addressed by the applicant.

I welcome the goods storage area close to the delivery layby as this would assist reducing the dwell time for smaller delivery vehicles and I am satisfied from supporting information provided that the layby area would have sufficient capacity to meet the likely and realistic needs and servicing activity of the development and avoid multiple and conflicting delivery demands. I am also satisfied that sufficient capacity for refuse and recycling receptacles is proposed across the site for both residential and commercial purposes, noting that residential waste and recycling will be public collection and commercial waste is likely to be privately collected.

The management of the delivery areas are a matter capable of conditional control with the expectation that a Service Management Plan will be provided prior to first occupation. Furthermore the applicant has agreed, in order to reinforce the servicing arrangements, to cover the cost to amend the Traffic Regulation Order on the site frontage to Chestergate to include a loading/unloading prohibition. The likely cost for this will be £7-£8,000, the sum needing to be secured under the terms of a S106 Agreement.

Cycle parking

It is essential to ensure that development delivers adequate infrastructure and cycle parking facilities to encourage residents to travel by cycle. The submission provides for cycle parking within apartments and in ground floor locations. The submitted information is sketchy with proposals for tiered systems to compliment ground level stands and I remain to be convinced that each and every household will have convenient access to a secure cycle storage facility. Tiered racking whilst acceptable in principle can prove difficult to utilise, is constrained in capacity and the ability to store different types of cycles for example e bikes and cargo bikes. I am also sceptical with the enforceability of cycle parking within apartments and the realism that residents will make intended use of such areas, particularly those residing at high level.

The commercial elements of the development also require long stay facilities for staff in addition to short stay customer facilities. Again the detail is lacking and I am wary that there may not be sufficient space within built areas to accommodate long stay cycle storage.

I do however welcome that the intention is for 338 cycle parking spaces to be provided in total across the site including 42 external spaces for use by visitors. This may be a considered a matter capable of conditional control and if so I feel it needs

to be addressed in detail prior to any works commencing on site, to avoid risk of insufficient space and capacity further down the build time line.

Travel Planning

An interim Travel Plan accompanies the application and this is generally a comprehensive and good quality strategy and plan. It does however lack detail on car club arrangements and my reasonable expectation that the development should subsidise car provision in addition to simply the creation of space on the highway. The plan does not provide information on the availability of parking within the site and how access to spaces will be managed. It does not take into account the likelihood that the apartments will be rented with likely regular turnover and no reference is made to electric car or potentially bike charging. In addition, as commercial elements are part of the overall development, I consider that these should also fall under the remit of the Travel Plan.

These are all issues that can be dealt with as part of the production of a full Travel Plan prior to or shortly after first occupation of any part of the site and therefore I consider that this is a matter capable of conditional control. I will also expect the applicant provides under the terms of a S106 Agreement a commuted sum to cover the monitoring of the effectiveness of the Travel Plan by the Council, the required sum to be identified in due course.

Conclusion

Whilst I am accepting of and have no concerns in principle with the development there are some matters that need review and addressing to ensure Policy compliance and satisfy planning requirements.

Conditional control could be used to cover off site electric vehicle charging points or alternatively use of a S106 mechanism to secure a financial contribution of £104,000.
Furthermore a S106 is necessary to cover and secure a financial contribution of £45,000 for car club subsidy and a commuted sum to cover TRO review and amendment costs (estimated when the three TRO's are considered in isolation to be a total of £24,000 but progressing as a combined package I will reasonably expect to see a reduction in the sum required/ this needs confirmation). A S106 is also required to cover a monitoring sum for the site Travel Plan.

A cold or refrigerated/frozen storage area is necessary within the site management space.

A stopping up order for affected highway land will be required prior to any works commencing on the New East building.

In the event that any permission is to be granted planning conditions will be required to cover:

- Demolition and construction method statements
- Pre-commencement highway condition surveys
- New East building, no works to commence until status change authorised.
- Off site EV charge points (if not covered by S106)
- Site access formation and control
- Access, parking and circulatory area construction detail
- All hardstanding areas detail

- Car park management
- Service management plan
- Shared footway cycleway widening/treatment
- On site EV charge points
- Powered two-wheeler parking
- Cycle parking
- Refuse and recycling
- Travel planning

Transport for Greater Manchester (TfGM)

Thank you for consulting Transport for Greater Manchester (TfGM) on the above planning application. The following comments are offered as advice on transport issues for you to balance against other factors in determining the application and are made in the context of TfGM's non-statutory role in the planning process.

Background
The application is for redeveloping the Weir Mills site to provide a residential-led development. The proposal will deliver 253 apartments and 2,315sqm of ground floor commercial uses.

Highways Overview
HFAS (Highways Forecasting Analytical Services) and UTC (Urban Traffic Control) have reviewed the highway section of the Transport Assessment (TA) issued in support of the proposed development and have provided feedback which is listed in the following sections.

I. Trip Generation

The applicant has used TRICS multi-modal surveys from the category Flats Privately Owned to calculate trip rates for the different user classes. TfGM suggest that the use of TRICS sites from London would not usually be recommended as they are not comparable.

Generally, in terms of trip generation, TfGM's recommended approach is to obtain person-trip rates through a multi-modal TRICS assessment. These person-trip rates can then be divided by mode, using Census data.

II. Active Travel

The walking and cycling isochrones don't take account of the hills in Stockport or the barriers that the motorway creates for pedestrian trips. It is TfGM's view that more clarity is required of how the linkages from the site to the town centre shops are provided as there is a considerable level difference.

III. Cycle Parking Provision

It is also important to ensure that there is adequate infrastructure and facilities to encourage residents to travel by sustainable modes. The TA does not provide details of how the cycle parking shall be secured. Cycle parking should be provided in accordance with Stockport Council's cycle parking standards and where possible spaces should be in excess of the minimum standard.

IV. Car Parking Provision

The proposal is car-free except for 11 accessible spaces on site. While it is understood that the site is in an accessible area, TfGM recommends a plan showing the nearest on-street parking be provided as well as a discussion of the likelihood of whether this will be used for the residents of the developments and if they do, the impact on the local residents.

V. Travel Plan

TfGM recommends that the existing Travel Plan is updated in accordance with the above proposals, with the objective of reducing reliance on the private car, particularly single occupancy use. The Travel Plan should be designed to raise awareness of opportunities for reducing resident travel by car and should feature a range of measures and initiatives promoting a choice of transport modes, and a clear monitoring regime with agreed targets.

Highways England

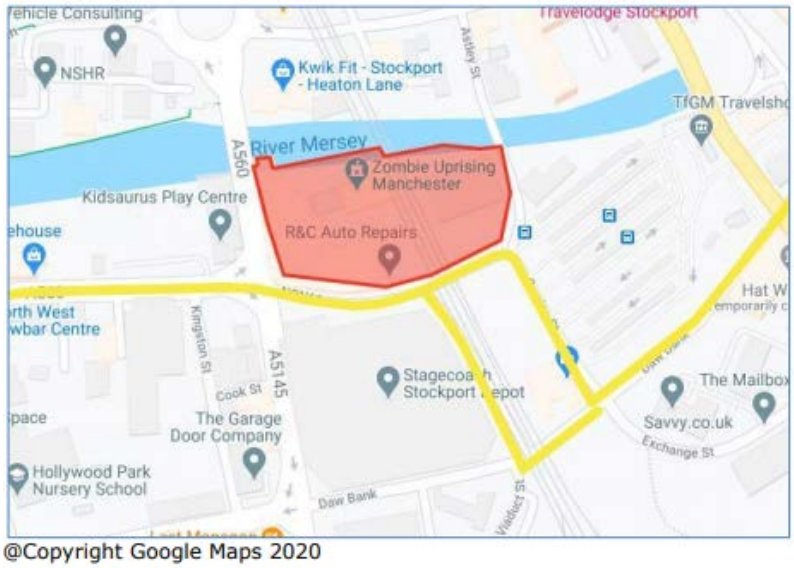
No objection.

Trans Pennine Trail

<u>Summary</u>
The Trans Pennine Trail is part of the National Cycle Network at this location. The development seeks to improve an area of Stockport to provide a range of facilities. However, there is no indication within the proposals to improve the Trans Pennine Trail cycling option which is also part of the National Cycle Network at this location. It is important to note the wider developments that will increase the usage of the key sustainable transport network infrastructure in this area, namely the TPT / NCN; the Transport Interchange to the east and the MDC development to the west. The TPT encourages further work to address the shared TPT / NCN within direct proximity to the site and as indicated in the Government's LTN1/20 guidance.

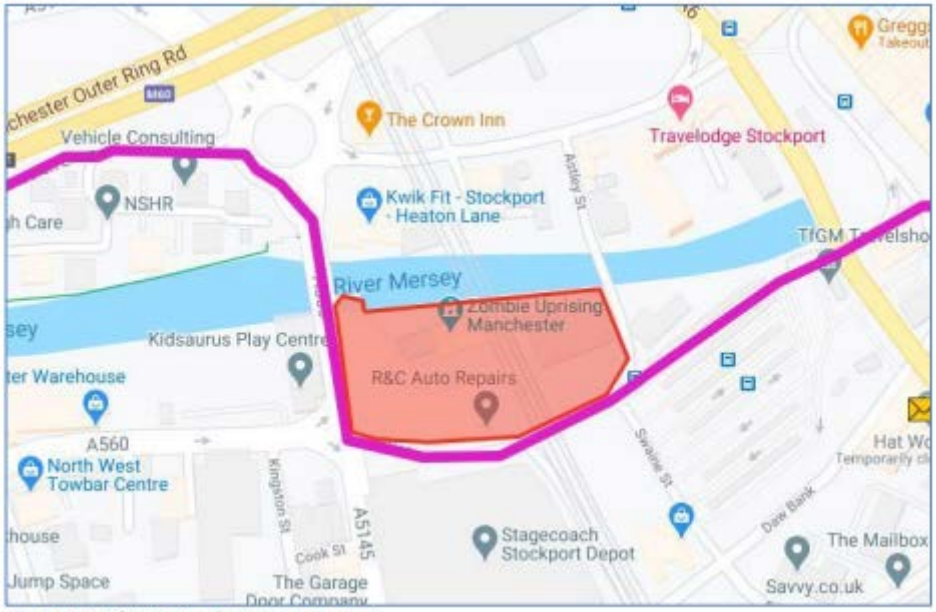
<u>Detailed Information</u>
The plan below indicates the development site location in relation to the TPT / NCN cycling route:

Red outline – development site location Yellow line- Trans Pennine Trail / National Cycle Network (cycling route)



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The map below indicates the Trans Pennine Trail walking only option in relation to the development:



It is evident from the above plans that this development provides an opportunity to invest in upgrades to the Trans Pennine Trail cycling route (also NCN at this location) but the detail provided does not indicate a willingness to address this. The current cycle route is on a shared use footway which does not follow the LTN1/20 guidance.

Discussions with the developer and Stockport prior to submission should have highlighted the potential to improve the local cycling offer in terms of the TPT / NCN. The current TPT is on a shared use footway for walkers and cyclists. Under the LTN1/20 guidance it states that a segregated cycle option should be provided. However, the documentation provided does not indicate plans for any improvements despite the developer wishing to encourage sustainable modes and providing cycle parking.

