

ITEM

Application Reference	DC/080120
Location:	Land Off Duke Avenue Stanley Green Trading Estate Duke Avenue Stockport SK8 6RB
PROPOSAL:	Removal and demolition of existing structures and the erection of 7,939sqm (GEA) of industrial, storage and distribution floorspace with ancillary offices (Use Class B2, B8 and E(g)), including construction of access and estate road off Duke Avenue, car parking and associated works.
Type Of Application:	Full Application
Registration Date:	09.03.2021
Expiry Date:	20210608
Case Officer:	Jane Chase
Applicant:	SREIT (No.2) Limited
Agent:	Gerald Eve LLP

DELEGATION/COMMITTEE STATUS

Planning & Highways Committee – more than 5000m² floorspace

DESCRIPTION OF DEVELOPMENT

The application proposes the removal of all structures on this site and the erection of 7939m² of industrial, storage and distribution floorspace with ancillary offices. The development would be in the form of 11 units positioned across the site in 4no. 2 storey buildings. Each building would be of a similar contemporary design comprising silver grey horizontal profile cladding and white microrib cladding to the elevations, anthracite aluminium windows and doors and white loading bays doors. A low level hipped roof is largely concealed behind the parapet to each building.

The proposals have been amended during the consideration of the application mainly to address highway issues and as now proposed comprise the following:

Units 1 and 2: positioned to the east boundary of the site comprising 967.5m² of floorspace. Measures 40m wide, 19m deep and 8.245m high to the parapet.

Units 3, 4, 5 and 6 positioned to the south boundary of the site with the A555 comprising 4860m² of floorspace. Measures 145m wide, 29.4m deep and 10.245m high to the parapet.

Unit 7 positioned to the west boundary of the site comprising 714m² of floorspace. Measures 29m wide, 18.2m to 21.6m deep and 8.245m to the parapet.

Units 8, 9, 10 and 11 positioned to the north boundary of the site comprising 1392m² of floorspace. Measures 31m wide, 31m deep and 8.245m to the parapet.

Dual gated access is proposed into and out of the site via Duke Avenue with 96 car parking spaces within the application site (including 18 spaces for the disabled and 16 spaces for electric vehicle charging). A further 10 spaces are proposed in the site immediately to the north of the application within the ownership of the applicant and which will be secured by way of a S106 agreement.

Servicing bays are proposed to each unit to allow for deliveries by 16.5m articulated HGV's and a communal cycle store to accommodate a total of 25 bicycles. Access through the site is one way via a 6m wide road. External lighting is proposed to and around the buildings along with the general landscaping of the site.

The application also proposes a payment of £150k towards the sustainable transport measures which will be secured by way of a S106 agreement.

The application is accompanied by:

- Air Quality Assessment
- Arboricultural Impact Assessment
- BREEAM Early Stage Credits Report
- BREEAM Pre-assessment Report
- Crime Impact Statement
- Design and Access Statement
- Ecological Impact Assessment
- Employment and Skills Initiative Report
- Energy & Sustainability Statement
- Flood Risk Assessment & Drainage Strategy
- Ground Investigation Report
- Lighting Assessment
- Noise Impact Assessment
- Planning Statement
- Transport Assessment
- Utilities Report

SITE AND SURROUNDINGS

The application site is located at the western end of Duke Avenue on the Stanley Green Industrial Estate and is accessed via Earl Road onto Stanley Road. The site is 1.5ha in area and is largely vacant having been cleared of all buildings with only the hardstanding associated with its former use remaining.

The site is enclosed by the embankment to the A555 to the south and the mainline railway line to the west. To the north on the opposite side of Duke Avenue is a large building occupied by multiple commercial and industrial businesses with an extensive car park that extends around its north, west and south elevations. To the east is a smaller building in use for industrial purposes with car parking and servicing to the north, west and south of the building.

The wider locality generally comprises retail, commercial and industrial uses located within the Stanley Green retail and industrial estates. The A34 is positioned to the east of site, accessed via Earl Road and Stanley Road and the A555 to the south, accessed via the A34 to the east and Stanley Road to the west.

