

ITEM: 1

Application Reference	DC/078265
Location:	6-16 Lower Hillgate Stockport
PROPOSAL:	Demolition of the existing building and erection of a new mixed-use building 14 apartments (floors 2-4) with flexible Use Class E floorspace excluding hot food and restaurant uses at a ground floor level.
Type Of Application:	Full Application
Registration Date:	03.12.2020
Expiry Date:	20210304
Case Officer:	Dominic Harvey
Applicant:	Project Iris C Limited
Agent:	Broadgrove Planning & Development

ITEM: 2

Application Reference	DC/078266
Location:	1-3 Lower Hillgate Stockport
PROPOSAL:	Erection of a new mixed-use building providing 6 affordable residential units (floors 2-4) with flexible Use Class E floorspace excluding hot food and restaurant uses at a ground floor level.
Type Of Application:	Full Application
Registration Date:	03.12.2020
Expiry Date:	20210304
Case Officer:	Dominic Harvey
Applicant:	Project Iris B Limited
Agent:	Broadgrove Planning & Development

ITEM: 3

Application Reference	DC/078286
Location:	29-35 Little Underbank Stockport
PROPOSAL:	Demolition of the existing building and erection of a new mixed-use building providing 12 residential units (floors 2-4) with flexible Use Class E floorspace excluding hot food and restaurant uses at a ground floor level.
Type Of Application:	Full Application
Registration Date:	03.12.2020
Expiry Date:	20210304
Case Officer:	Dominic Harvey
Applicant:	Project Iris A Limited
Agent:	Broadgrove Planning & Development

ITEM: 4

Application Reference	DC/078287
Location:	Land At Churchgate Stockport
PROPOSAL:	Erection of a mixed-use building containing 50 residential apartments (4 x studios, 40 x 1 beds, 6 x 2 beds) with flexible Use Class E floorspace excluding hot food and

	restaurant uses at an upper ground floor level and provision of Public Open Space.
Type Of Application:	Full Application
Registration Date:	03.12.2020
Expiry Date:	20210304
Case Officer:	Dominic Harvey
Applicant:	Iris Project E Limited
Agent:	Broadgrove Planning & Development

DELEGATION/COMMITTEE STATUS

Planning and Highways Regulation Committee - Departure from the Statutory Development Plan. 4 objections have been received (1 in respect of Site 'B') and (3 in respect of site 'E').

CONTEXT

This report relates to proposals in respect of four sites: - 'A' - Little Underbank; 'B' & 'C' - Lower Hillgate; and 'E' - Churchgate an inextricably linked package of sites which the Council has assembled to facilitate residential led mixed use regeneration scheme of four vacant gap sites and demolition of "unsightly" derelict buildings located within the Market Underbanks and Hillgate Conservation Areas, Townscape Heritage Area and within the historic core of the Town Centre.

Site 'E' – Churchgate the largest site which would accommodate a mixed-use building containing 50 apartments with flexible commercial floorspace is effectively used to cross subsidise the delivery of smaller constrained sites 'A' 'B' & 'C' within Little Underbank and Lower Hillgate

Cumulatively across the four sites the regeneration scheme would provide 82 apartments, 616m² of flexible commercial space, and a new public open space in the form of a 'Pocket Park'.

The four sites which have been submitted as a package with sites 'A', 'C', and 'E' relying on Site 'B' for affordable housing (No. 6 shared ownership apartments) to be delivered first.

In the event that planning permission were to be granted for the developments the four sites would be required to be linked by legal agreement to control phasing, affordable housing and public open space.

DESCRIPTION OF DEVELOPMENT

Site 'A' (DC/078286) 29-35 Little Underbank

This application seeks planning permission and for relevant demolition of an unlisted building in a conservation area and relates to the demolition of a vacant 2-storey building (formerly in use as a newsagent at ground floor with offices above) and the construction of a mixed-use 5-storey building providing flexible commercial usage (139m² - Use Class E) at a ground floor level with 12 no. market apartments (Use Class C3) above, 1st floor accommodating 3 no. one bedroom and 1 no. two-bedroom apartments; 2nd floor accommodating 3 no. one bedroom and 1 no. two-bedroom apartments all of which accord with the nationally described minimum space standard.

Due to the nature and location of the site the development would be car free with no on-site parking, a secure cycle store is provided with space for 12 no. cycles and bin store is proposed. The building would step up the hill to the north, and accordingly would be perceived as three-storeys with rooms in the roof space from Little Underbanks/Lower Hillgate. However, due to the level change to the north the 4th floor would be a full-storey within additional space provided in the roof space.

The palette of materials would include red brick, stone detailing and painted timber shopfront to reflect the predominant building materials found in the area.

SITE AND SURROUNDINGS

The site (0.025 hectares) is located within the Underbanks area of Stockport Town Centre located on the corner of Little Underbank and Mealhouse Brow and currently accommodates a two-storey vacant building of ground floor retail with office accommodation above. Land levels rise steeply within the site from south to north. Mealhouse Brow is a steep street which leads up to Market Place.

The site is identified by the adopted Proposals Map as being within the Town Centre and also within the Central Shopping Area. The immediate area is characterised by two and three storey development with shops and commercial units at ground floor level with offices or residential accommodation above. However, many of the buildings vacant and/or dilapidated.

The site is located within 'Market & Underbanks' Conservation Area. There are several listed buildings in close proximity to the site, notably including Nos.23 & 25 Little Underbank, Nos.16-26 Little Underbank and St Petersgate Bridge which crosses Little Underbank to the west of the application site. All of the statutory heritage assets in the immediate vicinity of the application site are Grade II listed.

The area is characterised by buildings of varying heights and inconsistent roof pitches, this is accentuated due to the changes in land levels on to the north and south. In addition area is also characterised the variety of different building designs and appearances. Little Underbank forms part of a pedestrian zone with controlled vehicle access.

The site is located in a highly accessible central location and is therefore within easy walking and cycling distance of the many shops and services within the Town Centre. The site is well served by public transport with Stockport train station located 850m walking distance from the site which provides local and long-distance connections, as well as several bus stops within 300m which provide an extensive local bus network.

The site also falls within the 'Area of Operation' within the Council's SPD "Town Centre Housing", which provides guidance on the operation of policies with regard to residential development in the town centre.

The site has no nature conservation designations, legal or otherwise, lies within Flood Zone 1, and is therefore, at very low risk of flooding (less than 1 in 1,000 annual probability of flooding) and given its size (below 1 hectare), a Flood Risk Assessment is unnecessary.

DESCRIPTION OF DEVELOPMENT

Site 'B' (DC/078266) 1-3 Lower Hillgate

This application seeks planning permission and the demolition of an unlisted building within the conservation area and relates to the demolition of what remains of the largely collapsed building although the shop frontage remains and proposes the construction of a mixed-use building of 3-storey building providing flexible commercial usage (68m² - Use Class E) at a ground floor level with 6 no. affordable 'shared ownership' (proposed to be managed by Guinness RP) apartments (Use Class C3) above within the 1st and 2nd floors together with the roof space, each accommodate 1 no. one bedroom and 1 no. two-bedroom apartments, all of which accord with the nationally described space standard.

This proposal would also be a car free development, with a secure cycle store is provided with space for 8 no. cycles together with a bin store.

Affordable housing for the four sites would be provided on Site B, with the remaining sites providing 100 % market housing. In total the schemes will provide 6 units (out of 82 total). This equates to 7% of the total units provided over the four sites.

The palette of materials would include red brick, stone detailing and painted timber shopfront to reflect the predominant building materials found in the area.

SITE AND SURROUNDINGS

The site (0.015 hectares) is located within the Underbanks area of Stockport Town Centre and currently accommodates a largely collapsed building with a shop front retained to secure the frontage and the general appearance of the site detracts from the character and appearance of the surrounding area.

The site is identified by the Proposals Map as being a within the Town Centre and also within the Central Shopping Area. The immediate area is characterised by buildings of varying heights and inconsistent roof pitches, this is accentuated due to the changes in land levels on to the north and south. Buildings accommodate shops and commercial units at ground floor level with offices or residential accommodation above. However, many of the buildings vacant and/or dilapidated.

The site is located within the 'Hillgate' Conservation Area and adjacent to the 'Market & Underbanks' Conservation Area. There are several locally listed buildings in close proximity to the site, including No.5 Lower Hillgate, Nos.3, 4, 5-6, 7 Market Place. No.5 Lower Hillgate is located adjacent to the site's eastern perimeter, whilst the rear of No.3 Market Place is close to the rear boundary of the site. There are no statutory listed building located in the immediate setting of the application site, however the Grade II listed Medieval Town Wall is located within close proximity and St Mary's Church which is Grade I listed is located 60m to the north but set at a considerably higher level.

The site is located in a highly accessible location and is therefore within walking and cycling distance of the many shops and services within the Town Centre. The site is in well served by public transport with Stockport train station located 850m walking distance from the site which provides local and long-distance connections, as well as several bus stops within 150m which provide an extensive local bus network.

The site also falls within the 'Area of Operation' within the Council's SPD "Town Centre Housing", which provides guidance on the operation of policies with regard to residential development in the town centre.

The site has no nature conservation designations, legal or otherwise, lies within Flood Zone 1, and is therefore, at very low risk of flooding (less than 1 in 1,000 annual probability of flooding) and given its size (below 1 hectare), a Flood Risk Assessment is unnecessary.

DESCRIPTION OF DEVELOPMENT

Site 'C' (DC/078265) 6-16 Lower Hillgate

This application relates to the demolition of 2 no. buildings (formerly in commercial use at ground floor) and construction of a mixed-use 4-storey building providing flexible commercial usage (no.4 units – totalling 144m² - Use Class E) at a ground floor level with 14 no. market apartments (Use Class C3) above, 1st floor accommodating 5 no. one bedroom; 2nd floor accommodating 5 no. one bedroom; and 3rd floor accommodating 3 no. one bedroom and 1 no. two bedroom apartments all of which accord with the nationally described space standard. The proposed building has been designed as a perimeter block with elevations up to Lower Hillgate and Coopers Brow.

This proposal would also be car free development with a secure cycle store is provided with space for 14 no. cycles together with a bin store.

The area is characterised by buildings of varying heights and inconsistent roof pitches, this is accentuated due to the changes in land levels on to the north and south.

The proposed building would have 3 ½-storeys with the top floor of accommodation being partly within the roofspace. The palette of materials would include red brick, stone detailing and painted timber shopfront to reflect the predominant building materials found in the area.

SITE AND SURROUNDINGS

The site (0.039 hectares) is located within the Underbanks area of Stockport Town Centre and currently accommodates two vacant two-storey buildings of poor quality and a third two-storey building formerly stood at the northern end of the site, but this has now largely collapsed. Land levels rise quite steeply to the south-west of the site, the effect being that the building located to the rear of the site, located on High Street is set at a much higher level. The general appearance of the site detracts from the character and appearance of the surrounding area.

The site is identified by the Stockport Unitary Development Plan Proposal Map as being within the Town Centre and also within the Central Shopping Area. The immediate area is characterised by two and three-storey development with shops and commercial units at ground floor level with offices or residential accommodation above. However, many of the buildings are vacant and/or dilapidated.

The site is located within the 'Hillgate' Conservation Area and adjacent to the 'Market & Underbanks' Conservation Area. There are several locally listed buildings in close proximity to the site, including Mansion House Chambers located on High Street. There are no statutory listed buildings located in the immediate setting of the application site, however St Mary's Church which is Grade I listed is located 70m to the north but set at a considerably higher level.

The site is located in a highly accessible location and is therefore within walking and cycling distance of the many shops and services within the Town Centre. The site is in well served by public transport with Stockport train station located 800m walking distance from the site which provides local and long-distance connections, as well as several bus stops within 150m which provide an extensive local bus network.

The site also falls within the 'Area of Operation' within the Council's SPD "Town Centre Housing", which provides guidance on the operation of policies with regard to residential development in the town centre.

The site has no nature conservation designations, legal or otherwise, lies within Flood Zone 1, and is therefore, at very low risk of flooding (less than 1 in 1,000 annual probability of flooding) and given its size (below 1 hectare), a Flood Risk Assessment is unnecessary.

DESCRIPTION OF DEVELOPMENT

Site 'E' (DC/078287) Land at Churchgate

This application seeks planning permission for the redevelopment of land to the south of Churchgate for the construction of a mixed-use building which would be read as several blocks with varying roof heights, providing flexible commercial usage (single open plan unit – totalling 265m² - Use Class E - excluding retail use) at an upper ground floor level with 50 no. market apartments (Use Class C3) above.

Ground floor accommodating 1 No. studio apartment and 3 No. one-bedroom apartments; upper ground floor accommodating 1 No. studio apartment and 5 No. one-bedroom apartments; 1st and 2nd floors each accommodating 1 No. studio apartment and 11 No. one-bedroom apartments and 2 No. two-bedroom apartments, 3rd floor accommodating 8 No. one-bedroom apartments and 2 No. two-bedroom apartments, and the 4th floor accommodating 2 No. one-bedroom apartments all of which accord with the nationally described space standard.

The proposed building has been designed as a perimeter block with elevations up to Churchgate and Harvey Street with a limited infill frontage to the south also on Harvey Street. The proposed building essentially comprises 2 blocks: a large 4 storey apartment block fronting Churchgate and Harvey Street (to the south east) and a slender 4-storey block facing Harvey Street at the rear of the site (to the south west). The articulation of the elevation to Churchgate has been broken to give the impression of 4 separate buildings although it should be noted that 48 of the 50 proposed apartments are accessed from a single covered walkway from Churchgate via a network of interconnected open walkways at the rear.

All existing trees planted along the Churchgate frontage are proposed to be removed, although replacement off-site tree planting is proposed by way of compensation.

As proposed the development would be car free with a secure cycle store is provided with space for No.56 cycles together with a bin store.

The scheme also includes a resident's garden, communal roof terrace and the enhancement of an existing area of public open space in the form of a 'Pocket Park' (770m²) opposite the site adjacent to Churchgate Carpark comprising a landscaped area with a central lawn and an edible garden on Council owned open space to the north-east of the site. In addition the proposal includes the siting of 2 container units

of a total size of c 10m length/2.5m height/2.4m depth along the Churchgate frontage.

The palette of materials would include red brick, stone detailing and painted timber shopfront to reflect the predominant building materials found in the area.

SITE AND SURROUNDINGS

The site (0.1 hectares) is located within the Underbanks area of Stockport Town Centre and currently comprises the former market compound/car park together with adjoining land that currently provides access to Nos.12 & 12A Churchgate (No 12A has previously been granted planning permission for conversion to residential use) and a pedestrian link connecting Churchgate and Harvey Street.

The site is identified by the Proposals Map as being a within the Town Centre and also within the Central Shopping Area. The site is located within the 'Market & Underbanks' Conservation Area, close to the Locally Listed Unicorn Brewery with St Mary's Church a Grade I listed building located opposite the site to the north of Churchgate and the Grade II* listed former rectory located approximately 100m to the east of the site.

The site is located in a highly accessible location and is therefore within walking and cycling distance of the many shops and services within the Town Centre. The site is in well served by public transport with Stockport train station located 900m walking distance from the site which provides local and long-distance connections, as well as several bus stops within 200m which provide an extensive local bus network.

The site also falls within the 'Area of Operation' within the Council's SPD "Town Centre Housing", which provides guidance on the operation of policies with regard to residential development in the town centre.

The site has no nature conservation designations, legal or otherwise, lies within Flood Zone 1, and is therefore, at very low risk of flooding (less than 1 in 1,000 annual probability of flooding) and given its size (below 1 hectare), a Flood Risk Assessment is unnecessary.

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:

HC1.3: SPECIAL CONTROL OF DEVELOPMENT IN CONSERVATION AREAS
EP1.7: DEVELOPMENT AND FLOOD RISK

EP1.10: AIRCRAFT NOISE
 L1.1: LAND FOR ACTIVE RECREATION
 L1.2: CHILDRENS PLAY
 L1.8: STRATEGIC RECREATION ROUTES
 L1.11: DEVELOPMENT RELATED TO RECREATION ROUTES
 PSD2.2: SERVICE USES IN THE TOWN CENTRE, DISTRICT AND LARGE LOCAL CENTRES
 PSD2.3 USE OF UPPER FLOORS IN SHOPPING CENTRES
 SE1.2: SHOPFRONTS
 SE1.4: SECURITY MEASURES FOR SHOP FRONTS
 MW1.5: CONTROL OF WASTE FROM DEVELOPMENT
 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
 TCG2.1: CENTRAL SHOPPING AREA
 TCG3: TOWN CENTRE MIXED USE AREAS
 TCG3.2: CULTURAL LEISURE AND HERITAGE QUARTER

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
 TC-1: Stockport Town Centre

Supplementary Planning Documents and Guidance

Supplementary Planning Guidance (Saved SPG's & SPD's) 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.

'Future Stockport' SPD - The Town Centre Masterplan' (February 2005), 'Town Centre Housing' (May 2008), 'Affordable Housing' (December 2015), 'Open Space Provision and Commuted Payments' (September 2019), 'Design of Residential Development' (December 2007), 'Shopfronts and Related Advertisements' (Jan 2002), 'Sustainable Transport' (December 2007), 'Sustainable Design and Construction' (April 2012), Adopted Parking Standards (Appendix 9).

'Future Stockport' SPD - The Town Centre Masterplan' (February 2005)

This document has been prepared as a supplementary planning document (SPD) to the Stockport Unitary Development Plan, to provide guidance regarding the implementation of the Stockport Town Centre Masterplan (Future Stockport) approved by Stockport Council in February 2005. It is intended that the guidance will supplement the Council's approach to development proposals within the town centre, providing a development framework and vision for investment and regeneration in line with planning policy. The masterplan focuses on the provision of new residential, retail and employment development around an accessible town centre based on a new transport interchange, cross town links and a new public realm framework.

Town Centre Living Development Framework May 2018

"In May 2018, the Council published a development framework setting out a vision for future town centre living in Stockport town centre. The development framework sets out an ambitious vision for residential development in Stockport town centre.

Stockport provides an incredible lifestyle offer by its access to attractive green spaces, an existing community with established amenity provision, authentic leisure and cultural assets and all in the context of unrivalled connectivity.

It will become a residential location of choice in South Manchester, which will grow into a vibrant and sustainable community and contribute to the overall success of the town centre and the borough. The framework suggests the town centre could provide 4,000 – 6,000 residential homes, which would house a population that would fundamentally redefine the town centre's vibrancy and function, supporting local businesses".

Strategic Housing Land Availability Assessment – 1st April 2020 (SHLAA).

"SHLAA forms the basis for understanding the capacity of the borough's existing urban areas to accommodate new housing development. The NPPF requires Local Authorities to prepare an Annual Position Statement setting out the 5 year housing land supply position with a base date of 1 April. Stockport currently has 2.6 years' of housing land supply, which is less than the minimum 5 year requirement set out in the NPPF assessed against the most up-to-date local housing need assessment and based on the recent government consultation, with a 20% buffer applied".

Stockport Council Housing Delivery Test: Action Plan August 2020

“An emerging market for residential living in Stockport Town Centre

The market for residential living within Stockport Town Centre is less established than nearby areas such as Manchester City Centre, which means there is some uncertainty from developers about investing in and bringing forward residential development in this location. This uncertainty is further influenced by development cost issues and fragmented land ownership. However recent schemes such as The Mailbox are helping to establish the Town Centre as an attractive place to live.

‘Brownfield First’ Strategy

The increasing pressure to release Greenfield and Green Belt land for new housing development in Stockport is well documented. In response to this, the Council has adopted a Brownfield First approach which seeks to identify all brownfield land across the borough and, through proactive intervention, work with land and building owners to unblock site delivery where sites are deemed to have stalled. The Council is concentrating resource to ensure that all options are explored on these sites. The approach includes the preparation of master plans and planning briefs to offer more certainty to developers. The Council will also explore the potential to utilise its Compulsory Purchase Order (CPO) powers and to undertake development back to back with a preferred developer. In this way, the Council is seeking to ensure that any required release of Greenfield and Green Belt land is kept to an absolute minimum.

This is an ongoing action and is being progressed by the Council’s Strategic Housing Team, with support from Regeneration Officers and Planning Officers”.

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.

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.