The current proposed improvements to the Transport Interchanged have been written to look to encourage sustainable transport and provide a cycle hub, which would indicate an increase in the level of both walkers and cyclists – all of which would still currently be using the existing shared use path.

This is currently a missed opportunity that needs to be addressed to ensure that the best sustainable transport offer can be achieved for residents and visitors to the area.

In relation to further documentation provided, the TPT provides the following comments:

<u>Transport Assessment and Travel Plan</u>

- LTN1/20 is not listed which would indicate that this Government guidance has not been used as an assessment tool.
- Indicates that the above was not highlighted in earlier discussions.
- Notes the existing TPT and NCN and improvements as part of the Interchange Programme. However, this is not developed further under section

3 to indicate how further improvements can be made to ensure a fully accessible segregated route is available for walkers and cyclists.

- Notes the need to create improved linkages between the town centre and the site but there is no further indication of improvements to the current TPT / NCN.
- Notes the need to create improved linkages between the town centre and the site but there is no further indication of improvements to the current TPT / NCN.
- This statement is challenged. The anticipated improved facilities for pedestrians does not automatically reduce the number of pedestrians using the current TPT / NCN. The development should and will encourage people to use sustainable modes to reach the development.
- Connections to the TPT / NCN are welcomed but again evidences the need to improve the current route design.
- Acknowledges limited width but does not indicate if any other design has been considered.
- The provision of a car-free development, whilst accommodating accessible parking, is commended.
- The inclusion of cycle parking for all abilities is also welcomed.
- Again, the removal of car traffic is welcomed.
- Notes the current shared footway. The developer is urged to seek to accommodate a segregated route.
- The proposed Parking Strategy for a car free development for a residential site is aspirational.
- Will the seating be fully accessible, ie at least no arm rest on one side to enable those in wheelchairs to sit next to their companion?
- Details of the TPT and NCN network should also be provided to highlight the wider offer to residents and visitors.
- Can further design be undertaken to provide a segregated cycle and walking offer?

Interim Travel Plan

- Again, can further design work provide a segregated cycling and walking offer? This would add to the exemplar sustainable offer of the site.
- The TPT national office can provide leaflets for inclusion in the travel pack.

SMBC Director of Public Health

Stockport Sustainability Checklist – according to Stockport Council's Validation Checklist all major applications are required to complete and submit Stockport's Sustainability Checklist to ensure that the application addresses all opportunities to deliver sustainable development (including benefits to human health): www.stockport.gov.uk/sustainable-development/sustainable-design-and-construction. In particular, the proposed use of the Lifetime Homes standard ensures that this development would score well on the Sustainability Checklist.

Active Travel: the promotion of active travel and public transport is key to maintaining physical and mental health through fostering activity, social interaction and engagement, managing healthy weight, reducing emissions from vehicles and enabling social interaction. Accessible paths through the site are welcomed (especially improvements to the Trans Pennine Trail) as this can help to ensure pedestrians can navigate the site fully, encouraging natural surveillance from pedestrian and cycling through traffic. It also ensures links to the wider pedestrian

and cycling networks via the site. A clear delineation for pedestrians and cyclists would help to facilitate uptake of both travel options by offering clear and safe through routes for both groups. The proposed cycle parking of 340 spaces exceeds the number of apartments proposed. The clear commitment to this level of cycle parking in the design plans is welcomed as it is critical in enabling active travel choices and increasing physical activity. Achieving healthy weight reduces risks of other lifestyle diseases such as hypertension, coronary heart disease and stroke. Reducing risks of such diseases also reduces pressures on current and future public sector health budgets (Stockport's JSNA). There is no evidence of consideration of electric vehicle charging car parking spaces and it would be useful to have this need considered or at least a commitment to have the parking futureproofed for adaptation in light of the GM Zero Carbon target for 2038. Electric vehicle charging would be welcomed in air quality terms, but is one level in a hierarchy of sustainable transport choices where prioritising sustainable transport options of walking, cycling and public transport are vital to increasing activity and considerably reducing carbon emissions.

Ageing Well: Stockport Council has adopted an Ageing Well Strategy which takes account of the World Health Organisation guidance on appropriate place making for older people. The WHO design considerations are critical to ensuring that the needs of the growing ageing population of Stockport are addressed where practicable through new development. In particular for this site the proposed use of the Lifetime Homes standard will ensure good quality design in terms of appropriate access including for older people. In addition the proposed seating around the site with back and arm rests is particularly welcomed to enable older and less mobile residents to make use of seating more easily.

Green Infrastructure (GI): the scheme is in an urbanised location and it should be noted that GI offers multifaceted health benefits ranging from addressing flood risk to tackling stress and its exacerbating effect on health through provision of views of greenery and wildlife. Appropriate delivery of green infrastructure would be welcome in public health terms and could help to manage urban temperatures and extreme rainfall events in the area, reducing stress and thereby maintaining immunity. The consideration of native planting around the site would not only contribute to managing air quality but also enable biodiversity net gain in an area of the Borough that has a deficit of natural capital, further enhancing access for and to nature on the development. Enabling people to get next to nature is important in terms of lifting the human spirit, which also assists with reducing the health impacts of stress, including on people with long term physical and/or mental health conditions. The summertime comfort and well-being of the urban population has become increasingly compromised. The urban environment stores and traps heat. The majority of heat-related fatalities during the summer of 2003 were in urban areas and were predominantly older more vulnerable members of society (Designing urban spaces and buildings to improve sustainability and quality of life in a warmer world). GI is a critical tool on new development for adapting to the climate crisis where extreme summer temperature events are likely to occur more frequently.

Mental Health: developments of certain types (such as high buildings) triggers the need to assess the design for suicide prevention purposes. Stockport Council's Public Health Team can discuss appropriate assessment and government guidance is available that outlines potential options for minimising any risk of self-harm. Alongside the ethical imperatives to prevent suicide, it is of note that for every life lost to suicide, the estimated total cost to society is around £1.67 million. In terms of this specific application, the proposed high buildings could provide opportunities for self-harm, although the proposed layout ensures the site is reasonably well overlooked which can deter such actions during busy periods. It is critical that areas

of concern must be accessible to emergency services attempting to access a vulnerable individual including recovering them safely where required. The reference to a Fire Access Report and accessibility information for emergency services would seem to indicate that access has been considered in terms of fire.

Affordable Housing: it is important to note that a lack of affordable housing can be argued to contribute to widening health inequalities, with additional pressure on the Council's public health and related budgets. Evidence is available to show that affordable housing benefits health in a variety of ways including reducing the stress of unaffordable homes, enabling better food budgets for more nutritious food, access to better quality homes that do not impact negatively on health (including management of chronic illnesses), support for domestic violence survivors to establish a safe home and mental health benefits of a less stressful inexpensive home (The Impacts of Affordable Housing on Health).

Greater Manchester Police – Design for Security

We would recommend that a condition to reflect the physical security specifications set out in section four of the Crime Impact Statement should be added, if the application is to be approved.

SMBC Building Control

This development is currently being assessed for fire precautions. The fire service have been consulted. GMFRS raised concerns after the initial consultation. During a follow up meeting many of the concerns were either addressed or a pathway to proving a resolution agreed. We are still assessing compliance with the Building Regulations.

SMBC Waste Management

The developer should follow published advice on SMBC waste management and collection services. Please ensure that sufficient storage room is allocated for the number of waste bin(s) (capacity) required. If opting for steel bin containers, there needs to be sufficient access, width of entrance, turning circle enough for a heavy goods sized vehicle, in order that residents have the use of the Council's waste collection services.

ANALYSIS

Introduction

Weir Mill occupies a key gateway location as the town centre transitions into the wider Town Centre West M.D.C. It provides an opportunity to breathe new life into a key complex of listed buildings whose former use played a key part in the contribution the town made to the textile industry. It offers the opportunity to re-purpose buildings and provide much needed new homes, provide enhanced public realm and offers the opportunity to open up the river and to deliver a truly outstanding development setting the bar for further development within the MDC.

In reaching Committee, this scheme has undergone discussion over many months both during the pre-application process and during the consideration of the application. The applicant has engaged extensively during the pre-application process with residents and key stakeholders including Historic England as well as

Stockport Heritage Trust. The scheme has also been considered on two occasions by a RIBA Places Matter Design Review Panel.

It is however, a complex application which requires careful and detailed consideration and one which has attracted considerable opposition from local people, local heritage groups and as well national heritage groups.

Before proceeding with the detailed analysis of the case, it is important to outline the main considerations. The main material considerations considered pertinent to the determination of the application are:

- Impact on Heritage and Historic Environment
- Visual impact
- Impact on ecology and trees
- Noise pollution
- Air pollution
- Residential amenity
- Highway impacts
- Flood risk
- Housing Need

The application seeks the comprehensive and wholesale regeneration of the site, bring a currently underutilised, decaying and vacant site back into a high quality, residential led development, offering high quality public spaces and including opportunities for complementary commercial uses.

Principle of Development

Paragraph 11 of the NPPF states that there should be a presumption in favour of sustainable development, which sits at the heart of the Framework and for decision taking means (unless material considerations indicate otherwise) approving development proposals that accord with the development plan without delay; and where there are no relevant development plan policies, or the policies that are most important for determining the applications are out of date (Footnote 8), granting permission unless:

i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing development (footnote 7); or

ii) **Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework take as a whole**. [our emphasis]

Footnote 7 states: *'The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.'*

Footnote 8 states *'This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74);*

or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years'.

Paragraph 47 reflects the legal requirement that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is located in an area defined by Saved Policy TCG3.1 'Riverside'. This policy which remains in broad compliance with national planning policy indicates that the Council will permit, as well as leisure and office use, a mixture of bars, restaurants, hotel and residential uses. It further states that uses should ensure the long-term viability of Weir Mill, enhance the public enjoyment of the river, present elevations which overlook the river, generate active uses along the front and create viewing and sitting areas accessible to the public. It further stresses the fundamental importance that redevelopment proposals improve linkages to the town centre including the creation of high-quality pedestrian friendly environments. Retail development should be ancillary and small scale.

In the proceeding sections of this report the application will be assessed against both local and national policy having regard to all other material considerations.

Housing Supply

The National Planning Policy Framework requires local planning authorities to identify and maintain at least a 5-year housing land supply against its defined housing requirements. Stockport is currently in a position of prolonged significant under-supply with only 2.6 years of housing supply when considered against the most up-to-date housing need position. In these circumstances, the Framework notes that local planning authorities should boost significantly the supply of housing. As such the principle of the delivery of 253 new homes is to be welcomed. Furthermore, the Council remains committed to delivery of the majority of new homes on the borough on brownfield land. The MDC itself evolved from the Council's regeneration vision embodied in 'Town Centre Living' and seeks to deliver 3,500 news homes within the wider context of 5,000 new homes proposed in the wider town centre (SHLAA, 2020).