Positioned along the north, west and east boundaries of the site are 3 groups of trees.

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

NE1.2 Sites of Nature Conservation Importance

EP1.7 Development and Flood Risk

E1.1 Location of New Industrial Development

E1.2 Location of New Business Premises and Offices

E3.1 Protection of Employment Areas

MW1.5 Control of Waste from Development

LDF Core Strategy/Development Management policies

CS1 Overarching Principles: Sustainable Development, Addressing Inequalities and Climate Change

SD1 Creating Sustainable Communities

SD3 Delivering the Energy Opportunities Plans

SD6 Adapting to the Impacts of Climate Change

CS7 Accommodating Economic Development

AED3 Employment Development in Employment Areas

AED5 Education, Skills and Training Provision

CS8 Safeguarding and Improving the Environment

SIE1 Quality Places

SIE3 Protecting, Safeguarding and Enhancing the Environment

CS9 Transport & Development

T1 Transport & Development

T2 Parking in Developments

T3 Safety & Capacity on the Highway Network

Supplementary Planning Guidance

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

Local Employment and Training - provides guidance and assistance to developers and end users of developments. It outlines how we intend to work with and support employers to maximise local employment and skills benefits from new developments.

Sustainable Transport - should be read by the developers of any development that would be expected to result in a change in traffic patterns.

Sustainable Design and Construction - is a comprehensive document laying out the drivers and benefits of sustainable design and construction.

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 and replaced the previous NPPF (originally issued 2012 & revised 2018 and 2019). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

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

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

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

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

Para.8 “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

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

For decision-taking this means:

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

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

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

Para.12 “.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

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

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

Para. 81 “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”

Para. 83 “Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.”

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. 104 “Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

a) the potential impacts of development on transport networks can be addressed;

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”

Para. 105 “The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

Para. 110 “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

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. 112 “Within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*

Para. 113 “All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.”

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:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- 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;”*

Para.126 “The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

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 users⁴⁹; 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.”

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.152 “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

Para.154 “New development should be planned for in ways that:

a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and

b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.”

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

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

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

Para.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. 169 *“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.”*

Para. 174. *“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where 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.184 *“Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”*

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;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

Para.188 *“The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.”*

Planning Practice Guidance

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

RELEVANT PLANNING HISTORY

DC/057855 - Former Kleencare Ecolab, Duke Avenue, Stanley Green Trading Estate, Cheadle Hulme, Cheadle, SK8 6RB; Proposal: Proposed demolition of former Kleencare Ecolab buildings.; Decision Date: 09-MAR-15; Decision: Prior Approval Not Required

DC/062422 - Land Off Duke Avenue, Stanley Green Trading Estate, Cheadle Hulme, Stockport, SK8 6RX, ; Proposal: Development of B2/B8 general industrial, storage and distribution units (with an allowance for trade counters) and all associated works including revised access, landscaping and car parking; Decision Date: 02-FEB-17; Decision: GTD. Expired unimplemented.

NEIGHBOUR'S VIEWS

The receipt of the application has been advertised by way of a press and site notice. The occupiers of 25 neighbouring properties have been notified in writing.

No representations have been received.

CONSULTEE RESPONSES

Highway Engineer – Advises verbally that subject to the imposition of conditions and the completion of a S106 to secure the contribution of £150K towards improvements to accessibility, the proposal is in accordance with Core Strategy policies CS9, T1, T2 and T3. Detailed comments will be circulated to Members prior to the consideration of the application at the Area Committee.

Planning Policy Officer (Energy) – The Energy Statement for this application is broadly compliant with Core Strategy Policy SD3 requirements for an energy statement and for reducing carbon emissions. The commercial carbon reduction target for developments of more than 1000 sq m in Core Strategy Policy SD3 was superseded in 2014 with the increases in Part L carbon reduction nationally at that time.