Para.1 “The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied¹”.

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-date⁸, 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 proposed⁷; 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”.

“⁷ 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”.

“⁸ 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”.

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.57 “Planning obligations must only be sought where they meet all of the following tests²⁶

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

Footnote “²⁶ Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

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”.

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 amount³⁰”.

Footnote “³⁰ Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned”.

Para.69 “.....Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period³⁴; and*
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan”.*

Footnote “³⁴ with an appropriate buffer, as set out in paragraph 74. See Glossary for definitions of deliverable and developable”.

Para.69 “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

- c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;*

Para.74 “Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply”.*

Para.75 “A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- a) Has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and*
- b) Incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process”.*

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”.*

Para.82 *“Planning policies should:*

d) Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances”.

Para.85*”Decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation”.*

Para.86 *“Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:*

f) Recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

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”.*

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.102 *“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.107 *“If setting local parking standards for residential and non-residential development, policies should take into account:*

- a) The accessibility of the development;*
- b) The type, mix and use of development;*
- c) The availability of and opportunities for public transport;*
- d) Local car ownership levels; and*
- e) The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles”.*

Para.108 *“Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists”.*

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 46; 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.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)⁴⁸

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

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area’s prevailing character and setting, or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places”.

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 design⁵², 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:

- 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 “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 Value⁶⁶. 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 generations⁶⁷.”

Para.190 “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

c) the desirability of new development making a positive contribution to local character and distinctiveness; and

d) opportunities to draw on the contribution made by the historic environment to the character of a place”.

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

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.197 “In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness”.

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.218 *“The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication”.*

Para.219 *“However 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)”.*

Para.223 *“The Government will continue to explore with individual areas the potential for planning freedoms and flexibilities, for example where this would facilitate an increase in the amount of housing that can be delivered”.*

Statutory Obligations

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72(1) provides: *“In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

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.

“In ensuring the vitality of town centres, local planning authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.”

RELEVANT PLANNING HISTORY

Site ‘A’ (DC/078286) 29-35 Little Underbank

DC/042295: 35 Little Underbank, Change of use of first floor from office to a residential one bedroom apartment, granted 28-JAN-10.

DC/020572: 35 Little Underbank, Change of use of ground floor from retail (class A1) to hot food takeaway (class A5), granted 05-OCT-05.

Site ‘B’ (DC/078266) 1-3 Lower Hillgate

DC/040175: 1-3 Lower Hillgate, Demolition of two storey building to the rear of the site, granted 06-FEB-09.

DC/040058: 1-3 Lower Hillgate, Conversion of 1-3 Lower Hillgate into four self-contained apartments with retention of ground floor retail use, demolition of the two storey building to the rear, granted 06-FEB-09.

DC/016268: 1/3 Lower Hillgate, Change of use of ground and first floors from retail (A1) to food & drink (A3) and formation of flat at second floor, granted 06-SEP-04.

Site 'C' (DC/078265) 6-16 Lower Hillgate

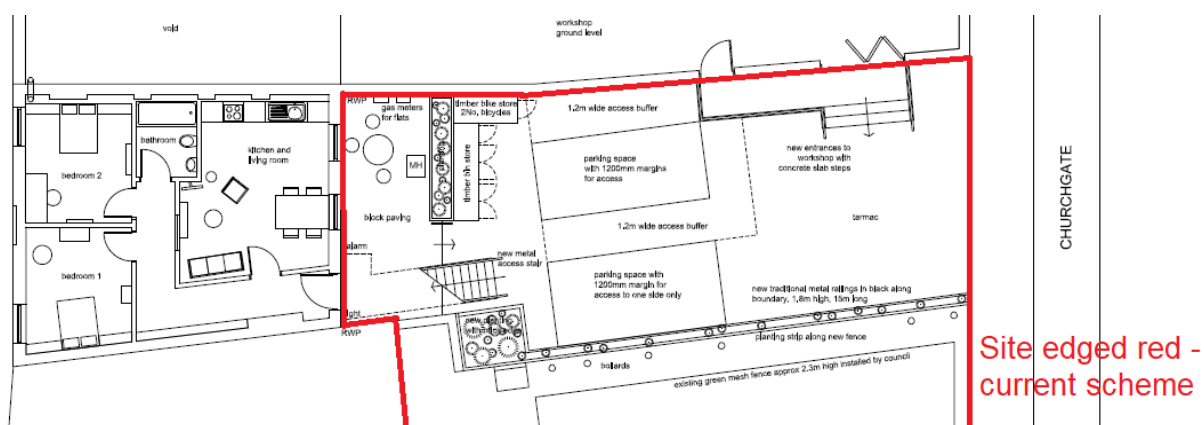
None

Site 'E' (DC/078287) Land at Churchgate

DC/076783: 12 & 12A Churchgate, Discharge of conditions 2 (materials), 3 (SW elevation finish), 4 (windows), 6 (external plant and equipment), 8 (noise assessment) and 10 (car parking) of DC/074361; pending decision.

DC/074361: 12 & 12A Churchgate, Alterations to elevations, installation of new external staircase and change of use of former restaurant at 12A Churchgate to 2 self-contained flats and a store (to be used in conjunction with the existing workshop at 12 Churchgate). Relocation of existing workshop access and installation of new bi-fold doors in the side elevation of 12 Churchgate, granted 04-DEC-19.

As depicted on the plan below, part of the development would be constructed on the area to the front of the building which the approved plans outline will be used for car parking, cycle storage, bin storage and amenity area. The area also provides access to the side of No.12 and, I understand that this area is used to service this property, allowing vehicles to park off the highway when servicing this property.



In addition, part of the development will be constructed on a footpath which runs between Churchgate and Harvey Street, as highlighted on the plan below.



DC/060971: 12 Churchgate, Change of use from D2 (exercise centre) to retail showroom with warehouse/workshop to the rear (Re-submission of DC059557), granted 31-MAR-16.

DC/054113: The Wellspring, Harvey Street, proposed re-location of two existing freight containers and installation of two new freight containers, granted 07-JAN-14.

DC/051684: 12A Churchgate, Conversion of dilapidated restaurant into 3 No self-contained flats. Change of use from Use Class A3 (Restaurants and cafes) to C3 (dwellinghouses), granted 20-MAR-13.

DC/051061: 12A Churchgate, Conversion of restaurant into 3 No. self-contained flats. Change of use from Use Class A3 (Restaurants and cafes) to C3 (dwellinghouses), refused 19-DEC-12.

DC/029050: Market Compound, Churchgate/Harvey Street, New fencing and gates and re-siting of two storage containers at existing market compound, granted 31-MAR-08.

DC/028675: Market Compound Area, Harvey Street, Erection of new welfare facility, granted 28-JAN-08.

DC/005231: 12 Churchgate, Externally illuminated fascia sign and projecting sign, granted 08-OCT-01.

J/71878: Harvey Street & Churchgate Car Parks Churchgate, Change of use of Harvey St car park to market trading area and storage alterations to entrances of Churchgate car park & 4 add. Spaces, granted 05-FEB-99.

J/50057: Land To South of Churchgate, Market stall storage compound, granted 26-JUN-90.

J/33648: Land Between Churchgate and Harvey Street, Car park and storage for market stalls, granted 13-MAY-85.

NEIGHBOUR'S VIEWS

In respect of applications relating to the four sites: - 'A' - Little Underbank; 'B' & 'C' - Lower Hillgate; and 'E' - Churchgate the occupiers of nearby properties have been notified and the applications have been advertised (as a Departure from the Development Plan, Major Development and as Affecting the Setting of Conservation Area and Listed Building) by Site and Press Notice.

In response whilst one objection has been received in respect of Site 'B' - 1-3 Lower Hillgate as outlined below

- I am looking at purchasing the property adjacent to the above planning application and noted the height and extension of the proposed new building will substantially block the sunlight to the balcony for the property I am considering in buying. I feel this will make an impact not only to the area on the balcony but also to the internal communal shared courtyard and cause significant daylight issues.

Three objections have been received in respect of Site 'E' - Churchgate as outlined below:-

- The closing up of the public footpath and steps which is a public right of way and should be left as such. The footpaths and alleys in Stockport give the town its special status and atmosphere, adding to the genius loci and sense of space.
- The existing steps and footpath should be retained, to preserve and enhance the historic character of Market and Underbanks Conservation Area. It will also allow right of way to Nos.12 and 12A Churchgate.
- The proposed buildings blocking access to Nos.12 and 12A Churchgate, access which has been possible since 1886.
- Application does not considered approved planning application DC/074361 for Nos.12 and 12A.
- Planting would block the main entrance to No.12A and side access to No.12.
- The building also abuts the location of the new approved side access door to No.12. The approved application for No.12 and No.12A includes a garden, bicycle storage and bin storage. How will residents reach No.12A if access has been completely removed?
- It is not possible to access the flats in 12A from Harvey Street as this is at a different level. How will they put out their bins if they cannot access the street?
- How will emergency services access the building?
- The blocking in of a master joiner's workshop at No.12 Churchgate, which specialises in heritage and conservation, hinders rather than promotes a sustainable economy.
- The owner of Nos.12 and 12A offers highly skilled business to the area, with a multitude of local buildings benefitting from restoration works produced. Passing on skills to younger generations is also vital to ensure long lasting economic growth of local businesses.
- In short, the joinery workshop at 12 Churchgate is something to be prized, celebrated and promoted in Stockport.
- The proposed application actively hinders productivity and does not maintain current conditions but worsens them as access is no longer possible. By

approving this application, Stockport would therefore be seen as not encouraging growth in the workforce, nor sustaining a well-established joinery workshop, run by a local resident who has lived and worked in Stockport all his life.

- Local business should be encouraged, especially when they work to restore local heritage. As we know, timber is the most sustainable material in construction as it is carbon negative. This type of business should be supported, encouraged and enabled rather than blocked in.
- Removing vehicular access to the existing joinery workshop will result in the owner having to park and unload/load large pieces of timber and work on Churchgate. This will block traffic on Churchgate and be dangerous to pedestrians as items will have to be carried across the pavement, making the area unsafe. This goes against the objectives of promoting Stockport as a healthy and safe place.
- The proposed buildings do not include for a good enough mix of offer such as small privately-owned shops.
- Looking through the Stockport Image archive one can find various photographs of the original row of houses along Churchgate with shops at ground level.
- For a Conservation Area, the idea of applying to construct a large block of architecture with a main housing function and large commercial unit does not encourage a sustainable liveable and local healthy economy. Providing small shops at street level would invigorate the street, encourage local business and community and continue the established pattern of housing above privately-owned shops in the area.
- The proposed plan includes bedrooms at street level, offering no street level activity and interaction during the day and little privacy. It is likely that curtains will remain permanently shut and that residents may not feel safe sleeping at night right on the edge of the street.
- The proposed location of the bin store on the main road does not promote a safe environment either. It would be better relocated to the less busy side street.
- There is serious concern that the close proximity of the proposed building and walkways will create overlooking issues in to the bedrooms in the flats causing loss of privacy in No.12A.
- It is difficult to see how a thriving Stockport will be achieved without looking after and prioritising the needs of the long-established existing residents and highly skilled workers who offer so much to the local area.
- The proposals overlook the Wellspring and at its highest point is 5 storeys high directly overlooking the Wellspring Building in close proximity. There are a number of roof lights incorporated into the Wellspring building providing daylight. Whilst we note that no impact report has been submitted we note that the walkways to and from the apartments are all overlooking our building and indeed in some circumstances we are overlooked by primary windows proposed by the design on multiple floors. We are therefore concerned with

our loss of light and privacy. We note that some apartments will have gardens however these seem to be at roof level and facing away from our building.

- The proposed building for the market compound envelops our building significantly on two elevations. The prominence of a 5 storey building so close to our building will have significant visual impact. We wish it to be noted that we have not been approached as to any party wall agreements required to construct the building given that foundations are clearly required and may affect our building. We would ask that if SMBC were minded to approve this application then they should consider additional information be required as to how the developer would intend to deliver the site given the constraints presented by the necessity of the aforementioned agreements.
- The proximity of the building and its design also would appear to block our fire exits which are currently essential to the safe operation of our building. The design proposals make no allowance to relocate the fire exits either. In particular the conversion of the rear public walkway into apartments which currently enables safe egress from the building in the event of a fire is of most concern.
- The windows to the main bedroom overlook our yard to the rear. The window directly abuts our mesh fencing and at ground floor level is not only impractical but also directly in view of our day to day operations including bin storage and waste management.
- We note that the applicants have submitted a Noise Survey ref DC_078287- NOISE_ASSESSMENT-1271328. Unfortunately by its own admission this survey has been taken during lockdown and cannot be taken as a fair representation of activity. The report recognizes the Brewery and the air traffic both of which require to be considered under normal conditions and it has not considered ourselves. We raise this not because we are operational 365 days of the year with significant numbers of visitors everyday (70+ persons per day in most instances). We would suggest that this needs to be considered as part of the application and would go further to suggest that little consideration has been given to the operation of our building in consideration of the presented design.
- The "Understanding the Context" document makes no reference to the Wellspring to contextually support the design of this application. It would appear that we are not considered.
- As a homeless charity we note that the application contains no provision for affordable homes.
- We note that the application contains no provision for car parking in the development. The car parking provision in the surrounding area is already limited. Any further development must take account of the demand of car parking provision. Wellspring volunteers and staff currently utilize the public spaces and areas around the building including payed parking. Whilst we welcome that the proposal aims to support sustainable methods of reducing car parking, by allowing for no car parking it is attempting to reduce this to zero which is clearly unsustainable. The Transport Report considers that there are a number of alternatives in the area which in itself acknowledges the need to accommodate new residents with car parking. The development will

contribute to an already existing congested area.

- The redline plan indicated in the application is incorrect and encroaches onto land owned by The Wellspring.
- We note that new drawings have recently been published on the Local Authority Planning Portal as late as 21st December. Whilst we understand that these are reported that as changes to enclose the staircase they nonetheless represent a significant change on an elevation having aspect on our building and therefore request that any consultation be deferred given that the consultation period is effectively shortened now to 4 working days 3 of which fall in between Christmas and New Year.
- There is no provision for car parking. As a local business owner, this will have a serious detrimental effect. As it stands even before this development there is a shortage of car parking spaces in the area. My business premises has a small private car park directly adjacent to the development. On a daily basis, we have a battle with people illegally parking in our car park due to the shortage of parking - the addition of an extra 60 cars for new residents will be a disaster. (based on the UK average of 1.2 cars per household) This is in addition to the resident's cars associated with the Church gate mews development.

CONSULTEE RESPONSES

Development Manager (Development and Regeneration) (Site 'E' (DC/078287) Land at Churchgate):

The owner of 12/12a Churchgate protected lease with the Council that forms the area of land in question, terminated in February 2021. I can also confirm that the owner of 12/12a Churchgate does not have any private rights of way over the land. In addition, there are no public right of way registered across the land. The owner of 12/12a therefore has no rights to use land that forms part of the Hall & Co development proposals on Churchgate.

Highway Engineer (Site 'A' (DC/078286) 35 Little Underbank): I write with reference to the revised drawings, including drawing A493_P_A101D, and information submitted on how the development will be construction, which have been submitted in response to my comments of the 20th May 2021.

I note from examination of the submitted drawings that various amendments have been made to the scheme to address the issues I previously raised in respect to cycle parking and the doors to the bin store opening out into the highway. These include:

- 1) The doors to the bin store are now shown to open into the building.
- 2) The cycle store has been amended to show Sheffield stands and second tier of cycle parking above (using Broxap's Easi-riser cycle rack, as recommended).

Consideration of these amendments concludes the doors to the bin store are now of an acceptable design and the cycle parking is of a form that I would consider acceptable. I do, however, note that the drawing shows the Sheffield stands spaced at less than the recommended minimum spacing (1m centres). This, however, could be addressed at detailed design stage and can therefore be dealt with by condition (it should be noted that the store needs to accommodate a minimum of 14 cycles, not 20 as shown, which will enable a greater spacing to be achieved).

With respect to construction, I previously outlined the need for some information to be submitted to outline how the development will be constructed, noting the site's constraints. The applicant has subsequently submitted information, including details on phasing, the proposed site hoarding, where contractors will park (public car parks), where materials will be stored (including on a site off Churchgate) and where materials will be dropped off. This has been reviewed in conjunction with the Council's Streetworks Team and it has been concluded that, whilst some aspects of the proposed method of construction are considered acceptable, proposals to close Mealhouse Brow would not be (as it would affect access and servicing, as well as local businesses) and the proposed area for the hoarding will need to be reduced. As such, it is considered that further discussions will need to take place to agree a method of construction that does not significantly impact on the local highway network, access or local businesses / residents. This, however, can be dealt with by condition requiring the production and operation of a construction method statement. The applicant will, however, need to be aware that their preferred method of construction is not considered acceptable and they will need to develop a method of construction which does not facilitate the closure of Mealhouse Brow (other than for temporary periods, such as when materials need to be lifted).

I can therefore confirm that the revised drawings and additional information have addressed the outstanding issues and, as such, I raise no objection to the application, subject to conditions. Please refer to my previous consultation responses which provide an explanation on the conditions.

Recommendation: No objection, subject to conditions.

Condition: This permission grants approval for the commercial unit within the ground floor of the approved development to be used for use classes E (a), E (b) and E(c). It shall not be used for any other purpose at any time.

Reason: To ensure that the proposed development does not result in parking demand or a level of vehicle movements to / from the site greater than the level considered as part of the planning application, having regard to Policies T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: No development shall take place until a method statement detailing how the development will be constructed (including demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, site access arrangements, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements, temporary structural work, mud prevention measures and proposals to temporarily relocate street furniture which will be located within the site hoarding. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

Condition: No development shall take place until a pre-construction condition survey of Lower Hillgate and Mealhouse Brow (within 50m of the development site) has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the construction of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD. The details are required prior to the commencement of any development as the first survey needs to be carried out prior to the commencement of construction activities.

Condition: A detailed drawing outlining a scheme to reconstruct the existing footways (including build-out) that abut the site and remove the existing footway crossing vehicular access on Mealhouse Brow that currently serves the site and replace it with footway shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the Council's Town Centre Materials Palette. The development shall not be occupied until the footway has been reconstructed in accordance with the approved drawing.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD.

Condition: No work shall take place in respect to the provision of cycle parking within the site until detailed drawings of the bike store, as indicated on drawing A493_P_A101D but with stands spaced at 1m centres and the store accommodating a minimum of 14 cycles, have been submitted to and approved in writing by the Local Planning Authority. Details shall include full details of the cycle racks / stands to be provided within the store and details of lighting, access controls and security features. The development shall not be occupied until the cycle stores have been provided in accordance with the approved details. The cycle stores shall then be retained and shall remain available for use by occupiers of the approved apartments and staff of the approved commercial unit at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.

Condition: The commercial unit within the approved development shall not be occupied until the combined WC and shower room, as indicated on drawing A493_P_A101D, has been provided, together with a minimum of 6 lockers for the storage of clothes / equipment, and they are available for use by staff working in the commercial unit. The combined WC and shower room and lockers shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that suitable facilities are provided that will permit and encourage the use of sustainable modes of transport in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: All ground floor doors and windows on the sides of the approved building fronting and abutting the highway shall be constructed to open into the building only and not out into the highway.

Reason: To ensure that the development does not adversely affect use of the adjacent highway, notably by pedestrians, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed drawing of any rainwater goods to be provided on the elevations of the approved building that will front the highway, together with details of the associated drain connections, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The drainage system shall be of a design that ensures that surface water is not discharged onto the highway. The rainwater goods and associated drain connections shall then be installed in complete accordance with the approved drawing.

Reason: To ensure that a suitable drainage system is provided so as to ensure that surface water does not drain onto the public highway and adversely affect its use in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed scheme outlining proposals to provide within the vicinity of the site parking spaces for disabled badge holders shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the number of spaces (which shall have regard to the adopted parking standards, expected demand and usage of existing disabled spaces in the area), where the spaces will be provided, the layout and design of the spaces, details of how they will be marked out / signed, how they will be provided, including details of any required traffic regulation order/s, and a timescale for their provision. The parking spaces shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SIE-1 'Quality Places', T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

Condition: A detailed scheme outlining proposals to provide within the area of Stockport Town Centre where the development is located 2 charging points for the

charging of electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. Details shall include where the charging points will be located, details of the charging points and associated parking spaces (including details of the equipment, signage and carriageway markings), how they will be provided (including details of any required traffic regulation order) and a timescale for their provision. The charging points shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter (unless they are replaced with an alternative charging points in which case they should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.