From an accessibility perspective, the site is extremely well located, being sited immediately adjacent to a public transport hub which will shortly be transformed into a modern transport interchange, future-proofed for the delivery of Metrolink, with linkages to a new two acre park and predominantly residential development of some 196 apartments. Weir Mill and the wider MDC area is precisely the type of location where the delivery of a more efficient use of land should be encouraged, a position recognised by the strategic objectives of the adopted development plan, the SRF as well as national planning policy. This must however be balanced subject of course to other considerations such as the impact of the proposal on heritage assets, visual impact and level of amenity afforded to existing and future residents including the

Affordable housing

Core Strategy policy H-3 indicates that the proportion of affordable housing sought in new housing developments varies across the borough to take account of property prices and economic viability. The percentage requirement across the borough ranges from an upper end of 40 % to a lower end of between 5-15% affordable provision. In this case, as the site is located within the town centre the policy advises that provision should be made within a range of 5-15%. This reflects limited viability that currently

exists for residential development within the town centre. The application does however include land which remains in the ownership of the Council, namely part of the area of land which is proposed to accommodate the Eastern tower, as such the requirement for affordable housing is increased to 40% for this element of the scheme. Members will be however be aware of the considerable challenges placed on the delivery of this level of affordable housing on sites located within the town centre, most recently in respect of the interchange.

As this proposal includes demolition, vacant building credit applies to the determination of the level of affordable housing the scheme should deliver. Therefore having regard to vacant building credit, current land ownership and the differential levels of provision required, the scheme generates the need for a total of 23 apartments to be affordable.

Viability considerations

The application has been supported by a comprehensive viability appraisal, which seeks to demonstrate that the development would not be viable if there was a policy requirement to provide any affordable housing as well as contributions to local open space, simply put it indicates that it would not be possible to deliver the restoration of the retained mills and wider regenerative benefits of the scheme and provide any contributions

In the assessment of the submitted appraisal the Council has appointed the District Valuers Office to undertake an independent assessment of the information provided in respect of the viability case.

The assessment tested 4 scenarios, firstly it tested the application scheme, running both a 'policy on' and 'policy off' position. In each case the scheme proved to be unviable generating a negative residual value and therefore is unable to support any policy requirements.

The case presented by the applicant argues that to ensure that the delivery of the scheme and associated benefits, the scheme can only take place with the eastern tower included. As such, the applicants were requested to provide an appraisal for a lower tower, which would be positioned so as to not breach the height of the viaduct and thereby delivering a less harmful form of development. This is referred to as Option 8b and reduces the scale of the tower from 14 storeys to 5 with a consequential reduction in units from 78-24, in turn this would reduce the number of dwellings proposed to 199.

This was also tested by the DVO and again this concluded that the schemes would not be viable with in both the policy on negative residual, even when considering the policy off option there remains a significant deficit.

However, the DVO advises that given the complexities of the scheme and the impact of changes in costs to the residual figure, that the scheme should be considered for a further viability review upon practical completion to enable a reappraisal to take place. The expressed position is that the scheme *"should be able to support a financial contribution towards policy in the longer term"*. This supports a position requiring the use of a clawback provision to be secured via an appropriate legal agreement capped to the equivalent sum of the residual open space contribution, formal sports provision and an off-site contribution towards affordable housing.

Design and scale of the proposed development

Policies of the adopted Core Strategy, in particular SIE-1 'Quality Places' sets an expectation that all development should be designed and landscaped to the highest contemporary standard. It stresses the need to ensure that it has regard to the built and /or natural environment in which it is sited. The policy advises that where these matters are met planning applications will be given positive consideration.

In addition, to Core Strategy Policy SIE-1, both the Design of Residential Development SPD, Town Centre SPD and the Town Centre West Strategic Regeneration Framework place a strong emphasis on the need to deliver a high quality of design.

In addition, Policy H-1 'Design of Residential Development further enforces the requirement to deliver high quality sustainable residential development which contributes to the creation of successful communities. It requires proposals to respond to the townscape and landscape character of an area and should reinforce or create local identity and distinctiveness in terms of layout, scale and appearance. The policy also cross references the need to deliver low carbon housing and to ensure that good standards of amenity, privacy, safety / security and open space should be provided for the occupants of new housing.

In respect of Policy CS8 the development plan acknowledges the unique place that the historic environment holds in Stockport's cultural heritage as well as the multiple ways in which is supports and contributes to the economy, society and daily life. It stresses that conversing and managing this resource is a key component wider principle of sustainable development. It further advises that development will be expected to make a positive contribution to the protection and /or enhancement of the borough's heritage assets.

Turning to the NPPF, as referenced in the Policy background section of the report, the NPPF was revised earlier this year. The main thrust of changes made to the document were to seek to drive significant improvement in design. In the ministerial statement by the SOS 20th July 2020 he stated *"The Government has set out to put beauty and design, for the first time, at the heart of the local planning system."*

The Secretary of State further advises that the changes to the NPPF will ensure that the planning system helps to create buildings that "fit in with places" but at the same time maintains the strong focus on the delivery of homes and other developments that communities make.

Members are advised that the application presented has been considered by the RIBA Places Matter Design Review panel comprising an independent panel of design experts on two separate occasions during design development. The most recent comments are provided in full in the responses section of the report. The following statement is of particular note, *"The landscape and place-making are, if anything, even more compelling than they were before. The respect for heritage issues and the group of buildings to the West of the viaduct is all working well."*

The comments view the scheme extremely favourably, noting that the public realm *"is well considered and very exciting".* They further recognise that *"the enrichment of landscape and place-making is all very positive and fully supported by the panel".*

The panel were particularly firm in their view that this presented *"a very special addition to Stockport".*

In terms of the proposed buildings, the panel supported the approach to Weir Mill and the expressed form of the buildings proposed and their context is respect of the Grade II* viaduct.

The comments are highly supportive of the approach to the mill complex and public realm, however, the panel remained of the opinion that the design approach of the eastern tower was not strong enough. The panel expressed a view that the tower should be higher, more elegant and use a different design approach.

The panel wished to see further detail in respect of the impact of the development in a much wider context, in particular, in relation to the consented Interchange but also the wider town centre. Members should note that much of this information has been prepared by the applicant to support the application but was not presented to the panel for consideration.

The panel challenged the scheme designer to *"pull a rabbit out of the hat"* and create a tower that is more elegant, simpler and of a different architecture. Following receipt of these comments' officers entered into further dialogue with the applicant seeking to explore options to deliver a revised design whilst striking the correct balance to minimise impact from both a townscape and heritage perspective. The applicant in turn provided a response to the concerns expressed by Places Matter which advised that they strongly considered that the scheme was of a sufficiently strong quality of design and coupled with viability considerations did not propose to make any changes to the scheme.

They argue that the design approach to the scheme has been driven both by a wider urban analysis but also framed in response to the new context set out within the adopted SRF. They further advised that the choice of a lower tower was made having regard to the nature of the valley as well as a conscious decision to make the tower lower than the consented interchange building.

The designer responds that the *"new additions to the site are strong new contemporary pieces of architecture, they are underpinned by a Heritage led approach to the regeneration of the site. They are shaped by our detailed understanding of the setting, evolution of the mill complex and the importance it holds in Stockport's and the North's industrial history".*

They further advise that the language of the buildings is intentionally simple referencing both the existing mills grid of windows, and the industrial nature of the site and rail infrastructure. The fundamental approach taken by the project is to present the scheme as *"a phased family of evolution is an important part of this sites history which was subdivided by the viaduct as a later addition".*

The information supporting the application clearly articulates that the scheme has been driven by a heritage led regeneration based approach, and it is evident that the designer has sought to utilise the evolution of the site in creating a new family of buildings, importantly making a consistent statement with a clear building identity to further the organic evolution of the site.

In considering the design, officers strongly support the form and architectural language of the proposed new build, conversion / adaptation of Weir Mill complex, and share the views expressed by Places Matter that this element of the scheme can

be considered to be exemplary. The attention to detail and the innovative approach taken in the development are to be applauded and furthermore, enables the Council to continue to advocate a high bar in respect of the expectation for development in the Town Centre and wider borough. It is acknowledged that the Conservation Officer has raised concerns in respect of matters of detail in particular in respect of the approach to replacement windows, as well lack of detail in respect of some elements of the scheme. These matters will however be the subject of conditional control and will afford further opportunities for these matters to be considered in detail to ensure that the new build and interventions are delivery in a sensitive way.

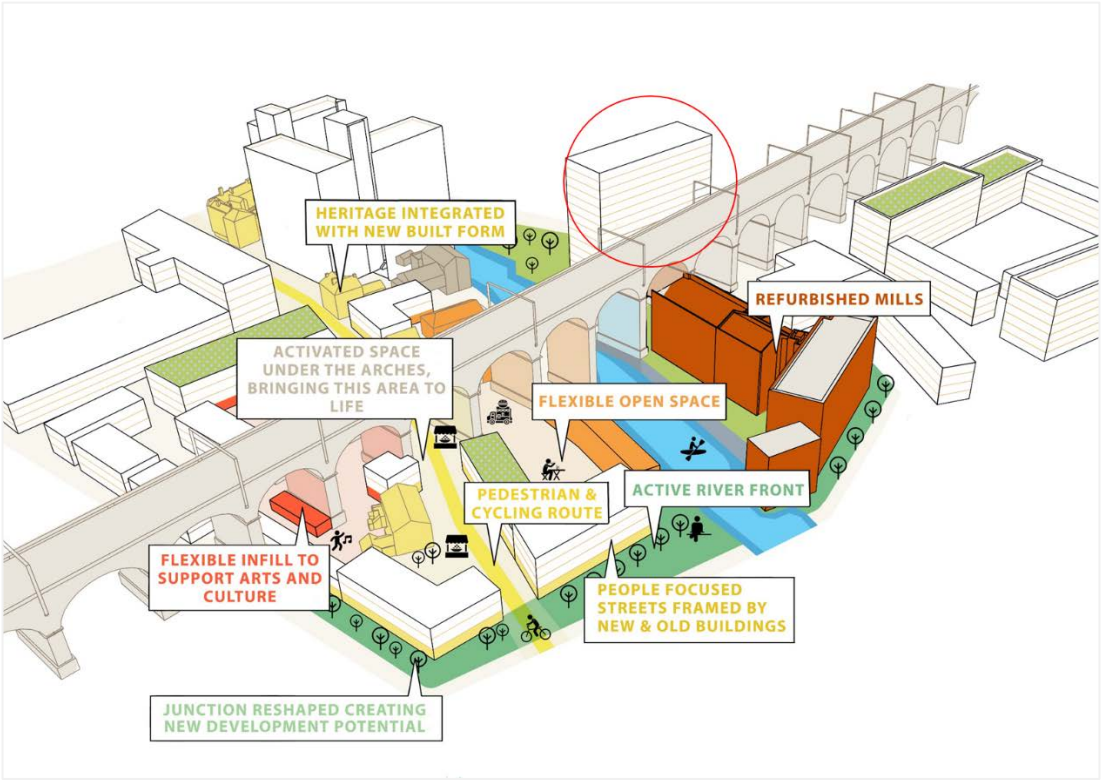
Turning to the Eastern tower, based on the strength of opposition to the scheme and the comments raised by heritage bodies this is by far the most controversial element of the scheme for the Council to consider. Notably, whilst objections are raised to the visual impact of the tower, little is said in respect of its design quality.