Nature Development Officer – The site has no nature conservation designations, legal or otherwise. An Extended Phase 1 Habitat Survey has been submitted with the application (Tyler Grange, Ecological Impact Assessment Report February 2021). The report states that the site walkover survey was carried out in January 2020. January is a suboptimal time of year to undertake botanical surveys, however given the habitats present on site this is not considered to be a significant limitation to the overall assessment. Survey work has been carried out by suitably experienced ecologists and followed best practice survey guidelines. Habitats on site were mapped and their potential to support protected species was assessed. Habitats within the application area comprise hardstanding and structures with ephemeral/short perennial vegetation and scrub.

Many structures have the potential to support roosting bats. All species of bats, and their roosts, are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) 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

The three structures on sites were subject to an inspection survey, aided by an endoscope. No signs of bats were observed and the structures were assessed as offering negligible bat roosting potential.

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

Ponds and their surrounding terrestrial habitat can support amphibians such as great crested newt (GCN). GCN receive the same level or legal protection as bats (outlined above). The nearest pond to the site is located approx. 230m

away, with numerous others located over 250m away. There are records for GCN within the ponds. Given the habitats on site (limited value to GCN as terrestrial habitat), the distance of the application site from the nearest ponds and also the lack of habitat connectivity between the site and the ponds (the road and built up areas are likely to impede GCN dispersal), the risk of GCN being present on site and impacted by the proposals is considered to be low.

No evidence of or significant potential for any other protected species was identified during the survey.

The ecology report states that *Cotoneaster* sp. was recorded on site. Many species of *Cotoneaster* are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to plant or otherwise cause to grow Schedule 9 species in the wild. The *Cotoneaster* species recorded on site should be confirmed to ascertain whether it is listed on Schedule 9.

Recommendations:

No evidence of roosting bats or great crested newts was recorded on site during the surveys and it is considered that the structures on site offer negligible bat roosting potential and that the risk to GCN is low. Bats can be highly cryptic in their roosting behaviour however and protected species can sometimes be found in seemingly unlikely places. Precautionary measures are detailed in section 5.2 in relation to bats and demolition. This can be conditioned as part of any planning consent granted.

In addition it is recommended an informative should be attached to any planning consent granted as a precautionary measure so that the applicant is aware of the potential for roosting bats and great crested newts (albeit low risk) to be present on site. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats, great crested newts (or any other protected species) is discovered on site, works must cease and a suitably experienced ecologist contacted for advice.

Ecological conditions can change over time. In the event that works have not commenced within two years of the January 2020 survey – i.e. by January 2022 – then update survey work will be required to ensure the baseline conditions and ecological assessment remains current. This can be secured via condition.

In relation to breeding birds it is recommended that works are timed to avoid the bird nesting season where possible. If demolition and vegetation clearance works need to take place between 1st March and 31st August inclusive a competent ecologist must undertake a careful, detailed check of structures/vegetation for active birds' nests immediately before (no more than 48 hours before) works commence and ensure there are appropriate measures in place to protect nesting bird interest on site. This can be secured by condition.

It should be confirmed whether the *Cotoneaster* species recorded on site is listed on Schedule 9 of the Wildlife and Countryside Act. If it is, a condition to ensure that the spread of the invasive species will be avoided will be appropriate: A method statement for the control, management and treatment of this invasive species will need to be submitted to and agreed by the council prior to any works commencing.

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). The ecology report recommends provision of bat and bird boxes on site (section 5.4 of the ecology report). The number, type and location of the boxes should be submitted to the LPA for review.

A landscaping plan has been submitted as part of the application. This includes native shrub planting along the site boundaries, provision of three pear trees and also areas of wildflower turf. These measures are welcomed within the proposals. It is recommended that details of the future sensitive management of these areas is submitted to the LPA for review (for example laying the wildflower turf on nutrient-poor soil and implementing an appropriate cutting regime to prevent over-domination by coarse grasses).