Condition: The approved development shall not be occupied until a travel plan for the development and the developments approved under applications DC/078266 (1-3 Lower Hillgate), DC/078287 (Churchgate) and DC/078265 (6-16 Lower Hillgate) (or any amendments to those applications) has been submitted to and approved in writing by the Local Planning Authority and has been brought into operation. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, appointment of a Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan. Travel Plan measures shall include:

- 1) Providing occupiers of each apartment with a Resident's Travel Pack
- 2) Providing staff of the commercial unit with a Travel Information Pack
- 3) Providing a car club car adjacent in the vicinity of the site (in addition to existing car club cars that are in the town centre) and providing occupiers of each apartment with access to the car club car
- 4) Offering occupiers of each apartment and staff of the commercial unit personalised travel planning
- 5) Provision of measures to allow home working (e.g. high speed broadband)
- 6) Provision of a travel information notice board within the building
- 7) Promotion of sustainable travel and travel awareness days/weeks

Reason: To ensure that measures are implemented that will enable and encourage the use of alternative forms of transport to access the site, other than the private car, in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 4 'Travel Plans' of the SMBC Sustainable Transport SPD.

Condition: A method statement detailing how the development will be serviced shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include how refuse will be collected from the development, how occupiers of the development will be made aware of traffic / servicing restrictions in the area and how deliveries to the development will be managed. The

development shall only be serviced in accordance with the approved method statement.

Reason: To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: No development shall take place until detailed drawings of the approved building, including details of its interface with Mealhouse Brow and details of how it will retain Mealhouse Brow, together with structural calculations and a method statement outlining how the building will be constructed, have been submitted to and approved in writing by the Local Planning Authority. The building shall then be constructed in complete accordance with the approved drawings, details and method statement.

Reason: To ensure that the approved development is of a safe design, does not compromise the safety of highway users and is constructed in a safe manner, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as work that could potentially impact on the highway needs to be approved prior to the commencement of construction activities.

INFORMATIVES

Informative: In addition to planning permission, the applicant / developer will need to obtain the consent of / enter into an agreement with the Highway Authority (Stockport Council) for the approved / required highways works. There will be a charge for the consent / to enter into an agreement. Consent will be required / the agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter

Informative: A condition / obligation of this planning approval requires the submission and approval by the Council of a Travel Plan prior to occupation of the approved development. Adequate time needs to be available to enable the Council to examine the Travel Plan and for any required amendments to the Travel Plan to be made. It is therefore advised that the Travel Plan is submitted to the Council three months before the development is proposed to be occupied and at that time, the proposed date of occupation provided. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Informative: A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

Informative: A condition of this planning consent requires the submission of a Construction Method Statement. In order to ensure that the statement includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways

and Transport Advice' section within the planning pages of the Council's web-site (www.stockport.gov.uk).

Informative: The applicant / developer should note that occupiers of the approved apartments may not be eligible for a resident's car parking permit to enable them to park for free or at a discounted rate in town centre. The applicant / developer is therefore advised to make potential occupiers of the apartments aware of the issue.

Informative: The electric vehicle charging points and the parking spaces for disabled badge holders that are required to be provided as a condition of this approval could be provided within the public highway subject to the agreement of the Highway Authority (Stockport Council) or within public car parks owned and managed by the Stockport Council. Once provided, these would be maintained by or on behalf of the Highway Authority / Council and would be available to the general public, as well as occupiers of the approved development and their visitors. The cost of providing the electric vehicle charging points, including the cost of any Traffic Regulation Orders that may be required and any compensation for the loss of car parking income that will result from the loss of existing "Pay and Display" parking spaces, would need to be met by the applicant / developer. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Informative: The applicant / developer should also note that all proposals that involve the construction of buildings that will retain (in part or in full) the public highway will require the approval of the Highway Authority and that such schemes are subject to a formal Technical Approval (TA) process. There is a charge for this. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.

Highway Engineer (Site 'B' (DC/078266) 1-3 Lower Hillgate): I write with reference to the revised drawings, including drawing A493_P_B101D, and information submitted on how the development will be construction, which have been submitted in response to my comments of the 20th May 2021,

I note from examination of the submitted drawings that various amendments have been made to the scheme to address the issues I previously raised in respect to cycle parking and the lack of a shower / changing facility in the commercial unit. These include:

- 1) A combined shower / WC is now proposed to be provided within the commercial unit
- 2) A second cycle store (with a two-tier cycle rack) is now proposed to be provided so as to provide cycle parking for a total of 8 cycles.

Consideration of these amendments concludes that cycle parking is now proposed to be provided in accordance with the adopted parking standards and a shower / changing facility is proposed to be provided which would allow / encourage people working in the commercial unit to cycle to work. Whilst two-tier cycle racks aren't suitable for all types of cycle, the store under the stairs is proposed to have a Sheffield stand, which would be suitable for use by cycles that could not be accommodated on the two-tier rack. As such, subject to agreeing details of these facilities, I consider the revised drawings address the issues on cycle parking and shower / changing facilities.

With respect to construction, I previously outlined the need for some information to be submitted to outline how the development will be constructed, noting the site's constraints. The applicant has subsequently submitted information, including details on phasing, the proposed site hoarding, where contractors will park (public car parks), where materials will be stored (including on a site off Churchgate) and where materials will be dropped off. This has been reviewed in conjunction with the Council's Streetworks Team and it has been concluded that, subject to further development of the proposals and a number of provisos (e.g. site cabins / other semi-permanent structures would not be permitted within the hoarding and the existing cycle parking in front of the site would need to be relocated for the duration of the works), it would be possible to construct the developments in a manner that did not significantly impact on the local highway network or local businesses / residents. As such, I consider that this matter can be dealt with by condition requiring the production and operation of a construction method statement.

I can therefore confirm that the revised drawings and additional information have addressed the outstanding issues and, as such, I raise no objection to the application, subject to conditions. Please refer to my previous consultation responses which provide an explanation on the conditions.

Recommendation: No objection, subject to conditions.

Condition: This permission grants approval for the commercial unit within the ground floor of the approved development to be used for use classes E (a), E (b) and E(c). It shall not be used for any other purpose at any time.

Reason: To ensure that the proposed development does not result in parking demand or a level of vehicle movements to / from the site greater than is greater than the level considered as part of the planning application, having regard to Policies T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: No development shall take place until a method statement detailing how the development will be constructed (including demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, site access arrangements, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements, mud prevention measures and proposals to temporarily relocate street furniture which will be located within the site hoarding. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

Condition: No development shall take place until a pre-construction condition survey of Lower Hillgate and Mealhouse Brow (within 50m of the development site) has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the

construction of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD. The details are required prior to the commencement of any development as the first survey needs to be carried out prior to the commencement of construction activities.

Condition: A detailed drawing outlining a scheme to reconstruct the existing footway (including build-out) that abuts the site shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the Council's Town Centre Materials Palette. The development shall not be occupied until the footway has been reconstructed in accordance with the approved drawing.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD.

Condition: No work shall take place in respect to the provision of cycle parking within the site until detailed drawings of the bike stores, as indicated on drawing A493_P_B101D, have been submitted to and approved in writing by the Local Planning Authority. Details shall include full details of the cycle racks / stands to be provided within the stores and details of lighting, access controls and security features. The development shall not be occupied until the cycle stores have been provided in accordance with the approved details. The cycle stores shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.

Condition: The commercial unit within the approved development shall not be occupied until the combined WC and shower room, as indicated on drawing A493_P_B101D, has been provided, together with a minimum of 2 lockers for the storage of clothes / equipment, and they are available for use by staff working in the commercial unit. The combined WC and shower room and lockers shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that suitable facilities are provided that will permit and encourage the use of sustainable modes of transport in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-

3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: All ground floor doors and windows on the side of the approved building fronting and abutting the highway shall be constructed to open into the building only and not out into the highway.

Reason: To ensure that the development does not adversely affect use of the adjacent highway, notably by pedestrians, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed drawing of the rainwater goods to be provided on the elevation of the approved building that will front the highway, together with details of the associated drain connections, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The drainage system shall be of a design that ensures that surface water is not discharged onto the highway. The rainwater goods and associated drain connections shall then be installed in complete accordance with the approved drawing.

Reason: To ensure that a suitable drainage system is provided so as to ensure that surface water does not drain onto the public highway and adversely affect its use in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed scheme outlining proposals to provide within the vicinity of the site parking spaces for disabled badge holders shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the number of spaces (which shall have regard to the adopted parking standards, expected demand and usage of existing disabled spaces in the area), where the spaces will be provided, the layout and design of the spaces, details of how they will be marked out / signed, how they will be provided, including details of any required traffic regulation order/s, and a timescale for their provision. The parking spaces shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

Condition: A detailed scheme outlining proposals to provide within the area of Stockport Town Centre where the development is located 2 charging points for the charging of electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. Details shall include where the charging points will be located, details of the charging points and associated parking spaces (including details of the equipment, signage and carriageway markings), how they will be provided (including details of any required traffic regulation order) and a timescale for their provision. The charging points shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter (unless they are replaced with an alternative charging points in which case they should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.

Condition: The approved development shall not be occupied until a travel plan for the development and the developments approved under applications DC/078286 (35 Little Underbank), DC/078287 (Churchgate) and DC/078265 (6-16 Lower Hillgate) (or any amendments to those applications) has been submitted to and approved in writing by the Local Planning Authority and has been brought into operation. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, appointment of a Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan. Travel Plan measures shall include:

- 1) Providing occupiers of each apartment with a Resident's Travel Pack
- 2) Providing staff of the commercial unit with a Travel Information Pack
- 3) Providing a car club car adjacent in the vicinity of the site (in addition to existing car club cars that are in the town centre) and providing occupiers of each apartment with access to the car club car
- 4) Offering occupiers of each apartment and staff of the commercial unit personalised travel planning
- 5) Provision of measures to allow home working (e.g. high speed broadband)
- 6) Provision of a travel information notice board within the building
- 7) Promotion of sustainable travel and travel awareness days/weeks

Reason: To ensure that measures are implemented that will enable and encourage the use of alternative forms of transport to access the site, other than the private car, in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 4 'Travel Plans' of the SMBC Sustainable Transport SPD.

Condition: A method statement detailing how the development will be serviced shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include how refuse will be collected from the development, how occupiers of the development will be made aware of traffic / servicing restrictions in the area and how deliveries to the development will be managed. The development shall only be serviced in accordance with the approved method statement.

Reason: To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

INFORMATIVES

Informative: In addition to planning permission, the applicant / developer will need to obtain the consent of / enter into an agreement with the Highway Authority (Stockport Council) for the approved / required highways works. There will be a charge for the consent / to enter into an agreement. Consent will be required / the agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter

Informative: A condition / obligation of this planning approval requires the submission and approval by the Council of a Travel Plan prior to occupation of the approved development. Adequate time needs to be available to enable the Council to examine the Travel Plan and for any required amendments to the Travel Plan to be made. It is therefore advised that the Travel Plan is submitted to the Council three months before the development is proposed to be occupied and at that time, the proposed date of occupation provided. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Informative: A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

Informative: A condition of this planning consent requires the submission of a Construction Method Statement. In order to ensure that the statement includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways and Transport Advice' section within the planning pages of the Council's web-site (www.stockport.gov.uk).

Informative: The applicant / developer should note that occupiers of the approved apartments may not be eligible for a resident's car parking permit to enable them to park for free or at a discounted rate in town centre. The applicant / developer is therefore advised to make potential occupiers of the apartments aware of the issue.

Informative: The electric vehicle charging points and the parking spaces for disabled badge holders that are required to be provided as a condition of this approval could be provided within the public highway subject to the agreement of the Highway Authority (Stockport Council) or within public car parks owned and managed by the Stockport Council. Once provided, these would be maintained by or on behalf of the Highway Authority / Council and would be available to the general public, as well as occupiers of the approved development and their visitors. The cost of providing the electric vehicle charging points, including the cost of any Traffic Regulation Orders that may be required and any compensation for the loss of car parking income that will result from the loss of existing "Pay and Display" parking spaces, would need to be met by the applicant / developer. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Highway Engineer (Site 'C' (DC/078265) 6-16 Lower Hillgate): I write with reference to the revised drawings, including drawing A493_P_C101F, and information submitted on how the development will be construction, which have been submitted in response to my comments of the 24th May 2021.

I note from examination of the submitted drawings that various amendments have been made to the scheme to address the issues I previously raised in respect to cycle parking, access to the bin store and the lack of shower / changing facilities in the commercial units. These include:

- 1) Combined shower / WCs are now proposed to be provided within each of the commercial units
- 2) The access door to the rear yard / bin store has been enlarged to 1.25m wide
- 3) Revised proposals for cycle parking, with a 4-cycle store with Sheffield stands provided under the stairs and a 13-cycle store (with a two-tier cycle rack) provided to the rear of the plant room.

Consideration of these amendments concludes that cycle parking is now proposed to be provided in accordance with the adopted parking standards, the access to the rear yard should be large enough to allow bins to be wheeled through it and shower / changing facilities are proposed to be provided within each commercial unit which would allow / encourage people working in the commercial units to cycle to work. Whilst full details of the cycle parking have not been provided, full details can be dealt with by condition. It should be noted that whilst the larger cycle store may not prove quite large enough to accommodate 13 cycles, as parking for only 16 cycles is required to accord with the adopted standards, the number of cycles to be accommodated in that store could be reduced by 1, if required. Also, with respect to the access to the rear yard, whilst drawing A493_P_C101F shows the access to the rear yard being widened, the elevation drawing A493_P_C301B does not show this. This matter, however, could be dealt with by condition.

With respect to construction, I previously outlined the need for some information to be submitted to outline how the development will be constructed, noting the site's constraints. The applicant has subsequently submitted information, including details on phasing, the proposed site hoarding, where contractors will park (public car parks), where materials will be stored (including on a site off Churchgate) and where materials will be dropped off. This has been reviewed in conjunction with the Council's Streetworks Team and it has been concluded that, subject to further development of the proposals and a number of provisos (e.g. site cabins / other semi-permanent structures would not be permitted within the hoarding and a 1.8m wide pedestrian route will need to be retained on Coopers Brow), it would be possible to construct the development in a manner that will not significantly impact on the local highway network or local businesses / residents. As such, I consider that this matter can be dealt with by condition requiring the production and operation of a construction method statement.

I can therefore confirm that the revised drawings and additional information have addressed the outstanding issues and, as such, I raise no objection to the application, subject to conditions. Please refer to my previous consultation responses which provide an explanation on the conditions.

Recommendation: No objection, subject to conditions.

Condition: This permission grants approval for the commercial units within the ground floor of the approved development to be used for use classes E (a), E (b) and E(c). They shall not be used for any other purpose at any time.

Reason: To ensure that the proposed development does not result in parking demand or a level of vehicle movements to / from the site greater than is greater than the level considered as part of the planning application, having regard to Policies T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: No development shall take place until a method statement detailing how the development will be constructed (including demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, site access arrangements, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements, mud prevention measures and proposals to temporarily relocate street furniture which will be located within the site hoarding. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

Condition: No development shall take place until a pre-construction condition survey of Lower Hillgate (within 50m of the development site) and Coopers Brow has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the construction of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD. The details are required prior to the commencement of any development as the first survey needs to be carried out prior to the commencement of construction activities.

Condition: A detailed drawing outlining a scheme to reconstruct the existing footways that abut the site shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the Council's Town Centre Materials Palette. The development shall not be occupied until the footways have been reconstructed in accordance with the approved drawing.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD.

Condition: No work shall take place in respect to the provision of cycle parking within the site until detailed drawings of the two bike stores, as indicated on drawing A493_P_C101F, have been submitted to and approved in writing by the Local Planning Authority. Details shall include full details of the cycle racks / stands to be provided within the stores, details of wall and roofing materials and doors and details of lighting, access controls and security features. The development shall not be occupied until the cycle stores have been provided in accordance with the approved details. The cycle stores shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.

Condition: Each commercial unit within the approved development shall not be occupied until the combined WC and shower room within that unit, as indicated on drawing A493_P_C101F, has been provided, together with a minimum of 2 lockers in that unit for the storage of clothes / equipment, and they are available for use by staff working in the commercial unit. The combined WC and shower rooms and lockers shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that suitable facilities are provided that will permit and encourage the use of sustainable modes of transport in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: All ground floor doors and windows on the side of the approved building fronting and abutting the highway shall be constructed to open into the building only and not out into the highway.

Reason: To ensure that the development does not adversely affect use of the adjacent highway, notably by pedestrians, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: Notwithstanding details on drawing A439_P_C301B, the access door that will serve the rear apartments / courtyard shall be 1.25m wide so as to ensure that Eurobins and other large items will be able to pass through door.

Reason: To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed drawing of the rainwater goods to be provided on the elevation of the approved building that will front the highway, together with details of the associated drain connections, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The drainage system shall be of a design that ensures that surface water is not discharged onto the highway. The

rainwater goods and associated drain connections shall then be installed in complete accordance with the approved drawing.

Reason: To ensure that a suitable drainage system is provided so as to ensure that surface water does not drain onto the public highway and adversely affect its use in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed scheme outlining proposals to provide within the vicinity of the site parking spaces for disabled badge holders shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the number of spaces (which shall have regard to the adopted parking standards, expected demand and usage of existing disabled spaces in the area), where the spaces will be provided, the layout and design of the spaces, details of how they will be marked out / signed, how they will be provided, including details of any required traffic regulation order/s, and a timescale for their provision. The parking spaces shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

Condition: A detailed scheme outlining proposals to provide within the area of Stockport Town Centre where the development is located 2 charging points for the charging of electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. Details shall include where the charging points will be located, details of the charging points and associated parking spaces (including details of the equipment, signage and carriageway markings), how they will be provided (including details of any required traffic regulation order) and a timescale for their provision. The charging points shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter (unless they are replaced with an alternative charging points in which case they should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.

Condition: The approved development shall not be occupied until a travel plan for the development and the developments approved under applications DC/078286 (35 Little Underbank), DC/078287 (Churchgate) and DC/078266 (1-3 Lower Hillgate) (or any amendments to those applications) has been submitted to and approved in writing by the Local Planning Authority and has been brought into operation. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, appointment of a Travel Plan

Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan. Travel Plan measures shall include:

- 1) Providing occupiers of each apartment with a Resident's Travel Pack
- 2) Providing staff of the commercial unit with a Travel Information Pack
- 3) Providing a car club car adjacent in the vicinity of the site (in addition to existing car club cars that are in the town centre) and providing occupiers of each apartment with access to the car club car
- 4) Offering occupiers of each apartment and staff of the commercial unit personalised travel planning
- 5) Provision of measures to allow home working (e.g. high speed broadband)
- 6) Provision of a travel information notice board within the building
- 7) Promotion of sustainable travel and travel awareness days/weeks

Reason: To ensure that measures are implemented that will enable and encourage the use of alternative forms of transport to access the site, other than the private car, in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 4 'Travel Plans' of the SMBC Sustainable Transport SPD.

Condition: A method statement detailing how the development will be serviced shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include how refuse will be collected from the development, how occupiers of the development will be made aware of traffic / servicing restrictions in the area and how deliveries to the development will be managed. The development shall only be serviced in accordance with the approved method statement.

Reason: To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: No development shall take place until detailed drawings of the approved building, including details of its interface with and retain Coopers Brow, together with structural calculations and a method statement outlining how the building will be constructed, have been submitted to and approved in writing by the Local Planning Authority. The building shall then be constructed in complete accordance with the approved drawings, details and method statement.

Reason: To ensure that the approved development is of a safe design, does not compromise the safety of highway users and is constructed in a safe manner, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as work that could potentially impact on the highway needs to be approved prior to the commencement of construction activities.