As described within this section, the policy framework at both a local and national level advocate the delivery of high quality of design, a view supported by the SRF. It is considered that the design approach to the mill complex can be considered to accord with the thrust of national and local policy in striving to create an extremely high quality of design. Whilst there is undoubtably merit in the suggestion that an alternative design approach could be taken in respect of this tower and to make it is truly exceptional piece of architecture, this presents numerous challenges including advocating a much taller and therefore impactful building, as well as further considerable cost implication. The scheme designers response to Places Matter (as well as the DAS, Tall Buildings report etc) articulates a design approach which is centred around a consistent theme which seeks to enhance the design evolution of the site and take a contemporary approach to creating an industrial feel for the development and is one that is supported as striking an appropriate balance.

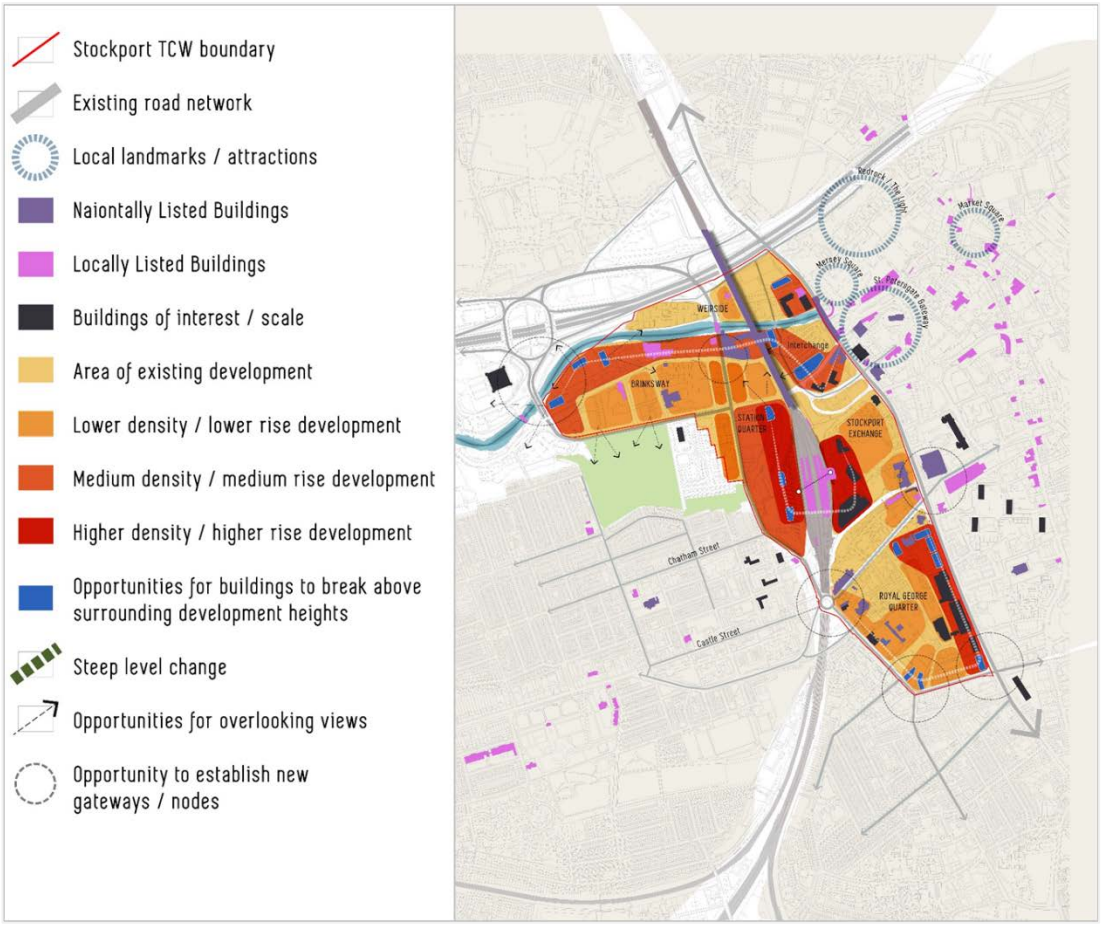
Turning to the level of amenity that would be afforded to future residents of the development, clearly a balance must be struck where schemes involve conversion of existing buildings and the need to accommodate new development within a constrained urban location. In this regard, the scheme has been designed to afford residents with an acceptable level of amenity. All units are designed to meet the national space standards and have been designed to make the best use of space and the views afforded to them. In addition, the scheme proposes private and communal amenity spaces including both an internal residents room as well as a roof garden on the New Western building as well as proposing in the region of 5,450m^2 of public open space for use by residents, those employed at the site as well as the wider community. The scheme strives to deliver quality place making, recognising the key gateway location of the site and the opportunities provided by the re-use of the site. A further significant benefit of the scheme is the opening up access to the river and through the creation of an attractive well-landscaped seating area. Elements supported by both the SRF and the TCG3.1.

The SRF provides a strategy and illustrative framework which seeks to guide the transformation of Town Centre West.

Members should note that the indicative masterplan imagery for the Weirside ‘character area’ clearly shows higher-rise development on the part of the Weir Mill site to the east of the viaduct (pp. 134-135):



While section 5.3 of the SRF, which directly addresses Scale and Massing (pp.94-94), clearly identifies the same part of the Weir Mill site as an area with the 'opportunity for buildings to break above surrounding development heights'.



The same section of the SRF goes on to say that these 'illustrations provide a general guide to scale and massing, encouraging a more varied and refined […] urban form to emerge as detailed site proposals come forward. [Town Centre West's] central location demands an urban response with a noticeable step up in scale from surrounding residential suburbs.

Crime Prevention

CS Policy SIE1 together with Paras. 92, 97 and 130 of the NPPF seek to ensure that developments create safe living conditions and incorporate safety and security measures into the design whilst not compromising overall design quality.

A Crime Impact Statement has been submitted with the application. The statement advises that the layout of the development is considered acceptable provided that a number of issues are addressed, the issues raised are provided in the bullet points below with subsequent paragraphs addressing how these comments have been taken on board.

- the design and layout of the public realm should not include any hard or soft landscaping that could impede surveillance or attract loitering
- consideration should be given to closing off the riverside area at night, but acknowledges that if this cannot be achieved adequate lighting should be provided.

In respect of the issues above, clarification has been sought in respect of how these matters are proposed to be addressed. The scheme design is focussed on inclusivity and creating public spaces that are inviting and safe to use/occupy at all times of the day, with the overall objective of encouraging people into the development. To this end, the central courtyard is comprised of two main open spaces with visual connections throughout the site, which offer flexibility for events/performance, whilst ancillary spaces and connecting routes are designed to maximise visual surveillance. A scheme of artificial lighting is proposed to create spaces that feel safe and welcoming – JHP Plans identify the locations of proposed light fittings. There will also be a site wide CCTV strategy in place to maximise surveillance throughout the development. The riverside area is intended to be a space for public access to active ground/ lower ground floor spaces, and as such needs to remain open for commercial reasons as well as making the scheme feel like a new part of Stockport. A fully integrated external lighting scheme is proposed, which will include suitable artificial lighting provision to the riverfront area, together with associated primary access routes, to permit safe access as a minimum. Details would be subject of a planning condition if planning permission is granted.

- Concern is expressed that the external escape stairs must be secured to prevent unauthorised access

The proposed external escape stairs to the East Mill Building and West New Building will incorporate a gated/barrier system, to restrict unauthorised access from the public areas. Both will be on an alarm system, linked back to the 24hr management suite on site. In addition, external escape doors, including those leading to the stair landings at each level, will be alarmed and linked back to the management suite. The landscape design is also intended to include discrete pathways to the stairs, whilst lighting to this location will draw attention to anyone using the stair without authorised access. As noted, a scheme of CCTV will also be covering the landscape and be directed to the 24hr management suite on site, where activity can be recorded/monitored. All external doors serving the stairs, including those to the external stair landings will be PAS 24

security rated. The proposed shared core stair between the East and West Mill Buildings will only be accessible to residents via an integrated access control system. Access to the stair will be via the main lobby. It is proposed that the lower flights of the existing external stairs to the West and East Mill Buildings will be removed to eliminate unauthorised access to the stairs (landings to be utilised as balconies) from the ground floor on the East Mill and from West Shed roof on the West Mill.

- Bollards should be utilised to prevent access into the public realm on King Street, Chestergate and Astley Street

The proposed external landscape design incorporates bollards to prevent vehicular access from King Street, Chestergate and Astley Street into the site in accordance with comments made by the counter terrorism team in discussions with the applicant. Dropped bollards will also be provided to facilitate temporary access for emergency vehicles to/from the central courtyard at key locations.

- The publicly accessible ground floor void on the new West building should be as high and as wide as possible, well-lit and overlooked through adjacent glazed elevations

The West New Building under croft has been maximised spatially to enhance the quality of space and maximise natural daylighting, which is further improved with the provision of a mirrored soffit and supplementary artificial lighting. The under croft is also directly overlooked by elevations that incorporate glazing, including the main entrance to the West New Building and one of the commercial units making this space an active area subject to high levels of traffic and visual surveillance.

- Secure layout / treatment of the new buildings, including single leaf communal entrances, robust video access and a secure system for delivery of the post.
- Clearly defined /enclosed defensible space to protect the ground floor residential windows of the west mill.
- Prevention of unauthorised access to the roof of the West shed building
- Main entrance to the wheelhouse to be provided at street level and hidden windows protected.

Communal entrances have been located on the new buildings to best respond to the site constraints, align with primary access routes, and maximise visual surveillance. This is coupled with a full CCTV system to provide a high level of security to be provided across the site. The scheme is provided with two main lobbies at ground floor level, serving residential accommodation above; one to the West New Building and one to the West Mill Building. Each lobby will accommodate secure post boxes, which are accessible to residents only. It is proposed that larger deliveries will be received in a designated, secure space within the West New Building, run by a central management suite and in close proximity to the proposed loading bay accessed off Chestergate to the south of the site. The proposed external landscape design incorporates defined margins of planting under ground floor windows to the West Mill Building, to act as a deterrent for unauthorised access, creating a buffer between access routes and adjacent apartments. Windows will also feature lockable restrictors to provide a further level of security to the apartments. Members are advised that these areas have been discussed in detail with the secure by design officer as part of the development of the proposals for the listed building works. It is proposed to remove the existing external stair to the north of the West Shed Building, which is currently unsafe and provides a security risk for unauthorised access to the roof. Roof access will instead be gained via a new internal ladder and roof hatch, which will be accessible

from an internal back of house door, accessible only to the landlord/maintenance personnel. All rainwater goods will be located internally to prevent unauthorised access onto the roof via externally mounted downpipes. Planters are proposed to be installed to the top of the low level street wall on King Street West, to provide a deterrent for unauthorised access to the roof from the pavement. The proposals included for a new accessible public entrance to the Wheelhouse building from King Street West, where levels of activity and surveillance are maximised. Windows will be tested and certified to BS EN 1627 RC2 in accordance with advice from Design for Security Consultant.

- Disabled parking spaces must be well overlooked, well lit, protected by cctv and should not be for the long term parking by residents or visitors.

Designated disabled parking is proposed to be provided under the viaduct arch adjoining Chestergate. The parking will be suitably lit as part of the external lighting scheme and protected by the site-wide CCTV coverage. Given the close proximity to the East and West New buildings and central courtyard, parking provision will be well overlooked by gable windows to the new buildings.