Tree Officer – There are no legally protected trees within this site or affected by this development. The site is comprised largely of hardstanding. A full tree survey has been supplied as part of the planning application to show the condition and amenity levels of the existing trees. None of those on the site are of any particular merit. The proposal will not have a negative impact on the trees on site and can be accepted subject to replacement tree planting in SUDs tree pits throughout the car park to improve key wildlife and biodiversity benefits for this site. This can be secured by condition.

LLFA – The proposals are acceptable subject to construction in accordance with the submitted data and further infiltration testing being carried out to reconfirm the infiltration rate used, as discussed in the strategy. We would suggest that the developer should protect the area of the proposed soakaway such that the construction works do not compromise the rates.

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

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment & Drainage Strategy Report (Ref No. 21005-BGL-XX-XX-RP-D-0001, Dated 26.2.21) which was prepared by (Burrows Graham). 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.

Condition 2 – Foul water

Foul and surface water shall be drained on separate systems.

Environment Agency – The proposed development site appears to have been the subject of past industrial activity which poses a risk of pollution to controlled waters. We have not undertaken a detailed review of the risk posed to controlled waters from land contamination and would therefore advise that you refer to our published

Guiding Principles for Land Contamination which outlines the approach we would wish to see adopted to managing risks to the water environment from this site. We also recommend that you consult with your Environmental Health / Environmental Protection Department for further advice on generic aspects of land contamination management. Where planning controls are considered necessary we would recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by Paragraph 109 of the National Planning Policy Framework.

EHO (Contamination) – I have reviewed the Soil Technics Ground Investigation Report Dated December 2018, the report recommends that the following further works are undertaken;

- If soakaway systems are considered at the site, further investigations should be undertaken to determine the vertical extent of deposits of sands at the site, in addition to more intensive testing to determine the permeability of such sands in further locations across the site (preferably where the soakaway system would be installed).
- Further detailed investigation is undertaken around the immediate vicinity of TP103, to determine the makeup of the catch pit/chamber which is likely to be present, draining perched water and discharging to the culvert.
- Undertake further testing of Made Ground soils across the site to determine the likelihood of encountering asbestos elsewhere. This would also assist classifying and quantifying material to be disposed offsite to landfill which may contain asbestos.

As such I would recommend the CTM1-3 conditions for the decision notice. There is no requirement for gas measures.

EHO (Noise) – In support of the application, the applicant has submitted an acoustic report: E3P, Reference: 50-271-R1-3, Date: February 2021 to identify, measure and assess the potential impact of the proposed commercial development upon existing residential receptors in the immediate vicinity of the site. The impact of the noise from the proposed development has been assessed in accordance with: BS4142:2014 Methods for rating and assessing industrial and commercial sound. An agreed methodology for the assessment of the noise source. As the proposed development could operate 24 hours per day over 7 days, E3P has conducted a full weekday and weekend Background Sound Survey in order to quantify the existing levels of background sound at a position considered representative of the closest non-associated residential receptors to the development, specifically to the west.

The assessment has determined that the typical background sound level will not be exceeded at residential receptors. No specific measures [acoustic] are required. The reports methodology and conclusion are accepted by this service. A condition should be imposed to ensure that noise generated by plant and equipment is 10dB below background, at any time when measured at the nearest noise sensitive premises.

Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) shall be submitted for assessment by the LPA. The CEMP shall address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase. There shall be no burning of materials on site during construction and the CEMP shall be implemented throughout the demolition and construction phase of the development.

Informatives should be attached to any grant of planning permission advising the applicant about hours of construction works, pile foundations and the retention of a dust management plan at the site during construction.

EHO (Air) - I have looked at the assessment and am happy with its findings. A dust management plan should be submitted for approval prior to the work taking place to minimise dust from the construction phase.

Network Rail – no comments received.

GMP Design for Security – We would be happy to support the application subject to the agreed recommendations being incorporated into the scheme.

ANALYSIS

The UDP Proposals Map identifies the application site as being within a designated Employment Area. The main issues for consideration are therefore the provision of employment floorspace in this location, the impact of the development upon the character of the area and amenities of neighbouring occupiers, parking provision, traffic generation and highway safety, pollution, ecology, trees, drainage and crime prevention. These issues are explored below.