Condition: A drawing illustrating a scheme to provide uncontrolled pedestrian crossings (dropped kerbs with tactile paving) at the following locations shall be submitted to and approved in writing by the Local Planning Authority:

- 1) On High Street in the vicinity of the top / west end of Coopers Brow steps (to facilitate crossing the street)
- 2) On the west side of High Street at the two kerbed accesses which presently do not have tactile paving.

The development shall not be occupied until the pedestrian crossings have been provided in accordance with the approved drawing and are available for use.

Reason: *To ensure that the development has safe and good quality pedestrian access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD*

INFORMATIVES

Informative: In addition to planning permission, the applicant / developer will need to obtain the consent of / enter into an agreement with the Highway Authority (Stockport Council) for the approved / required highways works. There will be a charge for the consent / to enter into an agreement. Consent will be required / the agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter

Informative: A condition / obligation of this planning approval requires the submission and approval by the Council of a Travel Plan prior to occupation of the approved development. Adequate time needs to be available to enable the Council to examine the Travel Plan and for any required amendments to the Travel Plan to be made. It is therefore advised that the Travel Plan is submitted to the Council three months before the development is proposed to be occupied and at that time, the proposed date of occupation provided. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Informative: A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

Informative: A condition of this planning consent requires the submission of a Construction Method Statement. In order to ensure that the statement includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways and Transport Advice' section within the planning pages of the Council's web-site (www.stockport.gov.uk).

Informative: The applicant / developer should note that occupiers of the approved apartments may not be eligible for a resident's car parking permit to enable them to

park for free or at a discounted rate in town centre. The applicant / developer is therefore advised to make potential occupiers of the apartments aware of the issue.

Informative: The electric vehicle charging points and the parking spaces for disabled badge holders that are required to be provided as a condition of this approval could be provided within the public highway subject to the agreement of the Highway Authority (Stockport Council) or within public car parks owned and managed by the Stockport Council. Once provided, these would be maintained by or on behalf of the

Informative: Highway Authority / Council and would be available to the general public, as well as occupiers of the approved development and their visitors. The cost of providing the electric vehicle charging points, including the cost of any Traffic Regulation Orders that may be required and any compensation for the loss of car parking income that will result from the loss of existing "Pay and Display" parking spaces, would need to be met by the applicant / developer. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Informative: The applicant / developer should also note that all proposals that involve the construction of buildings that will retain (in part or in full) the public highway that require the approval of the Highway Authority and that such schemes may be subject to a formal Technical Approval (TA) process. There is a charge for this. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.

Highway Engineer (Site 'E' (DC/078287) Land at Churchgate):

I write with reference to the information that has been submitted since my comments of the 16th September 2021 in respect to the issues relating to the adjacent site (12 and 12A Churchgate) and the path between Churchgate and Harvey Street. In respect to this I note that the Council's Legal Department have outlined that the owner of 12 and 12A does not own or have any private rights of way over this land and there are no recorded public rights of way across this land. As such, whilst I note the development will result in the loss of the existing pedestrian route between Churchgate and Harvey Street, it would prevent 12 and 12A and The Wellspring from being accessed from this route and would prevent planning application DC/074361 from being implemented, as the pedestrian route is not a public right of way, I understand that no claims have been received by the Council to record the route as a public right of way and the loss of this path would not significantly affect accessibility in the area, I would conclude that it's loss is not something that could justify a recommendation of refusal and the implications of its loss in respect to accessing 12 and 12 A is a private matter and not something either the Local Planning Authority nor Highway Authority can get involved in. I do note, however, that the applicant has outlined that an alternative access route would be made available as part of the scheme to access the rear of The Wellspring (along its northern elevation) and there is a pedestrian access to 12A from Harvey Street. The owner of 12A would, however, need to agree an alternative scheme for the redevelopment of that property with the LPA by means of a new planning application as the scheme could not be implemented as approved. The applicant is, however, advised to take legal advice on this matter and ensure that they have the legal right to construct the development in the event that planning permission is granted.

Since my previous comments, the Council has launched a consultation on the 'Market Place and Underbanks Access Plan'. This include proposals to further limit vehicular access to the Market Place and Underbanks area so as to provide an

improved environment for walking and cycling and for those wanting to spend more time in the area. This includes the full-time closure of parts of Churchgate and Millgate to vehicles and the part-time closure (to vehicles) of a further section of Churchgate from 0700/1030 to midnight. If these proposals were to be implemented, they would not affect pedestrian access to the site and, as the development does not incorporate any car parking, they would have minimal impact of vehicular access to the site. It would, however, have some implications in respect to how the development would be serviced as Churchgate would no longer be a through-route. A turning head, however, is proposed to be provided on Churchgate and vehicles would still be able to use Apsley Street and Harvey Street. As such, I would conclude that if these proposals were implemented, the site could still be serviced in a safe and practical manner. Full details of how the site would be serviced could be agreed by means of a servicing method statement.

To conclude, based on the additional information that has been submitted in respect to the interrelationship with, and access to the adjacent sites, it is considered that whilst the development will affect access to adjacent properties and the ability to implement a scheme, the loss of the pedestrian route is not something that could justify a recommendation of refusal and the implications of its loss in respect to accessing 12 and 12 A is a private matter and not something either the Local Planning Authority nor Highway Authority can get involved in. In addition, whilst the Council has recently launched a consultation on proposals to further limit vehicular access in the area, it is considered that this will have no material implications on the development. As such, based on the current scheme, I raise no objection to the application, subject to conditions.

Recommendation: No objection, subject to conditions.

Condition: This permission grants approval for the commercial unit within the upper ground floor of the approved mixed-use building to be used for use classes E(a), E(b) and E(c). It shall not be used for any other purpose at any time.

Reason: *To ensure that the proposed development does not result in parking demand or a level of vehicle movements to / from the site greater than is greater than the level considered as part of the planning application, having regard to Policies T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

Condition: The two container units to be provided on land adjacent to the approved pocket park, as indicated on drawing A493_P_E500G, shall only be used for the storage of goods / materials for The Wellspring, which is located on Harvey Street, Stockport. They shall not be used for any other purpose at any time.

Reason: *To ensure that vehicle movements, parking demand and servicing requirements of the container units are no greater than the level considered as part of the planning application, having regard to Policies T-1 'Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

Condition: No work shall take place in respect to the construction of the approved mixed-use building until a method statement detailing how the building will be constructed (including demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, site access arrangements, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, cranes, where materials will be

loaded, unloaded and stored, parking arrangements, mud prevention measures and proposals to temporarily relocate / remove any street furniture which will need to be relocated / removed to facilitate construction. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

Condition: No work shall take place in respect to the construction of the approved pocket park until a method statement detailing how the park will be constructed (including site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, site access arrangements, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures. Development of the site shall not proceed except in accordance with the approved method statement.

Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.

Condition: No development shall take place until a pre-construction condition survey of Churchgate (abutting and within 50m of the development sites) and the northern arm of Harvey Street has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the construction of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD. The details are required prior to the commencement of any development as the first survey needs to be carried out prior to the commencement of construction activities.

Condition: A detailed drawing outlining a scheme to reconstruct the existing footways that abut the site of the approved mixed-use building shall be submitted to and approved in writing by the Local Planning Authority. The work, which shall include closure / removal of the existing vehicular access on Harvey Street and the construction of a new section of footway in its place, shall be carried out in accordance with the Council's Town Centre Materials Palette and include proposals

to replace / relocate / refurbish existing street lighting, bollards, benches and other street furniture as required. The development shall not be occupied until the footways have been reconstructed in accordance with the approved drawing.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD.

Condition: A detailed drawing outlining a scheme to reconstruct (and widen any narrow sections to 2m) the existing footway that abuts the site of the approved pocket park and extend the path to tie in with the access path into the park at the eastern end of the site shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the Council's Town Centre Materials Palette. The development shall not be occupied until the footway has been reconstructed, widened and extended in accordance with the approved drawing.

Reason: In order to ensure that there are safe and high quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD.

Condition: No work shall take place in respect to the provision of cycle parking within the site until detailed drawings of the bike store, as indicated on drawing A493_P_E102F and associated access route, have been submitted to and approved in writing by the Local Planning Authority. Details shall include full details of the cycle racks / stands to be provided within the store, details of the doors, lighting, access controls and security features and details of the lift between the ground and upper ground floor (which shall be of a size that can accommodate cycles). The development shall not be occupied until the cycle store and access route have been provided in accordance with the approved details. The cycle store and access route shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.

Condition: No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide short-stay cycle parking (Sheffield stands, or similar) for a minimum of 4 cycles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.

Condition: The commercial unit within the approved development shall not be occupied until the 2 shower rooms within the unit, as indicated on drawing A493_P_E102F, have been provided, together with a minimum of 6 lockers in that unit for the storage of clothes / equipment, and they are available for use by staff working in the commercial unit. The shower rooms and lockers shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that suitable facilities are provided that will permit and encourage the use of sustainable modes of transport in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: All ground and upper ground floor doors and windows on the sides of the approved building fronting and abutting the highway shall be constructed to open into the building only and not out into the highway.

Reason: To ensure that the development does not adversely affect use of the adjacent highway, notably by pedestrians, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed drawing of the rainwater goods to be provided on the elevations of the approved building that will front the highway, together with details of the associated drain connections, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The drainage system shall be of a design that ensures that surface water is not discharged onto the highway. The rainwater goods and associated drain connections shall then be installed in complete accordance with the approved drawing.

Reason: To ensure that a suitable drainage system is provided so as to ensure that surface water does not drain onto the public highway and adversely affect its use in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition: A detailed scheme outlining proposals to provide within the vicinity of the site parking spaces for disabled badge holders shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the number of spaces (which shall have regard to the adopted parking standards, expected demand and usage of existing disabled spaces in the area), where the spaces will be provided, the layout and design of the spaces, details of how they will be marked out / signed, how they will be provided, including details of any required traffic regulation order/s, and a timescale for their provision. The parking spaces shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

Condition: A detailed scheme outlining proposals to provide within the area of Stockport Town Centre where the development is located 4 charging points for the charging of electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. Details shall include where the charging points will be located, details of the charging points and associated parking spaces (including details of the equipment, signage and carriageway markings), how they will be provided (including details of any required traffic regulation order) and a timescale for their provision. The charging points shall then be provided in accordance with the approved scheme and timescale. Once provided, they shall then be retained and shall remain available for use at all times thereafter (unless they are replaced with an alternative charging points in which case they should be retained).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.

Condition: The approved development shall not be occupied until a travel plan for the development and the developments approved under applications DC/078286 (35 Little Underbank), DC/078266 (1-3 Lower Hillgate) and DC/078265 (6-16 Lower Hillgate) (or any amendments to those applications) has been submitted to and approved in writing by the Local Planning Authority and has been brought into operation. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, appointment of a Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan. Travel Plan measures shall include:

- 1) Providing occupiers of each apartment with a Resident's Travel Pack
- 2) Providing staff of the commercial unit with a Travel Information Pack
- 3) Providing a car club car adjacent in the vicinity of the site (in addition to existing car club cars that are in the town centre) and providing occupiers of each apartment with access to the car club car
- 4) Offering occupiers of each apartment and staff of the commercial unit personalised travel planning
- 5) Provision of measures to allow home working (e.g. high speed broadband)
- 6) Provision of a travel information notice board within the building
- 7) Promotion of sustainable travel and travel awareness days/weeks

Reason: To ensure that measures are implemented that will enable and encourage the use of alternative forms of transport to access the site, other than the private car,

in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 4 'Travel Plans' of the SMBC Sustainable Transport SPD.

Condition: A method statement detailing how the development will be serviced shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include how refuse will be collected from the development, how occupiers of the development will be made aware of traffic / servicing restrictions in the area and how deliveries to the development will be managed. The development shall only be serviced in accordance with the approved method statement.

Reason: *To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

Condition: No development shall take place until detailed drawings (including sections) of the parts of the approved building that will abut Churchgate and Harvey Street, which shall include detailed engineering drawings of all parts of the building which will retain the highway, associated structural calculations and a method statement outlining how these parts of the building will be constructed, have been submitted to and approved in writing by the Local Planning Authority. The building shall then be constructed in complete accordance with the approved drawings, details and method statement.

Reason: *To ensure that the approved development is of a safe design, does not compromise the safety of highway users and is constructed in a safe manner, in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as work that could potentially impact on the highway needs to be approved prior to the commencement of construction activities.*

Condition: A drawing illustrating a scheme to provide uncontrolled pedestrian crossings (dropped kerbs with tactile paving) at the following locations shall be submitted to and approved in writing by the Local Planning Authority:

- 1) On Churchgate in the vicinity of the link path to Millgate / Newbridge Lane
- 2) On Harvey Street at the access that serves The Wellspring
- 3) On Harvey Street at its junction with Harvey Street (west) and Apsley Street
- 4) On the west side of Apsley Street at the accesses that serve the Brewery visitor car park and skip compound
- 5) On Churchgate across the access that serves Churchgate Motors

The development shall not be occupied until the pedestrian crossings have been provided in accordance with the approved drawing and are available for use.

Reason: *To ensure that the development has safe and good quality pedestrian access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD*

Condition: Details of a scheme to upgrade the existing eastbound bus stop on Millgate, Stockport (abutting the car park), so as to provide a bus shelter shall be

submitted to and approved in writing by the Local Planning Authority. The works shall include any required enlarging or reconstruction of the existing boarding platform. No part of the development shall be occupied until the bus stop has been upgraded in accordance with the approved details.

Reason: To ensure that the development is accessible by public transport and occupiers and visitors to the development are encouraged to use public transport in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD

Condition: Detailed drawings of the planters to be provided on the Churchgate elevation of the approved building shall be submitted to and approved in writing by the Local Planning Authority. The drawings shall show the exact positioning of the planters in respect to the public highway and include details of how the planters will be drained (which shall be of a form which ensures that surface water from the planters does not discharge onto the public highway). The planters shall then be provided in complete accordance with the approved drawings.

Reason: To ensure that the planters are positioned so as to not obstruct the public highway and water from the planters does not discharge onto the public highway which could pose a hazard and affect the footway surfacing in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD

Condition: Detailed drawings of the existing and proposed boundary between the site and The Wellspring building and access path along the boundary shall be submitted to and approved in writing by the Local Planning Authority. The drawings shall include details of the boundary treatment and details of the access path which shall be of a width / design that enables pedestrian access along the north elevation of The Wellspring between the existing access doors of The Wellspring building and Harvey Street (northern arm). The development shall not be occupied until the boundary treatment and access path have been provided in accordance with the approved drawings and the access path is available for use. The access path shall then be retained and shall remain available for use at all times.

Reason: To ensure that the a suitable alternative pedestrian access is provided for The Wellspring in lieu of the existing path which runs between Churchgate and Harvey Street in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD

INFORMATIVES

Informative: In addition to planning permission, the applicant / developer will need to obtain the consent of / enter into an agreement with the Highway Authority (Stockport Council) for the approved / required highways works. There will be a charge for the consent / to enter into an agreement. Consent will be required / the agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter

Informative: A condition / obligation of this planning approval requires the submission and approval by the Council of a Travel Plan prior to occupation of the approved

development. Adequate time needs to be available to enable the Council to examine the Travel Plan and for any required amendments to the Travel Plan to be made. It is therefore advised that the Travel Plan is submitted to the Council three months before the development is proposed to be occupied and at that time, the proposed date of occupation provided. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Informative: A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

Informative: A condition of this planning consent requires the submission of Construction Method Statements. In order to ensure that the statements includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways and Transport Advice' section within the planning pages of the Council's web-site (www.stockport.gov.uk).

Informative: The applicant / developer should note that occupiers of the approved apartments may not be eligible for a resident's car parking permit to enable them to park for free or at a discounted rate in town centre. The applicant / developer is therefore advised to make potential occupiers of the apartments aware of the issue.

Informative: The electric vehicle charging points and the parking spaces for disabled badge holders that are required to be provided as a condition of this approval could be provided within the public highway subject to the agreement of the Highway Authority (Stockport Council) or within public car parks owned and managed by the Stockport Council. Once provided, these would be maintained by or on behalf of the Highway Authority / Council and would be available to the general public, as well as occupiers of the approved development and their visitors. The cost of providing the electric vehicle charging points, including the cost of any Traffic Regulation Orders that may be required and any compensation for the loss of car parking income that will result from the loss of existing "Pay and Display" parking spaces, would need to be met by the applicant / developer. For further information, the applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6).

Informative: The applicant / developer should also note that all proposals that involve the construction of buildings that will retain (in part or in full) the public highway that require the approval of the Highway Authority and that such schemes may be subject to a formal Technical Approval (TA) process. There is a charge for this. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.

Informative: It should be noted that part of the approved development would be constructed on an existing pedestrian route which runs between Churchgate and Harvey Street and provides access to a number of adjacent premises. This path is not recorded as a public right of way and the Council has no information to indicate that there are any public or private rights of way along this path. The applicant is, however, advised to take legal advice on this matter and ensure that they have the

legal right to construct the development prior to the commencement of the development.

Transport for Greater Manchester: Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate, No objections are raised.

Conservation Officer (Site 'A' (DC/078286) 29-35 Little Underbank):

Introduction and Summary

This application forms part of an integrated set of development proposals located within the Market Underbanks and Hillgate Conservation Areas, comprising the development of four separate sites within the historic core of Stockport town centre that currently consist of a combination of vacant gap sites, partially collapsed buildings and existing buildings of inappropriate design or in very poor condition. Since submission, off-site provision of a pocket park, storage facilities for the Wellspring and tree planting along and within the vicinity of Churchgate has been incorporated into the wider scheme (these elements do not form part of this application).

Pre-application advice was provided to the applicant, stressing the importance of developing the design from a detailed understanding of and consideration of potential impact upon the significance of designated and non-designated heritage assets, including, for the 29-35 Little Underbank proposals:

- The Market Underbanks and Hillgate Conservation Areas
- Statutory listed buildings - potential direct and indirect impacts upon Grade II listed Winters and setting of Grade II listed 16-26 Little Underbank
- Consideration of potential archaeological remains

The principle of development of each of the four sites is to be welcomed providing the design of the proposals supports the preservation and enhancement of the special character and appearance of the conservation areas and avoids harm to the significance of designated and non-designated heritage assets. The principle of introducing additional residential accommodation and ground floor commercial units along Little Underbank and Lower Hillgate is to be welcomed.

Integration of the schemes with the Underbanks Townscape Heritage project will be critical in order to secure the external public funding that is required to assist viability and deliverability. It will therefore be essential that the design of the proposals are consistent with the conservation-led regeneration thrust of the National Lottery funding. Furthermore careful consideration of the phasing of the four component sites will be critical to ensure each element is delivered, taking into account time limits associated with funding. Any approval should be subject to a condition to ensure co-ordinated delivery of all four proposals.

Unfortunately it is considered that the design quality of the submitted proposals falls short of the standards that are being delivered for similar sites within the Market Underbanks and Hillgate Conservation Areas with potential for a long term harmful impact upon the significance of heritage assets that would be contrary to national and local planning policies, including the aims of the National Design Guide to produce an enduring, beautiful and successful place, Stockport Core Strategy/saved UDP and NPPF planning policies, and the aims of the Townscape Heritage project. A standardised development concept and architectural approach has been applied across all four sites without sufficient consideration being given to reflecting local

character, identity and variety and therefore, unless amended plans are prepared, it is recommended that any approval is subject to the application of planning conditions in order to ensure appropriate architectural detailing and external materials are incorporated into the external design of the proposed new buildings.

Assessment

This site currently comprises 29-35 Little Underbank, a block of four 2 storey retail units constructed in the late 1960s that are of no particular architectural merit or historic interest. The site lies within the Market Underbanks Conservation Area at the junction of Little Underbank and Mealhouse Brow and is close to the boundary of the Hillgate Conservation Area. The site abuts Winters, a Grade II listed building, and lies diagonally opposite a terrace of Grade II listed buildings (18-26 Little Underbank) and therefore design of new development is required to have special regard to setting considerations and townscape context.