Based on the issues raised and the responses provided and reflected in the scheme designed it is considered that the scheme has adequately addressed matters raised and will provide safe living conditions and incorporate safety and security measures into the design whilst not compromising overall design quality as such this accords with Policy SIE-1 and paragraphs 92, 97 and 130 of the NPPF.

Heritage considerations

The site occupies a key gateway location set towards the eastern boundary of Town Centre West. Weir Mill is located in Weirside, which is defined in the adopted SRF as *"a distinctive new town gateway, showcasing its heritage."*

Not only does the site occupy a prominent position, it presents a series of challenges given the sites listed status, together with its location in close proximity to a number of key statutorily listed heritage assets, most notably the Grade II* majestic, iconic and defining Stockport viaduct. This iconic structure is located within the top 8% of listed buildings in the country and is described in its statutory listing as:

Viaduct of 27 arches by G W Buck. Opened 27 December 1840, having taken 21 months to build, at a cost of £70,000. Said to contain 11 million bricks. Viaduct in brick with stone capping and dentil cornice. Stone moulded impost bands and rusticated faces to piers.

Members will recall that when considering the proposals for the Interchange, the report made clear that the development proposed by this scheme would present significant change to the townscape of Stockport and that the development as proposed will present a highly visible addition to the townscape.

In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Local Planning Authority as decision maker must pay special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess.

The approach to considering the impact on the historic environment should follow the guidance advocated in the PPG as referred to above, namely that significance derives not only from an asset's physical presence but also from its setting. In cases where potential harm to heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the NPPF apply.

It stresses that within each category of harm, the extent of the harm may vary and should be clearly articulated in any assessment. It is clear that the judgement as to whether a proposal constitutes substantial harm is a matter for the decision making have regard to the particular circumstance of the case and the relevant policy test of the NPPF.

In order to assist the decision maker the PPG cites an example, *"in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."*

The National Planning Policy Framework confirms 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). It also makes clear that any harm to or loss of the significance a designated heritage asset requires clear and convincing justification and clearly sets out that substantial harm to or loss of listed assets should be exceptional/wholly exceptional.

<u>Whether the proposed development would preserve the setting of the Stockport Railway Viaduct, a Grade II* Listed Building</u>

The application is supported by a full and detailed heritage assessment which considers the assets and their significance, and an assessment of the potential impact of the proposed development. This has included a detailed views assessment based on a series of viewpoints based on a defined Zone of Visual Influence. The view points, can be viewed in the plans pack appended to this report.

The applicants submission in respect of Weir mill concludes that the impact of the development on the Grade II* Listed viaduct is minor-moderate adverse which they consider at worst is "less than substantial" and therefore the test under Section 202 of the NPPF should apply.

Members will note that the Council in undertaking the requirements to notify Historic England and the National Amenity Societies, has received mixed responses in respect of the impact of the proposals on the Viaduct.

Historic England, the Government's adviser on the historic environment who hold the responsibility for the designation of historic assets in England, provide extensive comments in respect of the application. In respect of the impact on the viaduct, they recognise that the proposed eastern tower element of the scheme *"would be a considerable visual intrusion".* They recognise that this is significant acknowledging that the viaduct's landmark architectural character stems to a large extent from the fact it is so dominant and striking within the skyline. Whilst acknowledging that the tower would partially obscure and visually compete, it would do so only with that particular element of the viaduct - effectively obscuring one of the twenty-seven

arches. It is this that allows them to conclude that the ability to appreciate the scale, grandeur and visual dominance of the viaduct would therefore be partially rather than completely, impacted. They consider the level of harm to the viaduct (and indeed Weir Mill and cumulative harm) as at the high end of the spectrum of less than substantial.

The Victorian society (VS) in responding to the application indicate that they *"most importantly….objects strongly to the proposed tower to the east of the site."* Whilst they raise concerns in respect of the proposed materiality of the scheme they make clear that they hold a fundamental objection to the principle of any tall building in this location. They consider that the scheme would cause serious harm to the viaduct and due to its position in close proximity that this would be disproportionately harmful. In terms of the comments, it is noted that whilst the VS clearly have a strong objection to this element of the scheme, they have not concluded with a view that this would amount to substantial harm.

Similar to the VS, the Ancient Monuments Society do not articulate a view in respect of the magnitude of harm caused by the proposal, and refer to the view analysis submitted with the application as the example of the harm caused to the setting of the viaduct.

The Council's Conservation Officer on the other hand considers that the impact of the proposed development on the setting of the viaduct would be significant, and therefore considers that the higher test under Paragraph 201 of the NPPF should apply. Whilst these comments acknowledge the view of HE, they do not agree.

Both Save Britain's Heritage and Stockport Heritage Trust consider the proposals result in substantial harm as do a number of those commenting on the application.

The applicants' own comprehensive submissions consider that the development would result in less than substantial harm.

It is clear that the proposal will be harmful, to reach a different conclusion would be evidently wrong. However, the stature, scale, magnitude and strength of the viaduct as a defining feature, would not be fundamentally undermined by the proposed development. Yes, it would obscure some views from certain vantage points and break the opportunity to appreciate the entirety of the horizontal emphasis of the structure, but the scheme would obscure only one of the twenty-seven arches. Whilst the comments of the Council's Conservation Officer are noted, in this particular instance, it is considered that more weight should be provided to the HE position particularly given the level of harm and as such it is concluded that the scheme would cause less than substantial harm to the Grade II* Viaduct.

<u>Impact of the proposed development on Weir Mill, a Grade II Listed complex of buildings.</u>

The application is supported by a full and detailed heritage assessment. It considers the assets and their significance and an assessment of the potential impact of the proposed development. This has included a detailed views assessment based on a series of viewpoints based on a defined Zone of Visual Influence. The view points, can be viewed in the plans pack appended to this report.

The applicants submission in respect of Weir mill concludes that the impact of the development on Weir Mill is minor-adverse which they consider at worst is *"less than substantial".*

Historic England express clear support for the principle of regeneration of Weir Mill provided that this can be achieved via a sensitive and viable re-use. They recognise that earlier schemes proposing the redevelopment of this site (namely the withdrawn Maryland scheme DC72907, May 2020) encountered considerable viability issues which have constrained the ability to sensitively bring it forward.

In respect of Weir Mill, they note that the extent of the demolition proposed would considerably diminish the level of significance which is attributed to the completeness of the mill complex raises a large concern. Nevertheless, they accept that the proposed development would retain elements of the complex which have been identified to be of the highest significance and that this in turn would still mean that the complex would retain evidence of a number of important innovations in mill construction and sequential evolution.

Consistent with the approach taken by the Conservation Officer, HE expresses that the demolition and revised configuration of the site to facilitate the re-purposing of the site, amongst other detail design maters, would have a significant impact on the sense of enclosure and lack of permeability through the site - a characteristic of mill complexes serving a function purpose when they were operational. It is however recognised that the scheme retains more of the historic buildings than the previous scheme and that this is an improvement in respect of the position regarding the ability to read the complex.

Whilst the regeneration of the site should be afforded significant weight, there can be no denying that the development will result in harm to Weir Mill, a complete complex representing the evolution of technologies. However, this has to be weighed against the considerable benefits derived from safeguarding the future of the complex, bearing in mind the interventions necessary to ensure that the wider benefits of the scheme can be delivered.

St Peter's Conservation Area, Wellington Bridge and the former Wellington Bridge Inn

It is clear in its assessment of the impact of the development in View 8, the Heritage Statement identifies that the East Tower, by virtue of its height, siting, design and materials, would have a harmful impact on a 'key view' identified within the approved St. Peters Conservation Area Character Appraisal, and the setting of the heritage assets within the view. This important view encapsulates the impact of the Industrial Revolution on this part of the town. Significant elements include the high quality buildings that frame the views, the visual relationship between the viaduct and Wellington Bridge displaying a unique aspect of their respective arches and strong horizontal form, and the interrelationship of the Railway Viaduct and Weir Mill, all in one view. Notable to the composition is the way the structures respond to the topography of the river valley. The proposed East Tower would not convey the identified positive qualities of structures in the view and would instead diminish the quality of this important view, which at present remains substantially unaltered from its late 19th / early 20th century appearance.

Cumulative Impact of the Proposals

Having regard to the case made in connection with the application, supporting evidence and following due consideration of the proposals in their entirety, including consideration of the proposed development within the context of the approved Interchange park and residential block, that the cumulative impact on designated and non-designated heritage assets should be considered to be less than significant.

Level and extent of harm

In considering the representations of all heritage experts in connection with this application it is considered that the development as proposed would result in less than substantial harm. It is recognised that this view differs from the Council's own heritage expert, however, in respect of the viaduct, whilst views would be affected these would not diminish or undermine the fundamental quality, function, grandeur and prominence of the viaduct. Rather the scheme and the position of the building, and the very opening up of public access to the viaduct would offer new opportunities to bring the spaces under the viaduct into positive use allowing for a new appreciation of the majesty of the structure.

Under paragraph 202 of the NPPF, where a conclusion is reached that a development would result in less than substantial harm, this harm should be balanced against the public benefits of the proposal including, where appropriate, securing the optimum value use of the designated heritage assets.

The restoration of the key buildings within the Weir Mill complex have been demonstrated to secure the optimum viable use for the building. This application has considered a number of agreed alternatives, has clearly demonstrated that the scheme cannot be dealt with in a less harmful way and that the development is the minimum necessary to deliver a viable scheme. The value of the retention and re-use of the complex and the key contribution this will make to transformational regeneration of the part of the town must be given significant weight. The scheme will open up access to the site, enabling residents, the public and occupiers of the development to appreciate and understand the complex and its relationship to the Grade II* viaduct.

In addition, the scheme will deliver much needed housing for the borough, in a highly sustainable urban location comprising a brownfield site. As a key gateway site in the MDC, this scheme offers the level of exemplary design and place making qualities envisaged by the SRF and supported by local and national design policies. It is considered that this development has the potential to have a catalytic effect on regeneration and investor confidence in the town. This scheme together with that consented at the Interchange will offer a truly transformational form of regeneration in the heart of the town. These matters are strong and significant public benefits. Furthermore, the catalytic effect has the potential to deliver further significant and sustained public benefits for the town.

Whilst the comments of the conservation officer are noted in respect of the absence of detail, officers have received further clarification and assurance from the developer in this regard. They stress that the Council has been aware throughout the duration of the process that some of the buildings were unsafe due to the level of decay causing structural failures and as such some condition survey work remains outstanding, most notably this applies to the Wheelhouse. The applicant acknowledges and agrees that these are of high significance and their intention remains to proceed with a presumption to preserve as much of the fabric as possible to sustain its special architectural and historic interest, matters which are considered capable of consideration by condition. They further stress that the appointed structural engineers have extensive experience in developing repairs that are appropriate to the historic importance of buildings with particular expertise in respect of the Victorian mill building typology.

Alternatives

As referenced in the ES summary, the application includes consideration of a number of alternatives in chapter 4. This considered the potential of delivering a scheme to test whether or not the adverse effects could either be avoided or reduced. At the point of submission this initially considered 4 options, but during the assessment of the application officers requested a further alternative to be considered to reduce the scale of the proposed tower to 5 storeys (below the viaduct). All options considered were discounted on viability grounds and the 'no development option' was discounted as a missed opportunity on socio-economic terms.