Principles of Development

Saved policies E1.1 & E1.2 confirm that new industrial developments, business premises and offices will be permitted within designated employment areas. All sites must be appropriate in size and scale to their surrounding area and must not conflict with other UDP Review policies for housing, retail and the protection of the environment as well as having good access to the highway network and public transport. This position is reflected in saved policy E3.1 and CS policy CS7. CS policy AED3 confirms that the Council will protect employment areas for employment generating uses. Where appropriate, viable and feasible, developers of new employment uses will be required to provide training or funding to provide education and training, in order to help local residents develop the necessary skills to access the jobs being created in the Borough (CS policy AED5).

Para 81 of the NPPF confirms that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The provision of employment floorspace on this site, which has a lawful use for employment purposes and is within a designated employment area complies with the policy position set out above. The impact of the development upon the surrounding area in terms of its scale and size is considered below as are access issues. Subject to an acceptable assessment in this respect the proposal accords with saved policies E1.1, E1.2 and E3.1 together with policies CS7 and AED3 of the Core Strategy and the government's policy position within the NPPF.

In relation to policy AED5 the applicant has included with the application an Employment and Skills Initiative Report. This advises that they will collaborate with the appointed contractor to provide an overarching employment and skills initiative in relation to the expansion of Stanley Green Trading Estate. The intention is to help local residents take full advantage of the employment opportunities created as part of both the construction and occupation stages. The programme will be broken down into three core areas; construction, supply chain and end user employment.

A Construction Training Agreement is proposed. In terms of skills and training opportunities during the construction phase, it is understood that a standard assumption is that every £1m of construction expenditure will create 1 FTE trainee position. As such, this scheme is anticipated to create up to 7 FTE trainees/apprenticeships subject to the agreement of the appointed contractor.

Subject to the agreement of the appointed contractor, the applicant and its appointed main contractor will also deliver direct construction training and employment opportunities for the local community, including:

- Advertise all construction vacancies through the local media, Jobcentre Plus or other Council nominated agency. Target 25% of all vacant roles to be filled by local residents.
- Partner with CITB to deliver up to two shared apprenticeship opportunities on site for a period of three months each.
- Deliver paid work experience for two students at Stockport College to gain valuable experience on site under the supervision of an experienced professional. Area of focus includes site management and core site trades such as groundworks, painting and decorating, dry lining, plumbing, etc.

The applicant will provide Stockport Council with start and end dates for the construction training and employment activities no later than two weeks before commencement of the scheme.

To enable local small and medium enterprises in the construction sector to compete for supply chain opportunities, the applicant and their appointed main contractor will partner with Stockport Chamber of Commerce to actively seek local businesses to supply key sub-contractor packages. The aim is to identify local businesses that can provide high quality and value-for-money services or materials to the construction site that are predominately within the local borough. It is envisaged that the initiative will require services and materials in the following construction work packages: general site labour (security and cleaning), site clearance, waste management, muckaway, scaffolding, aggregate supply, fencing, mastic works, concrete supply, hiring of plant, purchase of building materials, road sweeping and decoration.

The applicant will ensure all tendering contractors are aware of this obligation and can demonstrate previous experience sourcing local services for similar construction projects. Regular monitoring of progress with supply chain procurement will form part of the client progress meetings on a minimum 4 weekly basis.

In terms of employment and skills plans, the applicant advises that they are committed to supporting the local employment market and local economy and will seek to encourage any future occupiers of the site to provide local jobs and training opportunities. Given that the final occupiers of the proposed development are unknown, it is suggested that the specific detail of local employment and training opportunities is provided within a detailed Employment and Skills Plan once there is further clarity on the types of end-users that are likely to occupy the development.

The data on jobs created, training provided, and jobs offered will be captured on an employment and training monitoring form to be submitted to SMBC on demand during construction at prior to practical completion.