Further information on the designated heritage assets is available from:

<https://www.stockport.gov.uk/documents/market-underbanks-ca>

<https://www.stockport.gov.uk/documents/hillgate-ca>

<http://interactive.stockport.gov.uk/shed/Search/ViewDetails/46%20StatutoryListed>

<http://interactive.stockport.gov.uk/shed/Search/ViewDetails/49%20StatutoryListed>

The principle of redevelopment of the site, providing for the formation of residential apartments set above ground floor commercial space, is supported. The proposal follows the general form of the former Albion Hotel, the building that occupied this plot prior to its demolition and replacement with the existing shop units. Whilst the proposed total height is justifiable in this location, and is supported by historic precedent, the introduction of a concealed fourth floor within the roof space is a departure from the original design. The proposed internal arrangements for these fourth floor apartments at attic level have limited provision for natural light and ventilation and are solely dependent upon rooflights fitted to street facing roof slopes. There is little flexibility in the layout to enable adaptations or future retrofitting to help make these apartments attractive for long term occupation. It has previously recommended that this element of the proposal is reviewed, potentially through the formation of larger duplex apartments that link the third and fourth floors, but this is not reflected in the currently submitted drawings.

It is acknowledged that suitable external materials have been specified on the plans, including natural slate and stone, traditionally manufactured brick, timber windows/doors/shopfront, and cast iron rainwater goods are indicated on the plans and the principle of employing this palette of materials is supported subject to appropriate architectural detailing. The use traditional materials to external elevations is to be welcomed and this will assist in providing some relief to their relatively plain, neutral appearance as currently proposed. Unfortunately the quality of external architectural detailing indicated on the submitted drawings for elements such as windows and doors, window heads and eaves is perfunctory and standardised, and this would produce a very plain external appearance to the new development. Careful attention should therefore be given to architectural detailing to avoid a bland two-dimensional appearance to elevations and planning conditions are recommended to address these shortcomings (see below).

Should the application be approved it is essential that the following conditions are applied to ensure the scheme is policy compliant:

- Notwithstanding the information shown on the submitted drawings, no external construction shall take place until a detailed schedule of all of the proposed materials of external construction has been submitted to and approved in writing by the local planning authority and samples have been made available on site. Samples of brick and slate shall comprise at least 1 square metre in area and a sample panel of brickwork including mortar jointing shall be made available. The schedule shall also include details of design, materials and finish of window/door cills/lintols, ridges, verges, eaves and balcony balustrades. Unless otherwise agreed in writing, all windows shall be provided with single unit projecting stone cills (equivalent to 2 brick courses in height and extending beyond window apertures) and flush flat gauged, wedge shaped brick lintols (equivalent to 4 brick courses in height). Development shall not be carried out except in accordance with the agreed schedule and samples.
- Notwithstanding the information shown on the submitted drawings no installation of windows and exterior doors shall take place until details have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing, all windows shall be of timber vertically sliding sash construction with a painted exterior finish. All exterior doors shall be of timber panelled construction with a painted exterior finish. Exterior glazing beads and bars shall be fully chamfered at 45 degrees to replicate a putty profile and no trickle vents shall be fitted to the windows. Details shall include elevations drawn at a scale of 1:20, and vertical and horizontal sections drawn at a scale of 1:5. All windows and doors shall accord with the approved details and shall be fitted with an exterior reveal of not less than 90mm.
- All rainwater goods shall be of painted cast metal with a traditional half round profile to the gutters and traditional collar connections with lugs for fixing downpipes to the face of the building. Soil and vent pipes shall be located inside the building and shall be coloured black where they project through the roof.
- No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes, television aerials and satellite reception dishes) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the local planning authority. Such plant and other equipment shall not be installed other than in accordance with the approved details.
- No development shall take place until such time as a scheme showing the location, design and screening of a single satellite television reception aerial/dish capable of distributing a signal to each apartment within the development has been submitted to and approved in writing by the local planning authority. Any aerial/dish must be located so as to minimise its effect on the appearance of the building and all distribution cables must be routed internally.
- Notwithstanding the information shown on the submitted drawings, the rooflights hereby approved shall be conservation type, top hung fitted

flush with the plane of the roof covering, coloured black and fitted with a central vertical glazing bar.

- Notwithstanding the details shown on the approved plans, no external construction shall take place until details of the shop front including a section at 1:20 and details at 1:10/1:5, have been submitted to and approved in writing by the local planning authority. The shopfront shall be constructed in timber with a painted finish. The shop front shall not be constructed or painted other than in accordance with the approved details.
- The development shall not be occupied except in accordance with full details of both hard and soft landscape works which have previously been submitted to and approved in writing by the local planning authority. The details shall include proposed means of enclosure; retained historic features; hard surfacing materials; and minor artefacts and structures (e.g. furniture, refuse or other storage,)

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Development Management Policy SIE-3 (Protecting, safeguarding and enhancing the environment) of the adopted Stockport Core Strategy, and in order to preserve or enhance the character or appearance of the Market Underbanks Conservation Area in accordance with saved UDP Review Policy HC1.3, "Special Control of Development in Conservation Areas".

Conservation Officer (Site 'B' (DC/078266) 1-3 Lower Hillgate):

Introduction and Summary

This application forms part of an integrated set of development proposals located within the Market Underbanks and Hillgate Conservation Areas, comprising the development of four separate sites within the historic core of Stockport town centre that currently consist of a combination of vacant gap sites, partially collapsed buildings and existing buildings of inappropriate design or in very poor condition. Since submission, off-site provision of a pocket park, storage facilities for the Wellspring and tree planting along and within the vicinity of Churchgate has been incorporated into the wider scheme (these elements do not form part of this application).

Pre-application advice was provided to the applicant, stressing the importance of developing the design from a detailed understanding of and consideration of potential impact upon the significance of designated and non-designated heritage assets, including, for the 1-3 Lower Hillgate proposals:

- The Hillgate and Market Underbanks Conservation Areas
- Statutory Listed Buildings - direct and indirect impacts, including the Grade II listed Town Walls at rear of 1-3 Lower Hillgate
- Locally listed buildings – potential direct and indirect impacts upon 5 Lower Hillgate
- Consideration of potential archaeological remains

The principle of development of each of the four sites is to be welcomed providing the design of the proposals supports the preservation and enhancement of the special character and appearance of the conservation areas and avoids harm to the significance of designated and non-designated heritage assets. The principle of introducing additional residential accommodation and ground floor commercial units along Little Underbank and Lower Hillgate is to be welcomed.

Integration of the schemes with the Underbanks Townscape Heritage project will be critical in order to secure the external public funding that is required to assist viability and deliverability. It will therefore be essential that the design of the proposals are consistent with the conservation-led regeneration thrust of the National Lottery funding. Furthermore careful consideration of the phasing of the four component sites will be critical to ensure each element is delivered, taking into account time limits associated with funding. Any approval should be subject to a condition to ensure co-ordinated delivery of all four proposals.

Unfortunately it is considered that the design quality of the submitted proposals falls short of the standards that are being delivered on similar sites within the Market Underbanks and Hillgate Conservation Areas with potential for a long term harmful impact upon the significance of heritage assets that would be contrary to national and local planning policies, including the aims of the National Design Guide to produce an enduring, beautiful and successful place, Stockport Core Strategy/saved UDP and NPPF planning policies, and the aims of the Townscape Heritage project. A standardised development concept and architectural approach has been applied across all four sites without sufficient consideration being given to reflecting local character, identity and variety and therefore, unless amended plans are prepared, it is recommended that any approval is subject to the application of planning conditions in order to ensure appropriate architectural detailing and external materials are incorporated into the external design of the proposed new buildings.

Assessment

The application site currently comprises a partially collapsed former C19th 3 storey commercial unit fronting onto Lower Hillgate. The site is located within the Hillgate Conservation Area, and is immediately adjacent to the Market Underbanks Conservation Area and 5 Lower Hillgate, a locally listed building. The site is adjacent to and is likely to contain remains of the Grade II listed Town Walls at the rear of the plot. Further information on these designated and non-designated heritage assets is available from:

<https://www.stockport.gov.uk/documents/hillgate-ca>
<https://www.stockport.gov.uk/documents/market-underbanks-ca>
<http://interactive.stockport.gov.uk/shed/Search/ViewDetails/66%20StatutoryListed>
<http://interactive.stockport.gov.uk/shed/Search/ViewDetails/605%20LocallyListed>

There is no objection to the principle of development of the site, incorporating a mix of upper floor residential use above a ground floor commercial unit, to infill an unattractive gap site located within a prominent position within the Hillgate Conservation Area. The curving street pattern of Little Underbank and Lower Hillgate means that the site which will be prominently seen in short and long views in both directions along the street.

The current proposal comprises a single 3 storey block with attic accommodation fronting Lower Hillgate, with access to all upper floor apartments taken from a part-covered passageway shared with units at 9-13 Mealhouse Brow. The building height

is similar to that of the former, now part collapsed building as well as adjacent properties along Mealhouse Brow although compression of floor heights provides for an additional 2 storeys of accommodation, including the use of the roof space, to assist in maximising the potential number of units the site can deliver. There is a notable height difference with 5 Lower Hillgate but it is acknowledged that there is a historic precedent for the stepped height and therefore, subject to the use of appropriate to the gable wall of 1-3, this should not result in harm to the setting of No 5 or the wider conservation area. Traditional materials, including natural slate and stone, traditionally manufactured brick, timber windows/doors/shopfront, and cast iron rainwater goods are indicated on the plans and the principle of employing this palette of materials is supported subject to appropriate architectural detailing.

However the quality of external architectural detailing indicated on the submitted drawings for elements such as the shopfronts, windows and doors, window heads and eaves is perfunctory and standardised, and this would produce a very plain external appearance to the new development. Careful attention should therefore be given to architectural detailing to avoid a bland two-dimensional appearance to elevations and planning conditions are recommended to address these shortcomings (see below).

Should the application be approved it is essential that the following conditions are applied to ensure the scheme is policy compliant:

- Notwithstanding the information shown on the submitted drawings, no external construction shall take place until a detailed schedule of all of the proposed materials of external construction has been submitted to and approved in writing by the local planning authority and samples have been made available on site. Samples of brick and slate shall comprise at least 1 square metre in area and a sample panel of brickwork including mortar jointing shall be made available. The schedule shall also include details of design, materials and finish of window/door cills/lintols, ridges, verges, eaves and balcony balustrades. Unless otherwise agreed in writing, all windows shall be provided with single unit projecting stone cills (equivalent to 2 brick courses in height and extending beyond window apertures) and flush flat gauged, wedge shaped brick lintols (equivalent to 4 brick courses in height). Development shall not be carried out except in accordance with the agreed schedule and samples.
- Notwithstanding the information shown on the submitted drawings no installation of windows and exterior doors shall take place until details have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing, all windows shall be of timber vertically sliding sash construction with a painted exterior finish. All exterior doors shall be of timber panelled construction with a painted exterior finish. Exterior glazing beads and bars shall be fully chamfered at 45 degrees to replicate a putty profile and no trickle vents shall be fitted to the windows. Details shall include elevations drawn at a scale of 1:20, and vertical and horizontal sections drawn at a scale of 1:5. All windows and doors shall accord with the approved details and shall be fitted with an exterior reveal of not less than 90mm.
- All rainwater goods shall be of painted cast metal with a traditional half round profile to the gutters and traditional collar connections with lugs for fixing downpipes to the face of the building. Soil and vent pipes shall be

located inside the building and shall be coloured black where they project through the roof.

- No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes, television aerials and satellite reception dishes) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the local planning authority. Such plant and other equipment shall not be installed other than in accordance with the approved details.
- No development shall take place until such time as a scheme showing the location, design and screening of a single satellite television reception aerial/dish capable of distributing a signal to each apartment within the development has been submitted to and approved in writing by the local planning authority. Any aerial/dish must be located so as to minimise its effect on the appearance of the building and all distribution cables must be routed internally.
- Notwithstanding the information shown on the submitted drawings, all rooflights hereby approved shall be conservation type, top hung fitted flush with the plane of the roof covering, coloured black and fitted with a central vertical glazing bar.
- Notwithstanding the details shown on the approved plans, no external construction shall take place until details of the shop front including a section at 1:20 and details at 1:10/1:5, have been submitted to and approved in writing by the local planning authority. The shopfront shall be constructed in timber with a painted finish. The shop front shall not be constructed or painted other than in accordance with the approved details.

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Development Management Policy SIE-3 (Protecting, safeguarding and enhancing the environment) of the adopted Stockport Core Strategy, and in order to preserve or enhance the character or appearance of the Hillgate Conservation Area in accordance with saved UDP Review Policy HC1.3, "Special Control of Development in Conservation Areas".

Recommended informative

- Any approval should be subject to an informative note indicating that any impact upon the Grade II listed Town Walls should be reviewed during the course of site clearance and separate listed building consent may be required for repairs, alterations or demolition to that designated heritage asset.

Conservation Officer (Site 'C' (DC/078265) 6-16 Lower Hillgate):

Introduction and Summary

This application forms part of an integrated set of development proposals located within the Market Underbanks and Hillgate Conservation Areas, comprising the development of four separate sites within the historic core of Stockport town centre that currently consist of a combination of vacant gap sites, partially collapsed buildings and existing buildings of inappropriate design or in very poor condition. Since submission, off-site provision of a pocket park, storage facilities for the Wellspring and tree planting along and within the vicinity of Churchgate has been incorporated into the wider scheme (these elements do not form part of this application).

Pre-application advice was provided to the applicant, stressing the importance of developing the design from a detailed understanding of and consideration of potential impact upon the significance of designated and non-designated heritage assets, including, for the 6-16 Lower Hillgate proposals:

- The Hillgate and Market Underbanks Conservation Areas
- Locally listed buildings – potential direct and indirect impacts upon Mansion House Chambers (also known as Grosvenor House), 5 Lower Hillgate and 11-13 Lower Hillgate
- Consideration of potential archaeological remains

The principle of development of each of the four sites is to be welcomed providing the design of the proposals supports the preservation and enhancement of the special character and appearance of the conservation areas and avoids harm to the significance of designated and non-designated heritage assets. The principle of introducing additional residential accommodation and ground floor commercial units along Little Underbank and Lower Hillgate is to be welcomed.

Integration of the schemes with the Underbanks Townscape Heritage project will be critical in order to secure the external public funding that is required to assist viability and deliverability. It will therefore be essential that the design of the proposals are consistent with the conservation-led regeneration thrust of the National Lottery funding. Furthermore careful consideration of the phasing of the four component sites will be critical to ensure each element is delivered, taking into account time limits associated with funding. Any approval should be subject to a condition to ensure co-ordinated delivery of all four proposals.

Unfortunately it is considered that the design quality of the submitted proposals falls short of the standards that are being delivered on similar sites within the Market Underbanks and Hillgate Conservation Areas with potential for a long term harmful impact upon the significance of heritage assets that would be contrary to national and local planning policies, including the aims of the National Design Guide to produce an enduring, beautiful and successful place, Stockport Core Strategy/saved UDP and NPPF planning policies, and the aims of the Townscape Heritage project. A standardised development concept and architectural approach has been applied across all four sites without sufficient consideration being given to reflecting local character, identity and variety and therefore, unless amended plans are prepared, it is recommended that any approval is subject to the application of planning conditions in order to ensure appropriate architectural detailing and external materials are incorporated into the external design of the proposed new buildings.

Assessment

This site is located within the context of designated and non-designated heritage assets, within Hillgate Conservation Area and immediately adjacent to the Market

Underbanks Conservation Area, together with a number of locally listed buildings that make a positive contribution to its townscape context, including Mansion House Chambers (previously known as Grosvenor House), 5 Lower Hillgate and 11-13 Lower Hillgate. The site is currently occupied by the former Russell Morley House and 6 Lower Hillgate, representing a mixed group of 2 and 3 storey buildings in various states of repair. 6 Lower Hillgate is in a state of almost complete collapse. To the rear of the site is a stone setted courtyard, accessed via a covered passageway that leads from Coopers Brow.

Further information is available from:

<https://www.stockport.gov.uk/documents/hillgate-ca>

<https://www.stockport.gov.uk/documents/market-underbanks-ca>

<http://interactive.stockport.gov.uk/shed/Search/ViewDetails/606%20LocallyListed>

<http://interactive.stockport.gov.uk/shed/Search/ViewDetails/605%20LocallyListed>

<http://interactive.stockport.gov.uk/shed/Search/ViewDetails/604%20LocallyListed>

The surviving structures retain elements of historic fabric that survive from earlier phases of development, notably including an attractive 2 storey brick/terracotta frontage that extends out from Mansion House Chambers to front Coopers Brow. Although fragmentary, these features are of historic interest and the continuation of the Mansion House elevation is of townscape value. However, taken as a whole, it is acknowledged that the existing buildings that front Lower Hillgate are of indifferent architectural quality and limited historic interest, and this provides an opportunity to consider infill development, providing it is of sufficient high quality design, of a suitable form and scale and employing high quality external materials and detailing.

The submitted proposal is for a 4 storey mixed use development, consisting of 14 apartments located above flexible commercial space at ground floor. The upper floor apartments are accessed from a single entrance point on Lower Hillgate via open decking and an independent lift/stair tower located within the rear courtyard. 4 ground floor commercial units are proposed, each accessed directly from the street frontage. Traditional external materials are proposed, with a stepped pitched roof and a simple design to public facing elevations. Given its location in relation to the topography, street pattern and adjacent buildings the proposed asymmetric roof form is unlikely to be discernible. The site is generally flat and therefore continuous floor levels and horizontal window/door alignments can be accommodated within the design without particular harm to the townscape.

The typical height of historic buildings along Lower Hillgate and Little Underbank is 3 storeys, with very few exceptions. The scale, height and form of the scheme will therefore form a notable presence within the street scene and it is therefore essential that its external design is of the highest quality in order to offset any detrimental impact this may have, together with the loss of the Coopers Brow frontage.

The development of this site is included within the Underbanks Townscape Heritage project area and is identified for potential funding to assist in the provision of high quality street frontages, both in terms of appropriate external materials but also high quality architectural detailing. Enhanced detailing will be required to ensure the proposals do not result in harm to the significance of the designated and non-designated heritage assets. It is acknowledged that suitable external materials have been specified on the plans, including natural slate and stone, traditionally manufactured brick, timber windows/doors/shopfront, and cast iron rainwater goods are indicated on the plans and the principle of employing this palette of materials is supported subject to appropriate architectural detailing.

Unfortunately the quality of external architectural detailing indicated on the submitted drawings for elements such as windows and doors, window heads and eaves is perfunctory and standardised, and this would produce a very plain external appearance to the new development. Careful attention should therefore be given to architectural detailing to avoid a bland two-dimensional appearance to elevations and planning conditions are recommended to address these shortcomings (see below).

Should the application be approved it is essential that the following conditions are applied to ensure the scheme is policy compliant:

- Notwithstanding the information shown on the submitted drawings, no external construction shall take place until a detailed schedule of all of the proposed materials of external construction has been submitted to and approved in writing by the local planning authority and samples have been made available on site. Samples of brick and slate shall comprise at least 1 square metre in area and a sample panel of brickwork including mortar jointing shall be made available. The schedule shall also include details of design, materials and finish of window/door cills/lintols, ridges, verges, eaves and balcony balustrades. Unless otherwise agreed in writing, all windows shall be provided with single unit projecting stone cills (equivalent to 2 brick courses in height and extending beyond window apertures) and flush flat gauged, wedge shaped brick lintols (equivalent to 4 brick courses in height). Development shall not be carried out except in accordance with the agreed schedule and samples.
- Notwithstanding the information shown on the submitted drawings no installation of windows and exterior doors shall take place until details have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing, all windows shall be of timber vertically sliding sash construction with a painted exterior finish. All exterior doors shall be of timber panelled construction with a painted exterior finish. Exterior glazing beads and bars shall be fully chamfered at 45 degrees to replicate a putty profile and no trickle vents shall be fitted to the windows. Details shall include elevations drawn at a scale of 1:20, and vertical and horizontal sections drawn at a scale of 1:5. All windows and doors shall accord with the approved details and shall be fitted with an exterior reveal of not less than 90mm.
- All rainwater goods shall be of painted cast metal with a traditional half round profile to the gutters and traditional collar connections with lugs for fixing downpipes to the face of the building. Soil and vent pipes shall be located inside the building and shall be coloured black where they project through the roof.
- No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes, television aerials and satellite reception dishes) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the local planning authority. Such plant and other equipment shall not be installed other than in accordance with the approved details.