Noting the comments made from SHT and the scale of the MDC and opportunities it presents, the MDC were asked to respond whether there were any further opportunities either via funding or land. Their response is provided full above. Whilst members should consider the application that is in front of them, regard should rightly be had to whether the development could be delivered in a less harmful way.

Officers have sought confirmation as to whether any other potential funding opportunities are available. It has been confirmed that the site was unsuccessful in its application for brownfield housing fund monies and further advises that MDC Investment facility does not extend to provide grant funding into schemes. In respect of other current opportunities to obtain funding, we are advised that there are no other current opportunities available through either Homes England or other public sector funding bodies.

Clarification was also sought as to whether it was possible to effectively provide additional land to enable a viable scheme to be delivered in lieu of either the eastern tower in its entirety or a less harmful way, a point raised by SHT. In this respect the following issues were identified:-

1. Scheme viability is also challenging, by splitting the site economies of scale would be affected and the position would worsen.
2. The Council (as landowner) or MDC would potentially have to swap land which would have a greater capital value. This issue must be considered in light of S123 of the Local Government Act 1972 which requires that a public body obtains best consideration for the disposal of land, therefore C&C would need to pay the difference relative to the uplift which in turn would further affect viability.

Turning specifically to the HIF, members are advised that a funding agreement with an offer of up to £7.0m capital HIF support was secured for the Weir Mill project in November 2019 which at that time proposed to deliver 303 units.

Subsequently, due to a change of ownership and new timetable, a Deed of Variation was entered into between the Council and Homes England in July 2020. Together these form the current grant agreement between the Council and Homes England (HE) for a scheme of 297 units. A further Deed of Variation is currently being finalised with Homes England. This has been assured by Homes England internally, and once executed, will extend the grant availability period from March 2022 to March 2023. It will also take account of the proposed new scheme design with reduced housing unit numbers to 253.

Officers from the Council's Regeneration and Development team are of the strong opinion, from their knowledge of how the grant works, that if the number of homes are reduced substantially from the proposed 253, then the HIF grant is at high risk of being withdrawn altogether. The HIF grant works on a viability gap basis, along with a positive Benefit Cost Ratio (BCR) requirement, and a view on the scheme's strategic

importance and overall quantum of units. It does not work on a grant per unit basis. Given that the number of units is already been reduced (from 297 to 253), and that the HIF grant amount is being protected based on the strategic importance of the scheme, any further changes to unit numbers, and hence also risk to the delivery timetable, is unlikely to be supported by Homes England.

The reasons for this conclusion are summarised below:

- HIF Marginal Viability is a very competitive fund and nationally oversubscribed. Projects that delay further, for example due to redesign, or substantial changes in outcomes, are at high risk of not being supported.
- Homes England has confirmed that there is no further HIF available to support any increased viability gap due to lower unit numbers, even if hypothetically, the grant assessment allowed it. HE have already increased the grant offer from the original submission and so are highly unlikely, or able, to do this again.
- HIF support is unlikely to be reduced pro-rata against unit numbers because HIF works on viability, not a per unit amount. If the scheme is not shown to be viable, and deliverable within the grant timescale, then all the HIF will be withdrawn.
- Additional public funding can be sought subject to Subsidy Control advice. The Council has already sought additional funding to support the Weir Mill scheme in 2020 through the GM Brownfield Housing Fund (£3.5m). This was not successful.
- We are not aware of any other appropriate public grant based funding sources to support the scheme.

There are also some more technical reasons why we believe HIF would be withdrawn, rather than reduced, if unit numbers were lower.

- The Council's HIF Funding Agreement with Homes England is conditional on fulfilling a number of grant conditions, these include planning permission, milestones and pre-draw down conditions. Weir Mill is already flagged up as behind schedule. So any further changes to the DoV currently being processed would further escalate the scheme in Homes England's risk category.
- Delay of the scheme, due to a further revised design, also risks breaching the HIF grant availability period in which the grant can be spent (currently March 22 but being revised to March 23).
- A case, through a DoV mechanism, is currently being finalised to agree to reduce the housing units from 297 to 253. This is on the basis of liveability, a better product and place making objectives. It is highly unlikely that Homes England would accept this case again for any further reduction.
- The scheme has a large proportion of fixed costs, e.g. mill conversion and external works, so we believe that reducing unit numbers will not result in a pro rata cost reduction. Therefore making the scheme less viable and supportable.
- The Weir Mill grant offer of £7.0m is on the basis that a positive BCR can still be achieved. Any further reduction in unit numbers, or changes that decrease

viability, risks making the whole scheme unsupportable due to a negative BCR and over large funding gap.

- The above, in terms of an unviable scheme, also applies to the planning permission process, as viability is required to be demonstrated as part of this process.

Whilst members will appreciate that there is harm associated with the development, full consideration has been given against the relevant policies of the NPPF. The potential impact of the development on heritage assets has been considered and has been assessed against the public benefits the scheme will deliver.

The statutory duty to have 'special regard' to the desirability of preserving listed buildings and their setting which requires that considerable weight and importance is to be afforded to the harm to the heritage assets, given the impact of the proposals on the listed complex and the viaduct. This must be considered in the overall planning balance, and in particular, must be weighed against the benefits of the scheme however, is acknowledged should be given significant weight when assessing the proposal.

Access and Highways

The application site is located in a highly accessible and sustainable location in the heart of the Town Centre next to a new modern public transport interchange currently under development.

The applicant submitted a detailed Transport Assessment and Interim Travel Plan in support of the application that has been scrutinised by the Council's Highway Engineer, Transport for Greater Manchester and Highways England. No objections are raised by the consultees on access, highway capacity, highway safety or parking grounds.

A detailed and comprehensive response to the issues arising has been provided by the Council's Highway Engineer (see above). Their recommendations are considered a proportionate and reasonable response to the issues arising and their recommended conditions and planning obligations have been incorporated into this recommendation accordingly subject to the off-site EV charging provision and car club provision being the subject of conditions rather than planning obligations secured by way of a legal agreement.

Archaeology

The application is supported by an Archaeological Desk Based Assessment prepared by Salford Archaeology in December 2020 and a Heritage Statement and Impact Assessment produced by BDP in December 2020. Both have been reviewed by the Greater Manchester Archaeological Advisory Service (GMAAS) who commend both reports for providing an *"an excellent understanding of the site's historic development, the location and nature of known and potential buried archaeological features, historic fabric and its relative significance."*

GMAAS consider that the archaeological remains are at least of high local and potentially regional significance and that the archaeological importance of the site also extends to the historic built fabric which should be fully recorded and interpreted prior to re-purposing or demolition works.

GMAAS recommend that two conditions be imposed should the application be granted to require:

- archaeological investigation and recording works set out in an approved Written Scheme of Investigation; and
- a scheme of heritage display and interpretation.

Subject to the imposition of these conditions, the development/works would be in full accordance with Policy SIE-3 of the Core Strategy and the National Planning Policy Framework. GMAAS's suggested conditions are recommended accordingly.

Noise, vibration and odour

The application is supported by an environmental noise and vibration assessment report that assesses:

- environmental noise and vibration impacts upon the Project;
- retail and commercial noise break-out from the Project; and
- building service noise break-out from the Project.

Surveys were undertaken to measure existing noise and vibration levels from air, road and rail traffic together with other noise sources and, together with the use of existing data sets, 3D noise prediction models were created.

The assessment concludes that satisfactory outcomes can be achieved providing the following mitigation measures are implemented:

- specified external envelope sound insulation performance standards;
- specified maximum mechanical ventilation noise levels (ventilation requirements will be met through mechanical ventilation rather than natural ventilation openings in the facade);
- operational noise from commercial units is limited to that specified;
- external communal space operational noise is limited (music and amplified sound limited to atypical events e.g. festivals); and
- specified external plant noise limits.

The report also concludes that no building vibration isolation measures are required despite the development's proximity to the elevated West Coast Main Line.

The report has been critically assessed by the Council's Environmental Health Officer (EHO) who is satisfied with the report and predicted outcomes. The EHO offers no objections subject to recommended conditions (see above). The comments of Network Rail in respect of noise and vibration are noted and are considered to be adequately addressed subject to the imposition of the EHO's recommended conditions. Conditions are recommended accordingly.

Air Quality

The application site is located in a designated Air Quality Management Area (AQMA) declared on the basis of annual mean concentrations of NO_2. As such the applicant submitted an Air Quality Assessment in support of the application.

The Assessment states:

'With the implementation of appropriate mitigation measures, the impact of dust associated with construction and demolition activities is not considered to be significant.

Concentrations of NO_2 and PM_{10} are likely to be below their respective long and short-term objectives at the proposed development site which is therefore considered suitable for residential use with regards to air quality.

The proposed development could impact on local air quality through road traffic emissions during its construction and operational phase. However, emissions associated with the proposed development are not likely to have a significant impact on local air quality due to the reduction in car parking associated with the development and the provision of electric heating throughout the development. Mitigation measures in respect of air quality will be provided.

There is, therefore, no reason for this development to be refused on the grounds of air quality.'

Mitigation measures proposed include construction and demolition dust control measures via a Construction Environmental Management Plan (CEMP); the provision of electric vehicle charging points and no gas fired combustion sources will be provided in the development.

The report has been critically assessed by the Council's Environmental Health Officer (EHO) who is satisfied with the report and predicted outcomes subject to condition(s) securing the proposed mitigation measures set out in the Assessment. Conditions are recommended accordingly.

Contaminated Land

Ground conditions are assessed in detail in Chapter 9 of the ES (see above).

The ES and application has been critically assessed by both the Environment Agency and the Council's Contaminated Land Officer (see comments above). Both conclude that subject to the imposition of recommended conditions to mitigate and manage identified contamination risks to human health and the wider environment, including controlled waters, pollution risks are negligible.

Recommended conditions include:

- Site investigation, remediation and validation to address contamination risks
- No infiltration of surface water into the ground where contamination is known or suspected to protect the water environment
- No piling without the express consent of the local planning authority to protect groundwater
- Ground gas investigation and remediation

Conditions are recommended accordingly.

Flood Risk and drainage

The application site is located immediately adjacent to the River Mersey and is at risk of fluvial flooding. The northern edge of the site adjacent to the river is located in Flood Zone 3 (high risk - land assessed as having a 1 in 100 or greater annual

probability of river flooding in any year) with the majority of the rest of the site being within Flood Zone 2 (medium risk - land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding in any year).

The applicant submitted site specific Flood Risk Assessment (FRA) to assess the risks and propose mitigation and management measures. The FRA was revised during the application process in response to initial comments made by the Environment Agency.

The FRA notes that the River Mersey is classified as a 'main river' and any such works within 8 metres of the channel is subject to the approval of the Environment Agency. It also notes that the site currently collects and conveys surface water runoff into the River Mersey.

Flood levels are modelled to assess impacts and guide any necessary mitigation measures.

The FRA notes that the site is vulnerable to flooding from reservoir failure although this is considered a low risk given the low likelihood of this occurring.