In response to this, Members are advised that the Employment and Skills Initiative Report addresses the requirement of CS policy AED5. Further details of this can be secured by way of a condition.

Impact on the Character of the Area and Amenity

Policy H1 of the Core Strategy confirms that development should be of a high quality, respond to the character of the area within which it is located and provide for good standards of amenity. This is reinforced in Core Strategy policy CS8 which welcomes 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. Policy SIE-1 of the Core Strategy also confirms that development which is designed to the highest contemporary standard, paying high regard to the built/and or natural environment within which it is sited, will be given positive consideration. Specific regard should be paid to the use of materials appropriate to the location and the site's context in relation to surrounding buildings (particularly with regard to height, density and massing of buildings). Policy SIE3 seeks to ensure that the landscaping of development will aid biodiversity and to secure a sense of place and character.

The NPPF at Chapter 12 sets out the Government's most up to date position on planning policy and confirms that the Government attaches great importance to the design of the built environment.

The character of the locality is derived from the variety of industrial, retail and employment generating uses adjacent to the site and within the wider Stanley Green industrial estate and retail park. In terms of built form, there is a variety of development ranging in size and scale as well as architectural form. On Duke Avenue itself, the application site is viewed in the backdrop of the A555 which is raised on an embankment which is a substantial height above the level of the site. Immediately to the east is a trade outlet for the construction industry which is accommodated in a substantial 2 to 3 storey building. Opposite the site to the north is an even larger double height warehouse building attached to a 3 storey building. To the east of this is a 2 storey flat roofed building.

The application includes a drawing showing sections through the site which is appended to this report. Having regard to the relationship of the proposed development with that adjacent as shown on this drawing, together with the architectural approach proposed, it is considered that the size, siting and design of the proposed development will be in keeping with the character of the area. When viewed from the farmland to the west of the railway line, the proposed development will be seen in the context of existing commercial and industrial development and the raised embankment of the A555.

Also submitted with the application is a tree survey and landscaping plan. The only trees on the site are positioned along the west, part north and east boundary; they are of poor quality and amenity value. The landscaping plan proposes the planting of 4 specimen trees within the development (1no. hornbeam and 3no. ornamental pear trees). Added to this, general landscaping in the form of lower level shrubs are proposed to the frontage onto Duke Avenue along with an area of wildflower planting. The landscaping proposed is considered appropriate having regard to the location of the site and nature of the proposed development. A condition can be imposed as requested by the Nature

Development Officer in relation to the management of the landscaping as can that to secure the replacement tree planting by the Tree Officer.

The closest occupiers to the site are those associated with commercial, industrial and office developments; there are no residential occupiers within close proximity. Having regard to the character of the area, it is not considered the amenities of the neighbouring users will be harmed by the proposed development.

For the above reasons the proposal is considered compliant with policies CS8, SIE1 and SIE3 together with advice contained within Chapter 12 of the NPPF.

Parking and Highway Safety

Policy CS9 of the Core Strategy DPD requires development to be sited in locations accessible by walking, cycling and public transport. The Council will support development that reduces the need to travel by car. This position is followed through in policy T1. Policy T2 requires parking in accordance with the maximum standards and policy T3 confirms that development which will have an adverse impact on highway safety and/or the capacity of the highway network will only be permitted if mitigation measures are proposed to address such impacts. Developments shall be of a safe and practical design.

The NPPF at Chapter 9 seeks to ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Safe and suitable access to the site should be achieved for all users and the design of parking areas, other transport elements reflects current national guidance. Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be cost effectively mitigated to an acceptable degree.

The NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The detailed comments of the Highway Engineer will be circulated to Members prior to the consideration of the application at the Area Committee. Members can however be advised that subject to the imposition of conditions and the completion of a S106 agreement, the proposed development will be accessible, secures sufficient parking (including that for the disabled, electric vehicles and cycles), is of a layout that is safe and practical to use and will not give rise to unacceptable congestion on the highway network. On this basis the proposal is compliant with CS policies CS9, T1, T2 and T3.