- No development shall take place until such time as a scheme showing the location, design and screening of a single satellite television reception aerial/dish capable of distributing a signal to each apartment within the development has been submitted to and approved in writing by the local planning authority. Any aerial/dish must be located so as to minimise its effect on the appearance of the building and all distribution cables must be routed internally.
- Notwithstanding the information shown on the submitted drawings, the rooflight hereby approved shall be conservation type, top hung fitted flush with the plane of the roof covering, coloured black and fitted with a central vertical glazing bar.
- Notwithstanding the details shown on the approved plans, no external construction shall take place until details of the shop front including a section at 1:20 and details at 1:10/1:5, have been submitted to and approved in writing by the local planning authority. The shopfront shall be constructed in timber with a painted finish. The shop front shall not be constructed or painted other than in accordance with the approved details.
- The development shall not be occupied except in accordance with full details of both hard and soft landscape works which have previously been submitted to and approved in writing by the local planning authority. The details shall include proposed means of enclosure; retained historic features; hard surfacing materials; and minor artefacts and structures (e.g. furniture, refuse or other storage.)

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Development Management Policy SIE-3 (Protecting, safeguarding and enhancing the environment) of the adopted Stockport Core Strategy, and in order to preserve or enhance the character or appearance of the Hillgate Conservation Area in accordance with saved UDP Review Policy HC1.3, "Special Control of Development in Conservation Areas".

Conservation Officer (Site 'E' (DC/078287) Land at Churchgate):

Introduction and Summary

This application forms part of an integrated set of development proposals located within the Market Underbanks and Hillgate Conservation Areas, comprising the development of four separate sites within the historic core of Stockport town centre that currently consist of a combination of vacant gap sites, partially collapsed buildings and existing buildings of inappropriate design or in very poor condition. Since submission, off-site provision of a pocket park, storage facilities for the Wellspring and tree planting along and within the vicinity of Churchgate has been incorporated into the scheme.

Pre-application advice was provided to the applicant, stressing the importance of developing the design from a detailed understanding of and consideration of potential impact upon the significance of designated and non-designated heritage assets, including, for the Churchgate proposals:

- The special interest, character and appearance of the Market Underbanks and Hillgate Conservation Areas
- Statutory Listed Buildings - indirect impacts upon the setting of Grade I St Marys Parish Church
- Locally listed buildings – indirect impacts upon the setting of Robinsons Brewery
- Consideration of potential archaeological remains

The principle of development of each of the four sites is to be welcomed providing the design of the proposals supports the preservation and enhancement of the special character and appearance of the conservation areas and avoids harm to the significance of designated and non-designated heritage assets. Whilst the principle of introducing additional residential accommodation within the historic core is to be welcomed, the desirability of providing additional new ground floor commercial space along Churchgate is questionable if it results in reinforcing the high level of vacancy in shop units elsewhere within the conservation areas.

Integration of the schemes with the Underbanks Townscape Heritage project will be critical in order to secure the external public funding that is required to assist viability and deliverability. It will therefore be essential that the design of the proposals are consistent with the conservation-led regeneration thrust of the National Lottery funding. Furthermore careful consideration of the phasing of the four component sites will be critical to ensure each element is delivered, taking into account time limits associated with funding. Any approval should be subject to a condition to ensure co-ordinated delivery of all four proposals.

Unfortunately it is considered that the design quality of the submitted proposals falls short of the standards that are being delivered on similar sites within the Market Underbanks and Hillgate Conservation Areas with potential for a long term harmful impact upon the significance of heritage assets that would be contrary to national and local planning policies, including the aims of the National Design Guide to produce an enduring, beautiful and successful place, Stockport Core Strategy/saved UDP and NPPF planning policies, and the aims of the Townscape Heritage project. A standardised development concept and architectural approach has been applied across all four sites without sufficient consideration being given to reflecting local character, identity and variety and therefore, unless amended plans are prepared, it is recommended that any approval is subject to the application of planning conditions in order to ensure appropriate architectural detailing and external materials are incorporated into the external design of the proposed new buildings.

Assessment

The Churchgate site comprises the former market compound/car park together with adjoining land that currently provides access to 12 & 12A Churchgate (No 12A has previously been granted planning permission for conversion to residential use) and a pedestrian link connecting Churchgate and Harvey Street. The land is previously developed and, within the context of the conservation area, has limited open space value. All existing trees planted along the Churchgate frontage are proposed to be removed, breaking the existing symmetry of the tree lined avenue seen on both sides of Churchgate, an attractive feature of the street and replacement off-site planting is proposed by way of compensation. Whilst there is no objection to the principle of residential development of the site, the exclusion of the existing pedestrian footpath reduces pedestrian permeability and is therefore regrettable. From the submitted background reports it is unclear how long this route has been in

existence, but its function is consistent with a network of secondary routes across the town centre that contribute positively to the special interest of the conservation areas. It is unclear how the proposals would impact upon access arrangements for adjacent properties, particularly 12A Churchgate which is in separate ownership and currently undergoing conversion to residential use. It is recommended that further consideration is given to avoiding any harmful impact that could compromise the future use of neighbouring sites, ensuring cohesive integration with adjacent plots.

The current proposal essentially comprises 2 blocks: a large 4 storey apartment block fronting Churchgate and Harvey Street (to the south east) and a slender 4 storey block facing Harvey Street at the rear of the site (to the south west). The articulation of the elevation to Churchgate has been broken to give the impression of 4 separate buildings although it should be noted that 48 of the 50 proposed apartments are accessed from a single covered walkway from Churchgate via a network of interconnected open walkways at the rear. These access decks are served by a single metal clad stairwell/lift shaft set independently from the main block. Floor levels are set at a consistent height throughout the block although some variation in the alignment of windows has been incorporated within external elevations to provide visual interest, with some stepping to follow the gradient of the site. Following negotiation the overall height of the blocks has been reduced by incorporating third floor apartments within the roofspace, introducing an element of flat roofing to reduce ridge heights and a greater level of elevational subdivision has been achieved. Traditional materials, including natural slate and stone, traditionally manufactured brick, timber windows/doors/shopfront, and cast iron rainwater goods are indicated on the plans and the principle of employing this palette of materials is supported subject to appropriate architectural detailing. A large single commercial unit is proposed at ground floor, accessed from Churchgate, and at rooftop level, a 4th floor rooftop communal terrace for use by residents is proposed at the corner of Churchgate/Harvey Street.

The form, scale and detailed design of the current proposal has potential to challenge the primacy of the Grade I listed St Mary's Church and locally listed Robinsons Brewery within the local townscape. It is noted that the height of the proposal has been reduced and it is important therefore that accurate context drawings are provided in order to verify the extent to which the Grade I listed St Marys Church would be partially obscured in key views and, given its close proximity, to test whether the main block would compete with the dominant presence of the Robinsons Brewery building. The bulky scale and mass of the proposal has potential to sit uncomfortably within the streetscene and wider townscape, harming both short and long distance key views of the historic core of Stockport.

The quality of external architectural detailing indicated on the submitted drawings for elements such as the shopfronts, windows and doors, window heads and eaves is perfunctory and standardised, and would produce a very plain external appearance to the new development. Careful attention should therefore be given to architectural detailing to avoid a bland two-dimensional appearance to elevations and planning conditions are recommended to address these shortcomings (see below)

The proposed formation of a publicly accessible pocket park on Council owned open space to the north-east of the site would not result in harm to the special interest of the conservation area provided care is taken with the detailed design of hard/soft landscaping and a maintenance plan is established in order to ensure it does not become neglected. However the inclusion of 2 large container units of a total size of c 10m length/2.5m height/2.4m depth along the Churchgate frontage appears arbitrary and would be harmful to the special character of conservation area – it is

recommended that these are excluded from the scheme. If additional storage is required to support the ongoing operation of the Wellspring then these should be incorporated within the confines of the Churchgate development itself (e.g. potentially as part the proposed ground floor commercial space) where they will be functionally close to the Wellspring and less vulnerable to potential theft, vandalism and graffiti.

Off-site tree planting is proposed to offset tree loss resulting from the development of the site and delivery of the pocket park. Whilst there is no objection to the inclusion of planting along Newbridge Lane, the proposed planting of additional further trees within the St Marys churchyard is questionable and it is recommended that alternative locations are found. Over time the introduction of new trees would progressively obstruct views the church, a Grade I listed building of high national and local importance for its architectural, historic and townscape interest and, subject to location, tree roots could have a harmful impact upon below ground archaeology within the churchyard and the structural integrity of the boundary walls; additional trees may also obstruct the external lighting scheme for the Church. It should be noted that consent from the Church via the Archdeacon will be required for works within the churchyard and there is no evidence that such consent has been obtained.

Should the application be approved it is essential that the following conditions are applied to ensure the scheme is policy compliant:

- Notwithstanding the information shown on the submitted drawings, no external construction shall take place until a detailed schedule of all of the proposed materials of external construction has been submitted to and approved in writing by the local planning authority and samples have been made available on site. Samples of brick and slate shall comprise at least 1 square metre in area and a sample panel of brickwork including mortar jointing shall be made available. The schedule shall also include details of design, materials and finish of window/door cills/lintols, ridges, verges, eaves and balcony balustrades. Unless otherwise agreed in writing, all windows and doors to the Churchgate and Harvey Street elevations shall be provided with single unit projecting stone cills (equivalent to 2 brick courses in height and extending beyond window apertures) and flush flat gauged, wedge shaped brick lintols (equivalent to 4 brick courses in height). Development shall not be carried out except in accordance with the agreed schedule and samples.
- Notwithstanding the information shown on the submitted drawings no installation of windows and exterior doors shall take place until details have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing, all windows shall be of timber vertically sliding sash construction to Churchgate and Harvey Street facing elevations with a painted exterior finish. All exterior doors shall be of timber panelled construction with a painted exterior finish. Exterior glazing beads and bars shall be fully chamfered at 45 degrees to replicate a putty profile and no trickle vents shall be fitted to the windows. Details shall include elevations drawn at a scale of 1:20, and vertical and horizontal sections drawn at a scale of 1:5. All windows and doors shall accord with the approved details and shall be fitted with an exterior reveal of not less than 90mm.

- All rainwater goods shall be of painted cast metal with a traditional half round profile to the gutters and traditional collar connections with lugs for fixing downpipes to the face of the building. Soil and vent pipes shall be located inside the building and shall be coloured black where they project through the roof.
- No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes, television aerials and satellite reception dishes) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the local planning authority. Such plant and other equipment shall not be installed other than in accordance with the approved details.
- No development shall take place until such time as a scheme showing the location, design and screening of a single satellite television reception aerial/dish capable of distributing a signal to each apartment within the development has been submitted to and approved in writing by the local planning authority. Any aerial/dish must be located so as to minimise its effect on the appearance of the building and all distribution cables must be routed internally.
- Notwithstanding the information shown on the submitted drawings, all rooflights hereby approved shall be conservation type, top hung fitted flush with the plane of the roof covering, coloured black and fitted with a central vertical glazing bar.
- Notwithstanding the details shown on the approved plans, no external construction shall take place until details of the shop front including a section at 1:20 and details at 1:10/1:5, have been submitted to and approved in writing by the local planning authority. The shopfront shall be constructed in timber with a painted finish. The shop front shall not be constructed or painted other than in accordance with the approved details.
- No occupation of residential units shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The details shall include proposed finished levels; means of enclosure; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage, signs, lighting etc.) and a landscape management plan to provide for future maintenance. Notwithstanding the details shown on the approved plans permission hereby approved does not extend to the installation of storage containers as indicated on drawing no A493 P E500G.

Reason

In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset, in accordance with Development Management Policy SIE-3 (Protecting, safeguarding and enhancing the environment) of the adopted Stockport Core Strategy, and in order to preserve or enhance the character or appearance of the Market Underbanks Conservation Area

in accordance with saved UDP Review Policy HC1.3, "Special Control of Development in Conservation Areas".

GMAAS (Archaeological Consultation): Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate.

GMAAS are confident that archaeological interests have been appropriately identified through the Written Scheme of Investigation documentation and pre-application discussions in spring this year. GMAAS recommend that an archaeology condition is attached to planning consent to secure archaeological interests. The condition should take the following form:

The applicant or their agents or successors in title will secure the implementation of a programme of archaeological works. The works are to be undertaken in accordance with agreed Written Schemes of Investigation (WSIs). The WSIs shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - a historic building survey
 - evaluation through targeted trial trenching
 - the above works to be undertaken as set out in the approved Written Scheme of Investigations prepared by Paul Butler Associates in March 2020.
 - informed by the above, more detailed excavation and recording (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
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.

GMAAS will advise and monitor the implementation of the works on behalf of Stockport Planning Authority.

Historic England (North West) (Site 'E' (DC/078287) Land at Churchgate):

Significance

The site is located within the boundary of the Market/Underbanks Conservation Area. It currently makes a negative contribution to the significance of this asset, due to its undeveloped and untidy character. This is at odds with the pervading character and appearance of this conservation area, which is defined by the quality of the built

form it contains, and by the well-preserved nature of the historic settlement plan around the marketplace. This character is also defined by the undulating topography of Stockport, which creates some dramatic long views, while curtailing and enclosing others. The site is also located within close proximity to a number of listed buildings, most significantly the Church of St. Mary. This is an ecclesiastical building of fourteenth century origin, which retains elements of this date, including a chantry chapel or oratory. However, the majority of the church was rebuilt between 1813 and 1817, with additional works in 1882. These phases of evolution have associations with a number of regionally and nationally significant Victorian architects, including Lewis Wyatt, JS Crowther, Robert Goldsmith and John Soane. The church is a striking and attractive building, which occupies a dominant position, presiding over the marketplace, with which it has an important interrelationship. The building is not only of exceptional architectural quality, but also provides important evidence of the evolution of church architecture. Its prominent position in the townscape, and its considerable age, mean that it presents important evidence of the evolution of Stockport, as well as making it a landmark building of considerable social and communal importance. It is accordingly listed grade I.

Impact

The site, as noted above, makes a negative contribution to the character and appearance of the Market/Underbanks Conservation Area. Along with another car park, directly across the road, it also makes a negative contribution to the setting in which the Church of St. Mary is appreciated. Historic England therefore has no concerns with the site being developed, and can conclude that its sensitive redevelopment would be to the benefit of the significance of the assets identified. We have previously commented at pre-application stage that the proposed development is of a scale and massing which is not out of keeping with its context, and that it is not considered to create an overly imposing or intrusive element within the streetscene. We would still offer these conclusions in relation to the proposals. In regard to the specifics of the design, we would raise some minor concerns in relation to some elements, including the configuration and character of the fenestration and the apparent use of spandrel panels. However, given the on-going discussions between the local authority and the applicant, and the comparatively localised nature of our concerns, we do not wish to specifically comment on this element of the proposals. Instead, we recommend that you consult your own specialist staff. Policy National policy relating to the conservation and enhancement of the historic environment is articulated in section 16 of the National Planning Policy Framework. These policies state that assets should be conserved in a manner appropriate to their significance (para.184) and that when considering the impact of a proposed development, great weight should be given to the asset's conservation (para.193). These national policies are supported in local planning policy. In this instance these are set out within 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 has no objection to the principle of the application, which proposes the development of an insensitive gap site. We also do not have any concerns in relation to the quantum of development proposed. However, we would recommend that you consult further with your relevant specialist officers in relation to the exact nature of the design proposed, in order to finesse some elements of the composition.

Recommendation

Historic England has no objection to the application on heritage grounds, as we consider that the application meets the requirements of the NPPF, in particular paragraph numbers 184 and 193. In determining this application you should bear in mind the statutory duty of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1) requires 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. Section 72(1) requires them to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Senior Arboriculture & Habitat Officer (Site 'A' (DC/078286) 29-35 Little

Underbank): The proposed development will not have a negative impact on trees located on site as there are none present but may have the potential for encroachment and potential damage may occur from machinery working in close proximity of the surrounding trees to the site. The sites front and rear boundary has a poor level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity.

The proposed new building is showing zero impact on the existing trees along the whole Little Underbank site. The construction materials or vehicles should not impact on the trees in the area but an advisory should be required to be given to make contractors aware of the protective trees and limit access to these areas to prevent compaction, accidental damage or spillage of chemicals on the root zones of all trees in the vicinity of the property, if this is conditioned and complied with then the works would not have a negative impact on the site and surrounding environment. The main concern for this site is the lack of tree planting on or off site and the protection of the remaining trees to the local area of the site as the trees are an integral part of the tree scape for the town centre and therefore cannot be lost.

The trees offer a high level of biodiversity/habitat benefit and as such they need retaining as the loss would be unacceptable as this would be further increasing urban sprawl of Stockport Town Centre area.

In principle the scheme will not have a negative impact on the trees in the area and therefore could be accepted under arboriculture reasons in its current format with consideration of a detailed landscaping scheme showing trees with an enhancement of the site in line with council policy as well as an advisory restricting all access to the remaining protected trees adjoining the property area then this may resolve any tree related issues.

The following conditions are required if the scheme is approved;

Condition Tree 1: No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

Condition Tree 2: No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Condition Tree 3: No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.

Senior Arboriculture & Habitat Officer (Site 'B' (DC/078266) 1-3 Lower Hillgate):

The proposed development will not have a negative impact on trees located on site as there are none present but may have the potential for encroachment and potential damage may occur from machinery working in close proximity of the surrounding trees to the site. The sites front and rear boundary has a poor level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity.

The proposed new building is showing zero impact on the existing trees along the whole Lower Hillgate site. The construction materials or vehicles should not impact on the trees in the area but an advisory should be required to be given to make contractors aware of the protective trees and limit access to these areas to prevent compaction, accidental damage or spillage of chemicals on the root zones of all trees in the vicinity of the property, if this is conditioned and complied with then the works would not have a negative impact on the site and surrounding environment. The main concern for this site is the lack of tree planting on or off site and the protection of the remaining trees to the local area of the site as the trees are an integral part of the tree scape for the town centre and therefore cannot be lost.

The trees offer a high level of biodiversity/habitat benefit and as such they need retaining as the loss would be unacceptable as this would be further increasing urban sprawl of Stockport Town Centre area.

In principle the scheme will not have a negative impact on the trees in the area and therefore could be accepted under arboriculture reasons in its current format with consideration of a detailed landscaping scheme showing trees with an enhancement of the site in line with council policy as well as an advisory restricting all access to the remaining protected trees adjoining the property area then this may resolve any tree related issues.

The following conditions are required if the scheme is approved;

Condition Tree 1: No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

Condition Tree 2: No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Condition Tree 3: No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.

Senior Arboriculture & Habitat Officer (Site 'C' (DC/078265) 6-16 Lower Hillgate): The proposed development will not have a negative impact on trees located on site as there are none present but may have the potential for encroachment and potential damage may occur from machinery working in close proximity of the surrounding trees to the site. The sites front and rear boundary has a poor level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity.

The proposed new building is showing zero impact on the existing trees along the whole Lower Hillgate site. The construction materials or vehicles should not impact on the trees in the area but an advisory should be required to be given to make contractors aware of the protective trees and limit access to these areas to prevent compaction, accidental damage or spillage of chemicals on the root zones of all trees in the vicinity of the property, if this is conditioned and complied with then the works would not have a negative impact on the site and surrounding environment. The main concern for this site is the lack of tree planting on or off site and the protection of the remaining trees to the local area of the site as the trees are an integral part of the tree scape for the town centre and therefore cannot be lost.

The trees offer a high level of biodiversity/habitat benefit and as such they need retaining as the loss would be unacceptable as this would be further increasing urban sprawl of Stockport Town Centre area.

In principle the scheme will not have a negative impact on the trees in the area and therefore could be accepted under arboriculture reasons in its current format with consideration of a detailed landscaping scheme showing trees with an enhancement of the site in line with council policy as well as an advisory restricting all access to the remaining protected trees adjoining the property area then this may resolve any tree related issues.

The following conditions are required if the scheme is approved;

Condition Tree 1: No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

Condition Tree 2: No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Condition Tree 3: No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.