The FRA concludes that the likelihood of fluvial flooding from the River Mersey is:

- *"Public Realm area to the north of East Mill Building, the North Elevation of the East Mill Building (affecting Lower Ground Floor only) and Wheelhouse building is defined as having 1.0 per cent (1 in 100) chance of flooding occurring each year including an 35% allowance for climate change"*
- *"Public Realm, Courtyard area, West Mill Building (affecting Lower Ground Floor only) and West Shed Building is defined as having a 0.1 per cent (1 in 1000) or greater chance of flooding from river each year;" and*
- *"Other areas of the site (set above 42.86mOD) including New Buildings are defined as having less than 0.1 per cent (1 in 1000) chance of flooding from river each year".*

In respect of surface water flooding:

"Based on the EA Risk of Surface Water Flooding map and the existing/proposed finish floor levels, the probability of the site flooding from surface water is considered Medium (each year this area has a chance of flooding of between 1% and 3.3%)."

The FRA identifies the area external riverside area as the area most susceptible to flooding and it is proposed to raise the levels in this area by 0.6 metres to reduce that risk.

The retained East Mill building's lower ground level is at risk of flooding. That level would be used as commercial space and so plant rooms at this level are therefore proposed to be 'tanked'.

Unsurprisingly, the lower levels of the Wheelhouse, that would also be used as commercial space, are at risk of flooding.

The proposed new buildings are not expected to flood internally. Evacuation and egress routes are then considered in detail with improvements proposed.

Proposed mitigation measures include flood resilience construction measures such as flood resistant walls and occupants and users of the commercial space in the East Mill and Wheelhouse buildings signing up to flood alert and warning systems.

Surface water drainage flow rates from the site will be restricted to 50% of the current brownfield rate in accordance with Policy SD-6 which will have a positive impact downstream on the River Mersey. A 105m^2 below ground surface water attenuation tank in the external riverside terrace area is proposed to compensate for loss of flood volume on the site. Managed and attenuated surface water would then discharge into the River Mersey.

Foul water generated is proposed to connect to the combined sewer within Chestergate.

The FRA has been assessed by the Environment Agency (see above) who state that the development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere subject to a condition requiring the development to implemented in strict accordance with the mitigation measures detailed in the FRA.

A condition is recommended accordingly.

The proposed surface water drainage strategy is also supported by the Council as Lead Local Flood Authority and United Utilities subject to conditions requiring the submission and written approval of detailed foul and surface water drainage proposals.

The comments of Network Rail on drainage and the potential for saturated ground to affect land stability are noted and no conflicts with these requirements are anticipated based on the proposed FRA. Network Rail would continue to be consulted and their comments taken into account at detailed design stage.

It is therefore concluded that subject to the imposition of recommended conditions the proposed development complies with local and national planning policies on flood risk and sustainable drainage.

Micro-climatic effects

Tall buildings such as those proposed have the potential to create adverse micro-climatic effects. The applicant has therefore submitted a Desktop Wind Microclimate Study in support of their proposals using 30 years of wind data from Manchester Airport. The report concludes that there are sufficient mitigating factors such that no significant adverse wind effects are expected. Conditions are expected to be suitable for all building entrances, external amenity spaces and all intended uses.

Based on the detailed findings of the submitted studies it is not considered that the development will not create adverse micro-climatic effects that would justify refusal of the application.

Energy efficiency and sustainable design

The applicant has submitted an Energy Statement Report in support of the application to demonstrate compliance with Stockport's target emission rate (TER) requirements set out in Core Strategy Policy SD-3. This equates to a 13% reduction relative to Part L of the Building Regulations (2013) requirements.

In summary, it concludes:

- due to the lack of a suitable nearby district heating scheme, it is deemed that microgeneration technologies are most appropriate solution to achieve compliance;
- it also states that applying the SD-3 policy requirements to the retained mill buildings is discounted as inappropriate as it would have adverse impacts on the significance of the retained listed mill buildings – noting the flexibility embedded within policy SD-3;
- it proposes the use of 302 rooftop solar photovoltaic panels across the site to achieve the target emission rates

The SD3 target will be applied to the new build elements of the development, i.e. East New and West New buildings. The existing mill buildings which are being repurposed and refurbished, are grade II listed. Applying energy efficiency measures to achieve compliance criteria, more suited to a new build property, could cause harm to the heritage asset. On this basis, it is proposed that the existing buildings are excluded from the minimum CO2 target reduction assessment, i.e. target reduction will be based on the new buildings only (adopting a 'flexible approach' as stipulated in SMBC Core Strategy Policy – Clause 3.28). The new buildings will be subject to achieving Part L1A and L2A compliance, as well as the above-mentioned planning policy conditions. The existing buildings will be subject to achieving Part L1B and L2B compliance (with exemptions where this this could cause harm to the heritage asset), as well a minimum 'E' energy performance rating.

The application proposes to reduce emissions by incorporating the passive energy efficiency measures such as building fabric efficiency and utilising energy efficient equipment for the building services such as boilers and lighting. At this design stage, these interventions alone do not achieve the required TER and therefore the applicant proposes the installation of solar photovoltaics to further improve performance, if necessary, when performance is interrogated at the detailed design stage. It is therefore considered necessary to impose a condition on any planning permission requiring confirmation of compliance and/or details of any micro-renewables prior to first occupation of the building. Subject to such a condition, no conflicts with relevant policies arise.

A sustainable drainage scheme in accordance with policy SD-6 is proposed and discussed in the flood risk and drainage section above.

Utilities

The applicant has submitted a Utility Services Report to demonstrate that the residents, occupants and the users of the development would be adequately served by utilities infrastructure.

The Statement confirms that existing natural gas pipes serving the development would be disconnected and not re-provided, as natural gas would not be required.

In respect of water mains and meters, existing connections would be disconnected during the construction and demolition phase and re-provided with meters provided in each apartment, commercial unit and landlord service areas.

In respect of electricity connections, existing connections would be disconnected during the construction and demolition phase and re-provided with meters provided in each apartment, commercial unit and landlord service areas.

In respect of telecoms, the existing Openreach service would be disconnected during the construction and demolition phase and re-provided with fibre broadband to serve all areas of the development. Discussions with a range of providers to give residents and occupants a choice of provider is ongoing.

No objections from the utility companies have been received and it is clear that the development would be well served by all necessary infrastructure providers.

Airport and railway safeguarding

The applicant is also supported by a solar glare report that assesses the potential for solar glare to impact the operational integrity of the adjacent elevated West Coast Main Line. It concludes:

"It is our opinion that no significant issues with glare from reflected sunlight is to be expected from the proposed residential development of Weir Mill, Stockport. This opinion is based on the following facts:

- *The design of the building relies on strips of punched windows rather than curtain wall glazing. As such, no more than one window can reflect sunlight towards the driver at any time;*
- *In addition, when travelling alongside the Proposal, a train driver will see the facade from a glancing angle, where the frames, mullions and fins will partially block the reflected sunlight;*
- *Most of the building's facade is solid and therefore cannot create mirror reflections of the sun;*
- *Any solar reflections are limited to small areas of the facade; • When reflections occur, the probably of the sun shining is low, particularly from those windows closest to the direct line of slight;*
- *The reflections would be further broken up by gantries that are located between the viewpoints and the Proposal; and*
- *For the section of track with the greatest potential for reflections to occur, no signals are visible within a train drivers' field of view."*

No objections from Network Rail or Manchester Airport have been received on solar glare grounds.

Manchester Airport has requested that conditions controlling construction related dust and smoke and requiring external lighting to be capped at the horizontal. Conditions are recommended accordingly.

Network Rail have requested a series of conditions in respect of vehicle safety protection measures, scaffolding works that would over-sail the railway and detailed planting proposals. Conditions are recommended accordingly.

Ecology and Nature Conservation

Ecology and Nature Conservation are assessed in detail in Chapter 8 of the revised ES (see above).

The ES and application documents have been critically assessed by Natural England, the Environment Agency, the Council's Nature Development Officer and the Greater Manchester Ecology Unit (GMEU) all of whom raise no objection to the

development subject to the imposition of suitable conditions to secure appropriate mitigation and the satisfactory completion of the Habitats Directive derogation tests.

Bio-diversity net gain

Through the provision of new tree and shrub planting across the site and native planting along the river edge, the development would deliver a 10.11% net gain in habitat units when the DEFRA metric is used. This is in full accordance with policy SIE-3 of the Core Strategy, the NPPF and the requirements of the Environment Bill currently being considered in Parliament.

Legally Protected Species

Bats

All species of bat are European Protected Species (EPS). As detailed above, a series of bat survey of the buildings on the site, river corridor and tunnels beneath the site have been carried out over a number of years. The surveys revealed that most of the site offers limited potential for use by bats but the River Mersey corridor is an important foraging and commuting resource for the local bat population.

The surveys revealed the presence of a transitional bat roost at a window lintel in the West Mill building in 2019. Bat roosts are legally protected and it is therefore considered that the proposed development would result in the destruction of a bat roost site with the potential to kill or injure bats/ and damage their habitat without appropriate mitigation and compensation measures. As a result, a European Protected Species Licence (EPSL) or Bat Mitigation Class Licence would be required from Natural England.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Council as local planning authority therefore must have regard to the three Habitats Regulation derogation tests when determining the planning application:

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

The Council's Nature Development Officer is confident that the third favourable conservation status test would be satisfied subject to securing appropriate mitigation measures. The first two tests are also considered satisfied insofar as the public benefits of development are considered to be of over-riding public importance and no satisfactory alternative has been found. The basis for this conclusion mirror those set out in heritage sections of the report. The three Habitats Regulation derogation tests are therefore considered satisfied. The conditions suggested by consultees are recommended accordingly.

Otters

Otter is also a European Protected Species (EPS). As detailed above, surveys revealed the presence of Otter within Tunnel 7 that runs under the site. The Council's Nature Development Officer considers that there is currently insufficient survey data to determine with sufficient confidence whether the tunnel is used by otter as a lying-up site. However, the ES confirms that no direct or indirect (e.g. noise and/or vibrations) impacts will occur on the tunnels due to sensitive working

measures to be adopted during works. As such, no further survey work in relation to otter is currently required to inform determination of the application. They recommend that should planning permission be granted, an Otter Mitigation Strategy should be required by condition detailing how impacts on otter and potential otter lying-up sites will be avoided. Condition(s) are recommended accordingly. Should proposals change and impacts be anticipated then further survey work and revised mitigation measures would be required together with any licensing requirement.

The conditions proposed by the Council's ecologists are recommended accordingly.

Nesting Birds

All nesting birds are protected by the Wildlife and Countryside Act 1981. The conditions suggested by the Council's Nature Development Officer and GMEU are recommended accordingly.

Other mitigation measures

The Council's Nature Development Officer and GMEU go on to recommend a series of further conditions to protect and enhance the ecological value of the site and wider environment:

- Construction Environmental Management Plan (CEMP) to protect the river corridor
- Biodiversity Enhancement Plan including native planting along the river corridor, bat boxes and bird boxes designed for sand martin, swifts and kingfishers.
- Landscape and Ecological Management Plan (LEMP) for habitats and species on-site in conjunction with the on-site landscaping scheme to ensure that the reported Biodiversity Net Gain and ecological enhancements are delivered. This document needs to also consider the roles and responsibilities for delivery of subsequent long-term (for a minimum of 30 years) management measures.
- Lighting strategy for biodiversity
- Updated survey work it work has not commenced within two years of the dates of the ecological surveys given the potential for change

An informative is also recommended reminding the applicant of the need to secure an appropriate bat licence from Natural England.