Other Matters

Policy CS1 seeks to ensure that all development meets a recognised sustainable design and construction standard where viable to do so. All development will be expected to demonstrate how it will contribute towards reducing the Borough's carbon footprint by achieving carbon management standards.

Policy SD1 confirms that the Council will look favourably upon development that seeks to achieve a high rating under schemes such as BREEAM.

Policy SD3 requires development to demonstrate how it will assist in reducing carbon emissions through its construction and occupation through the submission and approval of an energy statement.

The NPPF at para 152 confirms that the planning system should support the transition to a low carbon future. It should help shape places in ways that contribute to radical reductions in greenhouse gas emissions, encourage the reuse of renewable resources and support renewable and low carbon energy and associated infrastructure.

The application confirms that energy and carbon savings are to be achieved through passive design and energy efficient design features, such as: energy efficient lighting, sub-metering of relevant areas, upgrading of 'U' values and occupancy sensing in relevant areas, as well as the incorporation of renewable energy technologies. It is anticipated that a 21.56% saving in the developments predicted annual energy consumption will be achieved through the incorporation of passive measures and energy efficient design. Furthermore, Air Source Heat Pumps and PV shall contribute to 78.44% of the development's total energy demand.

Also submitted with this application is a BREEAM Early Stage Credits Report and BREEAM Pre-assessment Report. BREEAM schemes are an environmental assessment method for buildings.

BREEAM has the following aims:

- To mitigate the impacts of buildings on the environment;
- To enable buildings to be recognised according to their environmental benefits;
- To provide a credible, environmental label for buildings;
- To stimulate demand for sustainable buildings.

BREEAM has the following objectives:

- To provide market recognition to low environmental impact buildings;
- To ensure best environmental practice is incorporated in buildings;
- To set criteria and standards surpassing those required by regulations and challenge the market to provide innovative solutions that minimise the environmental impact of buildings;
- To raise awareness of owners, occupants, designers and operators of the benefits of buildings with a reduced impact on the environment;
- To allow organisations to demonstrate progress towards corporate environmental objectives.

Credits are awarded over 10 categories of sustainability consisting of a number of issues. The BREEAM pre-assessment for the proposed buildings has an anticipated score of 73.20% therefore achieving an 'Excellent' rating which requires a percentage score greater than 70%.

Members are advised that the rating afforded to the proposed development is a reflection of the environmental credentials of the proposal in terms of the built development. Development of this nature is encouraged through the Core Strategy and advice contained within the SPD Sustainable Design and Construction. Having regard to the BREEAM rating and content of the Energy Statement submitted with the application, Members are advised that the proposal is compliant with policies CS1, SD1 and SD3 of the CS DPD together with Chapter 14 of the NPPF. The measures proposed can be secured by condition.

Saved policy EP1.7 confirms that development will not be permitted where it would be at risk of flooding or increase flooding elsewhere. CS policy SD6 requires all development to be designed in such a way as to avoid, mitigate or reduce the

impacts of climate change. In this respect development is required to incorporate sustainable drainage systems so as to manage run off water from the site.

Para 167 of the NPPF confirms that when determining planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Major developments should incorporate sustainable urban drainage systems (para 169).

The application site is not identified on the UDP Proposals Map as being in an area liable to flood and the Environment Agency identify the site as being within Flood Zone 1. Having regard to the size of the site and scale of the proposed development there is a requirement for the application to be accompanied by a Flood Risk Assessment; this along with a drainage strategy has been submitted and considered by the LLFA.

Members are advised that that as the site is within Flood Zone 1, it is considered to be at 'low risk' from all sources of flooding; tidal, fluvial, pluvial, sewer, groundwater and artificial sources. The surface water drainage currently outfalls to both a combined public sewer and a culverted watercourse to the east of the site. As proposed the surface water runoff will be collected from the impermeable areas and directed via the underground network to an infiltration tank that will enable the water to infiltrate to ground. A secondary overflow will be utilised to the culverted watercourse at a restricted rate. A detailed drainage layout with hydraulic calculations has been prepared to support this approach.