Senior Arboriculture & Habitat Officer (Site 'E' (DC/078287) Land at Churchgate):

The proposed development will have a negative impact on trees located on site as there are eight mature trees present along the frontage of the site as well as having the potential for encroachment and potential damage may occur from machinery working in close proximity of the surrounding trees to the site. The sites front and rear boundary has a fair level of vegetation and trees and as such there cannot be any loss of trees on site as this will have a negative impact on amenity and biodiversity without a clear landscape design which shows the replacement and enhancement on site or increased replacement off-site, which in fact has been submitted and currently shows a clear off-setting proposal which is acceptable.

The proposed new building is showing clear impact on the existing trees along the whole Churchgate site. The construction materials or vehicles should not impact on the trees in the area but an advisory is also required to be given to make contractors aware of the protective trees and limit access to these areas to prevent compaction, accidental damage or spillage of chemicals on the root zones of all trees in the vicinity of the property, if this is conditioned and complied with then the works would have a negative impact on the site and surrounding environment.

The main concern for this site is the loss of trees in the urban setting but with the proposed tree planting on and off site it is acceptable and only requires the protection of the remaining trees to the local area of the site as the trees are an integral part of the tree scape for the town centre and therefore cannot be lost.

The trees offer a high level of biodiversity/habitat benefit and as such they need retaining as the loss would be unacceptable as this would be further increasing urban sprawl of Stockport Town Centre area, but due to the enhanced tree planting proposal the loss it acceptable.

In principle the scheme will have a negative impact on the trees in the area and therefore could be accepted under arboriculture reasons in its current format with acceptance of the detailed landscaping scheme showing trees with an enhancement of the site in line with council policy as well as an advisory restricting all access to the remaining protected trees adjoining the property area then this may resolve any tree related issues.

The following conditions are required if the scheme is approved;

Condition Tree 1: No existing tree within the site shall be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed without the prior written approval of the local planning authority, with the exception of those indicated

otherwise on the approved plan. Any hedgerows, woody plants or shrubbery removed without such consent or dying or being severely damaged or being seriously diseased, within 5 years of the development commencing, shall be replaced within the next planting season with trees of such size and species as may be approved in writing by the local planning authority.

Condition Tree 2: No development shall take place until all existing trees on the site except those shown to be removed on the approved plans, have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Condition Tree 3: No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.

Nature Development Officer (Site 'A' (DC/078286) 29-35 Little Underbank): The building is assessed as offering negligible bat roosting potential and so the proposed works are considered to be of low risk to roosting bats. Bats can be highly cryptic in their roosting behaviour however and can sometimes roost in seemingly unlikely places. As a precautionary measure the recommendations detailed in sections 4.6 of the ecology report should be followed. This can be conditioned as part of any planning consent granted.

It is also recommended that an informative is attached to any planning consent granted so that the applicant is aware of the (low) potential for roosting bats to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats (or any other protected species such as nesting birds) 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 2020 survey then update survey work will be required. This can be secured via condition

In relation to breeding birds, building and vegetation works should be timed to avoid the main bird nesting season where possible (which is March-August inclusive). Where works are required within this period, a pre-works survey will be required no more than 48 hours in advance of works commencing to ensure no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. This should be conditioned as part of any planning permission granted.

Biodiversity enhancements are expected within the development in line with national and local planning policy. Suitable measures include the provision of bat roosting and/or bird nesting facilities within new building. The proposed location, type and number of bat roosting/bird nesting facilities should be provided to the LPA for review. Integrated boxes are available (e.g. Habitat boxes) which can be faced with different materials to match the building façade. Any landscape planting should comprise wildlife-friendly species (preferably locally native) and

also chosen to provide a year-round nectar resource through successional flowering to maximise benefits to biodiversity.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

Nature Development Officer (Site 'B' (DC/078266) 1-3 Lower Hillgate): The building is assessed as offering negligible bat roosting potential and so the proposed works are considered to be of low risk to roosting bats. Bats can be highly cryptic in their roosting behaviour however and can sometimes roost in seemingly unlikely places. As a precautionary measure the recommendations detailed in sections 4.3 and 4.6 of the ecology report should be followed. This can be conditioned as part of any planning consent granted.

It is also recommended that an informative is attached to any planning consent granted so that the applicant is aware of the (low) potential for roosting bats to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats (or any other protected species such as nesting birds) 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 2020 survey then update survey work will be required. This can be secured via condition

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Biodiversity enhancements are expected within the development in line with national and local planning policy. Suitable measures include the provision of bat roosting and/or bird nesting facilities within new building. The proposed location, type and number of bat roosting/bird nesting facilities should be provided to the LPA for review. Integrated boxes are available (e.g. Habitat boxes) which can be faced with different materials to match the building façade. Any landscape planting should comprise wildlife-friendly species (preferably locally native) and also chosen to provide a year-round nectar resource through successional flowering to maximise benefits to biodiversity.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

Nature Development Officer (Site 'C' (DC/078265) 6-16 Lower Hillgate): The building is assessed as offering negligible bat roosting potential and so the proposed works are considered to be of low risk to roosting bats. Bats can be highly cryptic in their roosting behaviour however and can sometimes roost in seemingly unlikely

places. As a precautionary measure the recommendations detailed in sections 4.3 and 4.6 of the ecology report should be followed. This can be conditioned as part of any planning consent granted.

It is also recommended that an informative is attached to any planning consent granted so that the applicant is aware of the (low) potential for roosting bats to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats (or any other protected species such as nesting birds) 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 2020 survey then update survey work will be required. This can be secured via condition

In relation to breeding birds, building and vegetation works should be timed to avoid the main bird nesting season where possible (which is March-August inclusive). Where works are required within this period, a pre-works survey will be required no more than 48 hours in advance of works commencing to ensure no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. This should be conditioned as part of any planning permission granted.

Biodiversity enhancements are expected within the development in line with national and local planning policy. Suitable measures include the provision of bat roosting and/or bird nesting facilities within new building. The proposed location, type and number of bat roosting/bird nesting facilities should be provided to the LPA for review. Integrated boxes are available (e.g. Habitat boxes) which can be faced with different materials to match the building façade. Any landscape planting should comprise wildlife-friendly species (preferably locally native) and also chosen to provide a year-round nectar resource through successional flowering to maximise benefits to biodiversity.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

Nature Development Officer (Site 'E' (DC/078287) Land at Churchgate): The proposed works have limited potential of impacting protected species. Protected species can however sometimes be found in seemingly unlikely places. As a precautionary measure it is advised that an informative is attached to any planning consent granted so that the applicant is aware of the (low) potential for protected species to be present. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of nesting birds, or any other protected species, is discovered on site, works must cease and a suitably experienced ecologist contacted for advice.

The trees along Churchgate should be adequately protected from potential impacts following advice from the Council's Arboriculture Officer and British Standards. If any impacts on the trees are anticipated, replacement planting will be required. In addition no tree works should be carried out during the bird nesting season unless otherwise approved by the LPA (i.e. it can be

demonstrated that nesting birds are not present and/or there are adequate protection measures in place to protect nesting bird interest)

Biodiversity enhancements are expected within the development in line with national and local planning policy. Suitable measures include the provision of bat roosting and/or bird nesting facilities within new buildings. The proposed location, type and number of bat roosting/bird nesting facilities should be provided to the LPA for review. Integrated boxes are available (e.g. Habitat boxes) which can be faced with different materials to match the building façade. It is advised that the integrated bat/bird roosting/nesting facilities are secured via a pre-construction condition as it is difficult to retrofit such features.

Plans indicate provision of some landscape planting on site. Planting should comprise wildlife-friendly species (preferably locally native) and also be chosen to provide a year-round nectar resource through successional flowering to maximise benefits to biodiversity. A new public open space/woodland garden area is also proposed offsite. It is understood that this has been designed in consultation with the Council's Arboriculture Officer and it is a welcome inclusion within the proposals. Details of future management of this area to maximise benefits to biodiversity can be secured via an appropriately worded condition.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

Environment Agency: Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate.

Environment Agency Position

We consider the updated information provided sufficient to address our earlier concerns. Therefore subject to the conditions outlined below we withdraw our objections dated 14th January 2021.

Flood Risk

We have reviewed the typical foundation bridging detail submitted following our previous objection response. Subsequently we had a meeting to discuss the proposed development over Hempshaw Brook culvert. We consider it reasonable to remove our previous objection but would request 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 a planning condition on any planning permission.

Condition

Excluding demolition and site clearance, the proposed development hereby permitted must not be commenced until such time as a scheme to survey the culvert has been submitted to, and approved in writing by, the local planning authority. The survey should:

- Establish the exact line, size and depth of the culvert and ensure all structural defects found are rectified prior to the scheme being fully implemented and subsequently maintained, in accordance with the schemes timing /phasing

Cont/d... 2 arrangements or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

- Identify a suitable location for a new access manhole to be constructed as part of the scheme.

Reason

To ensure that the structural integrity of the culvert is satisfactory, thereby reducing the risk of flooding and ensure long term access and maintenance is provided.

Contaminated Land

We have reviewed the Phase 1 Preliminary Risk Assessment report for the land at 6-16 Lower Hillgate, Stockport by LK Consult dated July 2021.

We consider that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if the following planning conditions are included. Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework (NPPF) because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

Where necessary; a site investigation scheme, based on the submissions to date, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

The results of the site investigation and the detailed risk assessment referred to above 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.

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 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the NPPF.

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

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the NPPF.

Condition

Prior to any part of the permitted development being occupied/brought into use, 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.

Reasons

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the NPPF.

Advice to LPA/Applicant

Flood Proofing Measures

We recommend that in areas at risk of flooding consideration be given to the incorporation into the design and construction of the development of flood proofing measures. These include 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.

Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods' please email: communities@twoten.com for a copy as well as the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at: <http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>.

Additional guidance can be found on our website at <https://www.gov.uk/prepare-for-a-flood> or by contacting Floodline on 0345 988 1188.

Model Procedures and Good Practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

We recommend that developers should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM), when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information.

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on-site

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Piling and Penetrative Ground Improvement Methods

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Dewatering

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk:

<https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

Regulatory Position Statements If dewatering and discharging into surface water is required during development, the following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.'

<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>

United Utilities (Site 'C' (DC/078265) 6-16 Lower Hillgate): Further to our letter dated 18th January 2021, we have been in discussions with the applicant regarding the large sewer that lies within the site boundary. We are now able to withdraw our objection to the proposed scheme, providing the following conditions are included on any Decision Notice granted by the LPA:

Condition 1 - Asset Protection

Prior to the commencement of development (including demolition, site clearance and any earthworks), details of the means of ensuring the wastewater infrastructure within the site boundary is protected from damage shall be submitted to and approved by the Local Planning Authority in writing. The details must include measures to protect and prevent any detrimental impact to the wastewater infrastructure and its operation both during construction and post completion of the development to prevent exposing the sewer to undue loading, vibration or risk. The details shall include:

- i. A pre-demolition CCTV survey of the wastewater infrastructure with the submission of associated footage;
- ii. A demolition method statement outlining the potential impacts on the infrastructure from demolition/site clearance/ significant vibration and changes in load bearing/ landscaping activities and identifying mitigation measures to protect and prevent any damage to wastewater infrastructure during demolition/site clearance works; and
- iii. A pre demolition condition survey report.

Any mitigation measures shall be implemented in full prior to the commencement of development in accordance with the approved details and retained thereafter for the lifetime of the development.

Post demolition, the following details must be submitted to and approved in writing by the LPA:

- iv. An assessment of all potential impacts on the wastewater infrastructure from construction activities including piling, tunnelling or any other form of construction that induces significant vibration and/or alters the existing load bearing arrangements and identifying mitigation measures to protect and prevent any damage to wastewater infrastructure during construction; and
- v. A post demolition condition survey.

In the event that a diversion/diversions of the infrastructure or a build over agreement is required, the developer shall submit evidence to the Local Planning Authority that a diversion or build over has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development or, in the event of a build over, that agreement has been reached with the relevant statutory undertaker prior to commencement of development.

Reason: In the interest of public health and to ensure protection of the public sewer system.

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.

We request the following drainage conditions are attached to any subsequent approval to reflect the above approach:

Condition 2 – Surface water

No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Condition 3 – Foul water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution. The above can be discussed with Developer Engineer Shoaib Tauqeer by email at wastewaterdeveloperservices@uuplc.co.uk.

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

We can readily supply water for domestic purposes, but for larger quantities for example, commercial/industrial we will need further information.

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along

with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water 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

A public sewer crosses this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of Part H of the Building Regulations, for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer may be necessary. All costs associated with sewer diversions must be borne by the applicant.

To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

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.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Lead Local Flood Authority: Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate. The UU and EA comments resolve some of the issues previously raised such that they could be conditioned, the Flood Risk Assessment/Drainage Strategy should incorporate:

- Existing drainage regimes / arrangements
- Proposed drainage design, layouts and calculations.
- Building plan layouts and foundation details.
- Method statements for any works in close proximity to the culvert including any site clearance / demolition works.

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.

Environmental Health Officer (Contaminated Land): Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate. The proposed development involves extensive groundworks and there will a considerable amount of sensitive receptors introduced to the site post development, as such the developer will need to undertake a site investigation, no objection subject to conditional control.

Environmental Health Officer (Amenity & Quality of Life): Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate. The applications have been assessed in relation to Amenity & Quality of Life. No objection, the applicant has submitted a noise report in support of the application. The report assesses the impact of the commercial development upon the residential and advises on the insulation levels to be provided within the party ceiling/floor; background noise levels and its impact upon the internal noise levels for the residential; and maximum noise levels for external fixed plant.

Environmental Health Officer (Air Quality): Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate. No objection subject to the mitigation measures within the submitted Air Quality Assessment for both the building phase and the occupation phase being implemented.

Waste Management Officer: Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate, No objection.

Technical Policy & Planning Officer (Energy Efficiency): Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate the submitted Energy Statement does not commit the applicant to any use of renewable energy technologies but does provide appropriate assessment of low/zero carbon technologies as required by Stockport's Core Strategy Policy SD3, taking account of technologies for their technical feasibility and, where relevant, their financial viability. It also takes account of the sites being located in Conservation Areas.

Designing Out Crime Officer (GM Police): Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate, 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.

Greater Manchester Fire and Rescue Service: Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate, the above proposal should meet the requirements for Fire Service access. The Fire Service requires vehicular access for a fire appliance to within 45m of all points within the dwellings. The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes. Additionally if the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required. The maximum length of any cul-de-sac network should be 250 m. There should be a suitable fire hydrant within 165m of the furthest dwelling. The Fire Service strongly supports the installation of domestic sprinkler systems as a positive measure to protect persons. At a small cost occupants' can be given the reassurance of a high level of protection. All developers should positively consider the viability of installing domestic sprinkler systems. The access requirements for a dwelling fitted with an approved sprinkler system can deviate from the required standard detailed above, further consultation will be required.

Manchester Airport Aerodrome Safeguarding Authority: Regarding DC078265/6 and DC078286/7 - four applications for Lower Hillgate/Underbanks/Churchgate,

The Safeguarding Authority for Manchester Airport has assessed this proposals and there potential to conflict aerodrome Safeguarding criteria.

We have no aerodrome safeguarding objections to the proposal subject to the following Conditions:

During construction robust measures must be taken to control dust and smoke clouds. Reason: Flight safety – dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers.

No lighting directly beneath the roof lights that will emit light upwards – only downward facing ambient lighting to spill from the roof lights upwards – ideally, automatic blinds to be fitted that close at dusk.

All exterior lighting to be capped at the horizontal with no upward light spill. Reason: Flight safety - to prevent distraction or confusion to pilots using MAN.

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

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

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:
<https://publicapps.caa.co.uk/docs/33/CAP1096%20E2.1%20September%202020%20FINAL.pdf>

Healthy Planning (Director of Public Health): Please find below the comments of Stockport's Director of Public Health on these four applications as one response, reflecting the consideration of the cumulative impacts of the four developments in close proximity to each other – included are the health relevant Stockport Core Strategy policies (with page references):

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
Core Policy CS1 OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGE (p43)

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 through less congested roads. The locations of the four sites are within walking distance of public transport and other social infrastructure available in the town centre. It should be noted that topography in the area can be challenging to more vulnerable pedestrians and sufficient resting spots would be useful in promoting walking – see ageing well section below. The proposed cycle parking for the four sites matches cycle parking levels to the number of apartments proposed, except on Churchgate where an additional six spaces are proposed. The clear commitment to this level of cycle parking is welcomed however from a health perspective it would be preferable to see cycle parking provided to match the total level of occupancy as well as space for visitors. However one space per unit is welcome as it is critical in enabling active travel choices and increasing physical activity, whilst reducing emissions. 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](#)). The volume of development proposed is likely to result in the need for an additional car club car for the local Car Club scheme. Consideration of Car Club opportunities are beneficial to health in air quality terms, but they are one level in a hierarchy of sustainable transport choices where prioritising sustainable transport options of walking, cycling and public transport are vital to increasing activity and considerably reducing emissions.

Core Policy CS9 TRANSPORT AND DEVELOPMENT (p129)

Core Policy CS10 AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK (p130)

Development Management Policy T-1 Transport and Development (p134)

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. Appropriate volume and styles of seating on routes connecting the four sites to wider social infrastructure could be considered to enable older and other vulnerable pedestrians to take rest stops when walking around this area, particularly given the challenging topography.

Green Infrastructure (GI): the schemes are in an extremely urbanised location and it should be noted that the proposed GI in rooftop locations 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 native green infrastructure is welcome in public health terms and could help to manage urban temperatures and extreme rainfall events in the area, reducing stress and thereby maintaining immunity. Native planting and new habitat provision would also contribute to enabling new natural capital in an area of the Borough that has a deficit, further enhancing access for and to nature via the development. The Mailbox development on the A6 offers a strong example of how greening a building itself can deliver multiple benefits for both biodiversity and health. Enabling people to get next to nature is important in terms of lifting the human spirit, which also assists with reducing the health impacts of stress. In contrast to rural areas, where night-time relief from high daytime temperatures occurs as heat is lost to the sky, the urban environment stores and traps heat. This urban heat island effect is responsible for temperature differences of up to 7 degrees (Centigrade) between urban and rural locations. The majority of heat-related fatalities during the summer of 2003 were in urban areas and were predominantly older and more vulnerable members of society (Designing urban spaces and buildings to improve sustainability and quality of life in a warmer world). Such design approaches are critical in tackling the climate crisis where extreme summer temperature events are likely to occur more frequently.

Development Management Policy SD-6 Adapting to the Impacts of Climate Change (p54)

Core Policy CS8 SAFEGUARDING AND IMPROVING THE ENVIRONMENT (p102)

Affordable Housing: the affordable housing delivery being proposed is welcome in public health terms. 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 a more nutritious diet, 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).

Development Management Policy H-3 Affordable Housing (p69)

Core Policy CS2 Housing Provision (p59)

Senior Officer - Technical, Policy and Planning (Open Space): The comments are made in relation to the following applications which are mutually dependent on each other.

- Site A – DC/78286 – 35 Little Underbank; 12 units
- Site B – DC/078266 – 1-3 Lower Hillgate; 6 units
- Site C – DC/078265 – 6-16 lower Hillgate; 14 units
- Site E – DC/078287 – Land at Churchgate; 50 units

The policy requirements of Dev Man Policy SIE 2 from the Core Strategy indicate that residential development will be required to contribute towards the provision of open space for formal and casual recreation and children's play in locations which are accessible to future occupants. Formal open space is defined in the Core Strategy as providing for organised sporting activities, such as pitches, courts and bowling greens. The Open Space Provision and Commuted Sum Payments SPD, 2019 supports Policy SIE-2 and provides further guidance on how the policy is implemented, including costs of offsite provision.

Open space provision is related to the population capacity of the proposed development. Where the open space needs are not met on site, an offsite contribution will be required. The SPD and online commuted sum calculator can be found here;

<https://www.stockport.gov.uk/topic/planning-advice>

The policy consideration from the Town Centre Housing supplementary planning document (SPD) applies a relaxation in planning requirements for children's play space within the Town Centre, with the Council applying a 50% reduction in children's play requirements inside the town centre. It should be noted that the contributions for formal play space remains unchanged because the units would continue to place extra demand on the limited formal facilities in the borough.

On site provision

The applicant intends to enhance the area of open space opposite the site adjacent to Churchgate Carpark. This area measures approximately 770sqm and comprises a landscaped area with a central lawn and an edible garden. It is considered that the pocket park could go further in terms of incorporating some play value. As set out under par 6.10 of the 'Open Space Provision and Commuted Payments SPD.