Conditions and informatives are recommended accordingly.

Landscaping

The application is accompanied by a series of detailed landscaping drawings supported by a Landscape Design and Access Statement.

The treatment of external space around the retained and new buildings is of critical importance to the development's overall design quality and transformational change is proposed. The amount of external space is significant (5,467m2) and would be fully accessible to the public (effectively becoming public realm) to complement and connect to that proposed as part of the Interchange development currently under construction. The landscape design would open up the space between buildings and provide a valuable connectivity and permeability that currently does not exist.

The proposed landscaping design has been considered in detail by the RIBA Places Matters Design Review Panel who commended the proposals by stating:

"The public realm is well considered and very exciting, particularly the Weaver's Square element, which continues to feel impressive. The enrichment of landscape and placemaking is all very positive and fully supported by the Panel and will be a very special addition to Stockport."

As mentioned above the proposals are defined by a series of character areas:

- The Riverside (1138m^2) – designed to direct provide connectivity between Astley Street and King Street West, in part via a cantilevered walkway over the River Mersey and through the retained Wheelhouse. The designer sought to create a 'secret garden' feel to the space through the introduction of planting and riverside seating terrace serving residents and the users of commercial space in the lower floor of the retained mill buildings.

- The Courtyard (1380m^2) – a central courtyard space with extensive planting to soften and humanise the space for all users. The position of the former mill chimney would become a central feature and focal point.

- Weavers Square (927m^2) – this would be multi-functional, riverside space that could operate as an event space or open dwell space for all users. The listed columns of the weaving shed proposed for demolition would be retained to provide vertical definition and heritage reference.

- Viaduct Vault (325m^2) – this area beneath the viaduct arch would connect Weavers Square with the central courtyard space and provide shelter for potential artwork installations and events whilst enabling everyone to engage with the viaduct structure itself away from vehicle traffic etc.

- The Street (1697m^2) – this space wraps around the site's southern boundary and the proposed new buildings. Trees would be planted to soften the street scene making Chestergate a far more pleasant route.

72 newly planted trees are proposed to replace 13 existing, self-seeded individual trees and three groups of self-seeded trees on the riverside all of which are of a poor quality with some recommended for removal in the submitted tree survey regardless of the outcome of the application.

Overall, the proposals are considered to be of a high quality that would greatly enhance the appearance of space between buildings, the riverside and wider street scene and are welcomed.

It is however considered necessary to impose a series of conditions to ensure a satisfactory outcome, including:

- removal of permitted development in respect of permanent enclosures to ensure the space remains accessible to all and the overall design ethos and quality is not compromised by later changes;
- the submission of more detailed proposals including in respect of the proposed cantilevered riverside walkway and river pontoon;
- a timetable for implementation;

- long term management and maintenance proposals to ensure its longevity and it operates effectively as shared space;
- detailed planting proposals that respond to the comments made by the Council's Nature Development Officer and Arboriculture Officer, GMEU, the Environment Agency and other consultees.

External Lighting

The applicant has submitted an indicative external lighting layout plan in support of the proposals that includes a series of lighting interventions across the site including linear lighting incorporated into the riverside walkway handrail, festoon lighting supported by a variety of structures including the potentially retained Weaving Shed frame, linear lighting in planters and steps, tree uplighters, in ground linear feature lighting to demark the position of the former mill chimney etc.

Although many of the proposed lighting interventions would clearly add interest and enhance the design quality of the proposals, it is considered necessary to impose a condition requiring further details given the indicative status of the submitted plan and the response of the Council's Nature Development Officer, GMEU and Manchester Airport.

Daylight and sunlight report

The applicant has submitted a Daylight and Sunlight Assessment in support of the application that analyses the impact of the development on sunlighting and daylighting within existing and proposed buildings. The report follows the best practice guidance and methodology set out in the Building Research Establishments (BRE) *'Site layout planning for daylight and sunlight: a guide to good practice'.*

The assessment concludes that there would be very little impact on existing surrounding residential buildings including the Pineapple Inn and the Travelodge in Regent House. It also concludes that the potential daylight levels within the proposed development are very good with 203/217 (94%) of the rooms analysed meeting or exceeding the BRE Average Daylight Factor daylight targets and 181/217 (83%) meeting the BRE No Skyline daylight targets. 50/57 (88%) of the rooms analysed for Annual Probable Sunlight Hours sunlight will meet the BRE targets. In conclusion, the Assessment states *"this is an excellent compliance rate for a development of this nature."*

It is therefore considered that no significant adverse impacts on neighbouring residential properties would arise and satisfactory living conditions would be achieved for future residents. The development is therefore considered to be in full accordance with policies SIE-1 and SIE-3 of the Core Strategy and paragraph 125 of the NPPF.

Commercial, business and service uses

In total, 2,312m^2 of commercial floorspace is proposed in lower floors of the proposed and retained buildings as follows:

- West Mill building – 96m^2
- East Mill building – 527m^2
- Wheelhouse building – 277m^2
- West New building – 699m^2
- East New Building – 161m^2
- West Shed Building – 552m^2

UDP Policy TCG 3.1 states expressly supports the provision of bars, restaurants, leisure and office uses in the area which together with other uses such as retail now fall into the single planning use class E (Commercial, Business and Service). Policy TCG 3.1 goes on to state, however, that retail development will not be permitted unless it is ancillary to other appropriate uses or is small scale development defined as up to 250m^2 by UDP Policy PSD2.6 to protect the defined retail hierarchy in Stockport.

The proposed application is not located within the Town Centre for retail planning purposes and instead occupies an 'edge of centre' location being approximately 140 metres from the Town Centre Central Shopping Area.

Given policy TCG3.1's express support for main town centre uses in this location, the recent introduction of the new Class E use class and the flood risk issues facing the site, it is not considered reasonable to apply the sequential or retail impact tests in this instance. It is however considered necessary to restrict former A1 retail use to no more than 250m^2 to serve the convenience needs generated by the development whilst protecting the vitality and viability of the Central Shopping Area that is currently suffering from the effects of the pandemic and changing shopping patterns. A condition is recommended accordingly.

Given the broad scope of Use Class E and the site-specific challenges facing the site, particularly in respect of flood risk vulnerability and lack of secure outdoor amenity space for children's play, it is also considered necessary to impose a condition preventing the commercial space to be used for crèches, children's day nurseries, clinics or health services. A condition is recommended accordingly.

Application of Paragraph 11 of the NPPF

Members are well versed with the housing land supply position and the implications this has in respect of the presumption in favour of development. In short, where there is a shortfall against the required five-year supply, footnote 8 of the NPPF deems the policies which are most important for determining planning applications to be out-of-date, with the consequence that planning permission should be granted unless either:

(I) The applications of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(II) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework as a whole.

In respect of (i) Members are advised that having considered this application it is concluded that the development whilst resulting in harm to Weir Mill and Stockport Viaduct, that harm is 'less than substantial' and that the harm is significantly outweighed by the public benefits derived from the scheme. Turning to (ii) this application has been considered in detail against the development plan and NPPF and for the reasons detailed the adverse impacts of the development have been mitigated for both by virtue of the development proposed as well as the comprehensive and detailed conditions which would be applied to any consent, should it be granted. There are no adverse impacts which are considered to outweigh the benefits of this development when assessed against the policies of the framework as a whole, as such the presumption is favour of development is applied.

Summary

In conclusion, the scheme as proposed would deliver considerable regenerative benefits to a key strategic and prominent site within the town centre. The re-development of the site has been a key regeneration objective of the Council for many years and this proposal would be the next step in delivering a high quality mixed use development in the town centre and will be a continuation of the transformational regeneration underway in the town centre.

Whilst areas of concern have been identified within this planning report, particularly in respect of the impact of the development on heritage assets in the vicinity of the site, including the Mill complex itself and Stockport Viaduct, this needs to be carefully balanced against the wide ranging and significant benefits associated with the proposal. The setting of Grade II and II* listed buildings would be affected by the development even after any proposed mitigation, arising from the location, scale, bulk and mass of the development.

Although it has been concluded that cumulatively the scheme would result in less than substantial harm, it is acknowledged that this is at the higher end of the spectrum. The scheme will affect listed buildings even after the mitigation proposed, and as required by statute, this must be given significant weight.

It is clear from the evidence accompanying the application that this scheme is heavily reliant on grant funding and remains only marginally viable, as is evidenced by the consideration of Option 8B the scheme would be totally unviable without the eastern tower. Furthermore, evidence provided in response to questions asked in respect of further funding opportunities have been exhausted. Put simply, without the HIF grant funding, the delivery of this gateway site within the MDC, the regeneration of the mill and the provision of much needed housing would not happen. It is therefore accepted that it is not possible to deliver the scheme in a less harmful way.

Whilst it has not been possible to retain all of the listed buildings and structures within Weir Mill, it is considered that the scheme and opportunities it affords will ensure that a high quality residential led development will breathe new life into these important heritage assets. In addition, through selective demolition and appropriate mitigation, the scheme will afford the public with the opportunity to experience the viaduct by creating new and accessible public spaces to lift and celebrate the importance of these assets.

By far the most difficult element of the proposal and that which has raised most concerns is the proposed Eastern tower. This building as proposed will harm the viaduct, but this is less than substantial harm and must be read in the wider context of the transformational change this area is undergoing. The combination of the new public park, a purpose built Interchange and a contemporary residential block are changing the way in which residents, visitors and all can appreciate some of the most important heritage assets in the town. Although, the tower will shorten views of the horizontal emphasis of the viaduct, it has been designed to be positioned within the confines of one arch, with its height minimised as far as possible without rendering the scheme undeliverable.

Weir Mill is positioned in a key strategic position in the MDC area, but it is also acknowledged to be the most difficult and challenging site to unlock given the level of constraints and need to sensitively deliver a scheme which has regard to

the listing and proximity to other historic assets. In this regard, it is concluded that the scheme would, on balance, deliver the optimum viable outcome for the site and play a critical role in achieving the Council's and Mayoral Development Corporation's wider strategic regeneration objectives for Town Centre West.

Given the scale of the proposal and potential impacts it is recommended that Members undertake a detailed site visit in advance of making a decision in connection with this and the accompanying application for Listed Building Consent. This visit should include, but should be limited to, an assessment of the potential impact of the development from a number key vantage points both within and outwith the town centre.

RECOMMENDATION

1. THAT THE SITE BE VISITED BY MEMBERS OF PLANNING AND HIGHWAYS REGULATION COMMITTEE VISITING TEAM.

2. THAT MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE DEVELOPMENT AS FOLLOWS:

    a) To defer and delegate the completion of a comprehensive list of conditions and informatives to apply to the consent and not limited to those conditions expressly referred to in this report to the Deputy Chief Executives – Place.

    b) To defer and delegate to undertake to negotiate the necessary obligations to be covered by a legal agreement which will secure the following :-

        - Clawback provision of open space contributions and a financial off-site contribution to the provision of affordable housing, including covering the cost of the further assessment by independent professional advisors by the Council.
        - Phased delivery of the development (note this matter may be covered by condition).
        - Contributions towards the provision of Traffic Regulation Order
        - Contributions towards the provision of off-site Electric Vehicle/ car club.
        - Monitoring fee to include monitoring of the site wide travel plan.