The LLFA advise that the Flood Risk Assessment and drainage strategy are acceptable and compliant with policies EP1.7 and SD6 and advice within Chapter 14 of the NPPF.

Policies NE1.2 Sites of Nature Conservation Importance of the UDP Review and SIE-3 Protecting, Safeguarding and Enhancing the Environment of the Core Strategy along with para's 174 and 180 of the NPPF seek to ensure that proposed development does not adversely affect protected species and secures enhancements for biodiversity.

Submitted with the application is a protected species survey which confirms the absence of any protected species on the site. On this basis and subject to the conditions recommended by the Nature Development Officer, the proposed development will have no adverse impact on ecology and is compliant with policies NE1.2, SIE3 and Chapter 15 of the NPPF.

Policy SIE3 along with advice contained within the NPPF at Chapter 15 seek to protect against pollution whether that be from contamination in the ground, dust or noise. Submitted with the application are various reports addressing these issues which have been considered by Officers in Environmental Health. Members are advised that subject to the imposition of conditions as requested by the EHO's, the proposed development will cause no harm in terms of pollution. On this basis the proposal is compliant with Core Strategy policy SIE3 and Chapter 15 of the NPPF.

Policies H1 and SIE1 of the Core Strategy together with para's 119 and 130 of the NPPF seek to ensure that developments create safe living conditions. To address this policy position the application includes a Crime Impact Statement. This report is compiled by GMP Design for Security who then offer their comments on the proposals in this respect once the application is submitted.

GMP advise that they support the application on the basis that the scheme has been designed very well in terms of crime prevention and will add activity, natural surveillance and incorporate crime prevention measures. Members are therefore advised that the proposal is compliant with policies H1 and SIE1 of the Core Strategy together with para's 119 and 130 of the NPPF.

Conclusions

The provision employment floorspace within this designated Employment Area accords with saved UDP Review policies E1.1, E1.2 and E3.1 together with policies CS7 and AED3 of the Core Strategy and the government's policy position within Chapter 6 the NPPF.

The proposed development is considered to be of an acceptable size, siting and design having regard to the character of the surrounding locality. There will be no adverse impact on the amenities of neighbouring properties. The proposal is therefore compliant with Core Strategy policies CS8, SIE1 and SIE3 together with advice contained within Chapter 12 of the NPPF.

The proposed development will be accessible, secures sufficient parking (including that for the disabled, electric vehicles and cycles), is of a layout that is safe and practical to use and will not give rise to unacceptable congestion on the highway network. On this basis the proposal is compliant with CS policies CS9, T1, T2 and T3.

The application includes details to demonstrate that the proposed development will contribute towards a reduction in carbon emissions and is therefore compliant with policies CS1, SD1 and SD3 of the CS DPD together with Chapter 14 of the NPPF.

The application includes sufficient detail to demonstrate that the proposal will not increase the risk of flooding elsewhere and that the drainage of the site can be carried out in an acceptable manner. The proposal is therefore compliant with policies EP1.7 and SD6 and advice within Chapter 14 of the NPPF.

Noting the absence of any protected species on the site, it has been demonstrated that there will be no adverse impact on ecology. Improvements to biodiversity can be secured by way of conditions imposed on the grant of planning permission. On this basis the proposal is compliant with policies NE1.2, SIE3 and Chapter 15 of the NPPF.

Sufficient detail has been submitted to demonstrate that the proposed development will not have an unacceptable impact in terms of pollution. The proposal is therefore compliant with Core Strategy policy SIE3 and Chapter 15 of the NPPF.

The proposed development will create an environment that is safe to use and deters crime in compliance with policies H1 and SIE1 of the Core Strategy together with para's 119 and 130 of the NPPF.

Having regard to the presumption in favour of sustainable development as set out in Chapter 2 of the NPPF it is considered that the proposed development as assessed above is acceptable and should be approved without further delay.

RECOMMENDATION Grant subject to conditions and S106 agreement