'Opportunities for interactive natural play, providing a habitat for wildlife will be strongly encouraged. Trees woodlands, ponds, wildflowers and watercourses are important natural landscape features that add to the nature conservation value of a site and so should be incorporated into the area of play. Designs should use natural sustainable materials where possible – such as tree trunks – with great consideration placed on increasing local biodiversity'.

Case studies on where this has been implemented can be found here;

<http://www.merseyforest.org.uk/our-work/education/>

If play features are incorporated into the pocket park, an offsite commuted sum will not be required for children's play owing to the play needs being catered for. The plan indicates that there are two bollards at the entrance to park. The Council would want to be assured that the park can be access by wheelchair users and users of buggies etc. and no unnecessary obstructions are place to hinder access.

Given that the park is to be created in tandem with the other 3 sites listed above, it is considered that there is a legal agreement which links the planning applications together, in order to ensure the open space needs off all of the developments as part

of the wider scheme around the Underbanks and Hillgate are met. It is noted from the Planning Statement that whilst the development is ongoing, the area to be developed as a park will be utilised as a site compound. It is advised that a phasing plan is agreed to ensure the users of the new dwellings have access to the open space within a reasonable timeframe from occupancy.

Maintenance

Section 7 from the SPD notes that there is no requirement for any local planning authority to adopt any open space, that this is a matter for negotiation, and that the developer should make their intention clear at planning permission stage if they are seeking the local authority to adopt the site. In the event the developer retains ownership, they are solely responsible for ongoing management and maintenance, and therefore any application will need to demonstrate full details of arrangements which will be secured for a suitable term through a planning condition or Section 106 agreement that covers maintenance of on-site open space in perpetuity. It is noted from the plan that the park includes a waste bin, if it is the intention for the Council to take on the maintenance of the park, it is advised that the council's waste team are consulted.

Commuted Sums

The number of units proposed across the four sites is 82 based on the bedroom numbers below, the population capacity would be 174. Taking into account the 50% reduction and emitting the studios, the child yield would be calculated at 85. As mentioned above the pocket park could accommodate the play needs for the development if some play features were to be included. If the park was to be improved for play, the sums would be calculated as below.

- Children's Provision £34,212.50
- Children's Maintenance £16,362.50
- Formal Provision £97,614.00
- Formal Maintenance £59,160.00

If it is the intention for the council to adopt the marked-out pocket park, a sum would need to be paid covering maintenance for a set period based on the finished area.

Green Infrastructure

Green Infrastructure is 'A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity'.

It is advised that opportunities are sought to incorporate Green Infrastructure into the scheme by way of green roofs and walls and appropriate landscaping etc. Stockport Town Centre Urban Green Infrastructure Enhancement Strategy highlights that there is ample opportunity to install less traditional forms of planting in the form of rambling vegetation on trellises and balconies which will have a significantly greater visual impact and to incorporate green roofs where feasible. It is therefore recommended that these opportunities be explored further to enable the redevelopment of this area to contribute to achieving gains in biodiversity, provide sustainable urban drainage and related biophilia benefits to the local community etc.

The policy position for green infrastructure is set out below.

Paragraph 174 of the NPPF states that planning... decisions should contribute to and enhance the natural and local environment by...providing net gains for biodiversity.

Core Strategy Policy CS8 'Safeguarding and Improving the Environment' emphasises that development is designed and landscaped to a high standard which makes a positive contribution to the ...natural environment and that the council will work with developers to develop and enhance a network of multifunctional Green Infrastructure.

Dev Man Policy SIE 1 'Quality Places' sets out that development should be designed and landscaped to the highest contemporary standard paying high regard to the natural environment, within which it is cited. Incorporating GI into development schemes also contributes to addressing key issues such as climate change.

Dev Man Policy SD6 from the Core Strategy 'Adapting to the Impacts of Climate Change' sets out that positive consideration will be given to development that takes into account the 'urban heat island' effects, particular within the urban area of the borough. Such measures include:

- Provision of appropriate green cover (shaded green space and tree cover)
- Provision of green roofs, walls and boundaries
- Water features such as lakes, ponds, fountains and watercourses

The Supplementary Planning Document on 'Sustainable Design and Construction', April 2012 is a material consideration in assessing planning applications and explains the benefits of incorporating GI into development schemes, please refer to the link below;

<http://www.stockport.gov.uk/2013/2994/developmentcontrol/planningpolicy/LDF/SPD/susdesconspdpdf>

Stockport Council Estates Team: The margins revealed by the Assessment fall significantly beneath the required level of return, hence significant adjustments would be required to demonstrate the intended scheme could generate a sufficient surplus to fund the Planning Contributions which are a requirement of Local Planning Policy. At face value, it appears the intended scheme does not produce significant returns, even allowing for possible amendment.

ANALYSIS

PRINCIPLE OF DEVELOPMENT

Policy TC-1 notes that the 2008 Greater Manchester Strategic Housing Market Assessment recommended the encouragement of town centre living, including in Stockport and identifies potential to deliver a high quality rental market in the town centre and predicted an above average increase in demand for flats in Stockport's Housing Market Area. Policy TC-1 sets out that the Council is seeking to promote housing within the Town Centre to bring life to the area, diversify tenure, improve security and act as a vehicle for change.

The four sites fall within highly accessible urban locations within the boundaries of the Town Centre Gateway Area. Under the terms of Policies TCG2.1 'Central

Shopping Area' and TCG3.2 'Cultural Leisure and Heritage Quarter' the site allocations permit a variety of uses including office and business uses (B1 use class), leisure including a hotel, residential, restaurants and cafes and tourism related development. Where new build is considered appropriate, it should be of a high quality of design including landscape treatment taking account of the architectural character and historic nature of the area. Proposals should be appropriate both in scale and use, as well as contribute to the protection or enhancement of the area and its vitality.

The four sites also falls within the 'Area of Operation' for the purposes of the Town Centre Housing SPD which encourages housing and facilitating new residential development upon often marginal sites, with a reduction in current planning requirements and seeks to promote town centre housing as a means of bringing life back in to the town centre in the evenings and taking up vacant/derelict land and buildings. In respect of the Councils regeneration aspirations, mixed use and residential redevelopment of the Town Centre is to be strongly encouraged in the interests of creating a more vibrant and sustainable environment. This aspiration echo's' the intentions set out within NPPF which seek to create sustainable mixed use town centres.

Policy CS11 acknowledges that some diversity of uses, will add to the centre's vitality and viability and the opportunity for linked trips and states that in all cases the heritage of the town centre, particularly around the Market Underbanks Conservation Area, will be of importance in terms of its preservation and where possible enhancement through quality design. Policy TCG1 outlines that schemes will be permitted which promote the Town Centre as an attractive and prosperous sub-regional retail and commercial centre and Policies CS5 and AS1 seek to enhance the vitality, viability and facilitate the enhancement of the Town Centre thereby generating an attractive destination for people in the borough and for visitors. Policy TCG2.1 explains that within the Central Shopping Area, redevelopment will be permitted provided schemes display a high standard of design.

CONTAMINATED LAND

The Council's Environmental Health Officer (Contaminated Land) raises no objection subject to conditional control to ensure that risks from contaminants to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks in accordance with the provisions of Policy SIE-3.

DRAINAGE

The site is within Flood Zone 1 and therefore has a low risk of fluvial flooding with less than 1 in 1,000 annual probability of flooding where all forms of development are considered acceptable. With regards building over the Hempshaw Brook culvert/sewer associated with Site C the Environment Agency following engagement with the applicant United Utilities raise no objection subject to appropriate mitigate measures. Prior to the commencement of any development a detailed surface water drainage scheme can be secured by condition to require a 50% reduction in existing surface water runoff and incorporation of Sustainable Drainage Systems (SuDS) to manage the run off of water from the site through the incorporation of permeable surfaces and SuDS in accordance with the requirements of Policy SD-6

AIR QUALITY

Policy SIE-3 indicates that development that would exacerbate the existing poor air quality levels will be permitted only where it is demonstrated that that exacerbation will be mitigated. In acknowledging that the sites lie adjacent to an Air Quality Management Area, the Council's Environmental Health Officer (Air Quality) raises no objection. Furthermore viewed in light of the objectives of the Greater Manchester Air Quality Strategy and Action Plan, the proposal is in keeping with the need to concentrate development in centres with access to key services and public transport, thus mitigating or improving area wide air quality impacts

IMPACT ON TREES/ECOLOGY/PROTECTED SPECIES

Policy SIE-3 states that development proposals affecting trees and other vegetation, which make a positive contribution to amenity, should make provision for their retention unless there is justification for felling and/or lopping to enable the development to take place. It is acknowledged that all existing trees planted along the Churchgate frontage are proposed to be removed, although replacement off-site tree planting is proposed by way of compensation and the enhancement of public open space in the form of a 'Pocket Park'. The Council's Senior Arboriculture & Habitat Officer acknowledges that there are no protected trees within any of the four sites or affected by this development and raises no objection subject to an improved landscaping scheme to provide replacement/compensatory tree planting through conditional control. With regards to protected species the Council's Nature Development Officer remains satisfied with the proposal subject to conditional control, as such the proposal accords with the requirements of Policy SIE-3.

HOUSING NEED POSITION

The NPPF puts additional emphasis upon the government's objective to "significantly boost the supply of housing", rather than simply having land allocated for housing development. Policy CS4 outlines that new housing development will boost the Town Centre economy, making it a vibrant place to be during the day and in the evening. It will improve the built environment by regenerating vacant and under-used sites in and around the centre, and provide homes in a location readily accessible to jobs and services within Stockport and Manchester City Centre. Policy CS4 directs new housing towards 3 spatial priority areas and firstly, the Central Housing Area containing up to 50% of provision. Moreover, Stockport is in a position of prolonged and significant housing undersupply (2.6 years) when considered against the most up-to-date housing need position against the minimum requirement of 5 years +20% buffer as set out in para.74 of the NPPF. In situations of housing undersupply, Policy CS4 allows Policy H-2 to come into effect bringing housing development on sites, which meet the Council's accessibility criteria. For the purposes of applying Policy H-2, whilst the current minimum accessibility score (AS) is set at 'zero' the four sites are highly accessible. To summarize the contribution to overall housing supply carries very significant and the proposal aligns with aims and objectives of the Stockport Town Centre Living Development Framework, the 'Town Centre Housing' SPD and the Council's Housing Delivery Test Action Plan 2019 which advocates a 'brownfield first' approach.

LIVING CONDITIONS, AMENITY, DESIGN, CHARACTER APPEARANCE & HERITAGE

Policy SIE-1 sets out that development should be designed with high regard to the built or natural environment in which it is sited; Policy H-1 requires that the design and build standards of new residential development should be high quality, inclusive, sustainable and contribute to the creation of successful communities. Proposals

should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale and appearance, and should consider the need to deliver low carbon housing. Good standards of amenity, privacy, safety/security and open space should be provided for the occupants of new housing and good standards of amenity and privacy should be maintained for the occupants of existing housing.

'The Design of Residential Development' SPD acknowledges that whilst development management standards for residential development should be taken into consideration as an aid to judgement they should not be overly prescriptive; accordingly weight should be given to the fact that the proposal falls within the Town Centre where suburban requirements are not as easily capable of being met. Moreover, the 'Town Centre Housing' SPD provides guidance on the operation of policies with regard to residential development in the town centre encouraging housing and facilitating new residential development upon often-marginal sites, with a reduction in current planning requirements. Overall, the regeneration scheme would make a significant contribution to the Council's regeneration aspirations and given the need to achieve appropriate urban design, it is justifiable to waive normal requirements where appropriate. Sufficient space would be retained for bin and cycle storage and whilst the apartments would not benefit from private amenity space, it remains for prospective occupiers to decide whether this would meet their individual needs. The proposal accords with nationally prescribed space standards; avoids any harm to the character or appearance of the surrounding area and provides a satisfactory living environment.

Whilst standards should be taken into consideration as, an aid to judgement weight should be given to the fact that the proposal is within a Town Centre location where suburban requirements are not as easily capable of being met especially on sites where other factors such as topography and prevailing building form drive how sites should be best developed. Moreover, it is recognised that the proposal would make a significant contribution to the Council's regeneration aspirations and given the need to achieve appropriate urban design, it is justifiable to waive normal requirements. This flexible approach has been accepted on numerous occasions for similar forms of development within the Town Centre.

Town Centre residential locations are prone to external noise from traffic, aircraft and other noise generating. The submitted Noise Impact Assessment sets out recommendations to address the internal and external sources of noise and outlines mitigation to ensure satisfactory living conditions and the Council's Environmental Health Officer raises no objection.

It is acknowledged that whilst the Conservation Officer has raised concerns (outlined above) in respect of matters of detail these matters would however be the subject of conditional control and will afford further opportunities for these matters to be considered in detail to ensure that the developments are delivered in a sensitive way. The design approach would build upon the character of the area and would be sympathetic in terms of its siting, scale, massing, design, roofline, and materials. The density of development across the four sites strikes the correct balance between the need to safeguard amenity and local character and the efficient use of land in accordance with the provisions of Policy CS3. The layout and form of development represents a considered response to its context and would avoid any undue impact on the amenity of neighbouring properties, which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy. Overall, the proposal accords with the provisions of Policies

CS8, SIE-1 and H-1 and guidelines set out in the Design of Residential Development SPD.

It is acknowledged that whilst the Conservation Officer has raised concerns in respect of the level of amenity that would be afforded to future residents of the development, clearly a balance must be struck where schemes involve the need to accommodate new development within a constrained urban location and where viability is a material consideration. 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.

HERITAGE/ARCHAEOLOGY

Historic England, the Government's adviser on the historic environment who hold the responsibility for the designation of historic assets in England raise no objection. Whilst the Council's Conservation Officer raises concerns some relate to matters of detail which could be addressed through conditional control are not considered to significantly and demonstrably outweigh the wider substantial planning benefits associated with the regeneration of four vacant gap sites, promoting town centre housing and taking up vacant/derelict brownfield land and buildings which is strongly encouraged in the interests of creating a more vibrant and sustainable environment. This aspiration echoes the intentions set out within NPPF which seek to create sustainable mixed use town centres. In addition the scheme cannot be dealt with in a less harmful way and that the development is the minimum necessary to deliver a viable and deliverable regeneration scheme which would deliver much needed housing for the borough, in a highly sustainable urban location comprising a brownfield site. Overall, the proposal represents a positive approach to the renewal of the area whilst preserving and enhancing heritage assets. In terms of Archaeology GMAAS raise no objection subject to conditional control to requiring the recording of the significance of any heritage assets to be lost and to make this evidence publicly accessible in accordance with the requirements of Policy SIE-3.

HIGHWAY IMPLICATIONS

The Council's Senior Highway Engineer notes that the four sites are in accessible locations, and the proposal should not have a material impact on the local highway network. The Council's Senior Highway Engineer remains satisfied that the four sites would be car free but accommodating on-site secure cycle parking and the proposed servicing arrangements subject to conditional control including a Travel Plan, access to car club membership and provision of disabled on-street parking spaces, additional EV charging units on street or in public car parks in the vicinity of the sites and provision of a new bus stop. The Council's Senior Highway Engineer confirms that there is no evidence that the proposal is likely to give rise to highway operational or safety concerns and consequently raises no objection. Overall, the proposals are acceptable in highways and transportation terms as such the proposal accords with Policies HP1.5, PSD2.3 SIE-1, CS9, CS10, T-1, T-2 and T-3.

ENERGY EFFICIENCY

The regeneration scheme triggers Stockport's carbon reduction Policy SD3 target threshold of a minimum 40% reduction over 2006 Part L (equivalent to a 13% over current Part L). Whilst the Energy Statement covering the four sites does not commit the applicant to any use of renewable energy technologies but does provide appropriate assessment of low/zero carbon technologies, taking account of

technologies for their technical feasibility, where relevant, their financial viability and that the four sites are located in Conservation Areas. Overall the Council's Technical Policy & Planning Officer raises no objection and confirms that Energy Statement is compliant with the requirements of Policy SD3.

RECREATIONAL OPEN SPACE PROVISION AND MAINTENANCE

Policy SIE-2 which sets out the requirements for the provision of recreational and amenity open space acknowledges that as much as possible of the required provision of open space is generally expected to be located within or adjacent to the development with any residual covered by a commuted sum. Nonetheless, if there is no practical alternative as is the case in this instance, the Council allows provision to be made off site or through contributions to improve provision elsewhere in a timely manner to meet the needs generated by the development.

In recognition of these characteristics and the Council's wish to promote town centre housing and urban regeneration, the 'Recreational Open Space and Commuted Payments' SPD continues to identify a relaxation in planning requirements for children's play space, applying a 50% reduction in children's play requirements in the Town Centre. At which point, an assessment could then be made as to the level of on-site provision required on an individual site basis. It should be noted however, that in recognition of the fact that occupants of town centre units would continue to place extra demand upon the already limited formal recreational facilities within the borough, contributions towards formal open space remain unaltered.

It is noted that there is provision for on-site recreation and open amenity space in the form of a 'Pocket Park' adjacent Site E as such the applicant has also indicated a willingness to enter into an obligation to secure a commuted sum for the provision and maintenance of off-site recreation and amenity open space with phased payments triggered by occupation. Whilst open space ought normally to be in place before dwellings are occupied it is appropriate to provide flexible approach to open space policy.

Notwithstanding that, open space is generally expected to be located within or adjacent to the development although if there is no practical alternative, the Council will allow some or all of the provision to be made off site or through contributions to improve provision.

AFFORDABLE HOUSING

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% on Council owned sites (regardless of size), or as high a level as is viable, having regard to the creation of mixed, balanced communities.

With regards Sites A, B and C it is noted that they are under the 15 unit threshold requiring affordable housing if they were each considered in isolation. With town centre sites over the 15 unit threshold affordable housing is required at the lower end of between 5-15% on site (subject to viability), which reflects limited viability that currently exists for residential development within the town centre.

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 and Weir Mill.

A viability appraisal has been submitted to justify the provision of 6 shared ownership apartments on Site B to be delivered first, which equates to approx. 7% of a total of 82 units across the four sites (A, B, C and E) which have been submitted as a package and are inextricably linked or 12% of Site E if taken on its own as being the only site over the 15 unit threshold.

Given the significant viability issues associated with developing the four sites delivering it is not possible for the developments to achieve a higher level of provision of affordable housing.

VIABILITY

The application has been supported by a comprehensive viability appraisal, which seeks to demonstrate that the development across the four sites would not be viable if there was a policy requirement to provide 40% affordable housing provision (as per the requirement on Council owned land) or the reduced level of 30% after Vacant Building Credit is factored in. In the assessment of the submitted appraisal the Council's Stockport Council Estates Team have independently reviewed the Viability Assessment and have concluded that the margins revealed by the Assessment fall significantly beneath the required level of return, hence significant adjustments would be required to demonstrate the intended scheme could generate a sufficient surplus to fund the affordable housing and public open space policy requirements of Local Planning Policy and, it appears the intended scheme does not produce significant returns, even allowing for possible amendment.

SUMMARY - 'SUSTAINABLE DEVELOPMENT'

Sustainability which is multi-faceted; where the NPPF establishes three overarching objectives to sustainable development – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The NPPF outlines that plans and decisions should apply a presumption in favour of sustainable development. Moreover it is noted that policies which are most important for determining the application are out-of-date includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites. For decision-taking this means: a) approving development proposals that accord with an up-to-date development plan without delay; or b) 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 the NPPF 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 the NPPF taken as a whole.

The NPPF asserts that 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 and that land with permission is

developed without unnecessary delay. Economic benefits consist of supporting the efficient use of land, generating employment and contributing to the local economy, increasing the residential population, and contributing to the Town Centre's vitality and viability. Social benefits are associated with the contribution to boosting the supply of housing when Stockport currently remains in a position of housing under supply. Environmental benefits include enhancing the environment through the redevelopment of an accessible town centre gap sites within Conservation Areas, which presently detracts from the character of the Town Centre and are in need of urban regeneration and helping to reduce long-term pressure on the Green Belt.

CONCLUSION/REASONS

Through the NPPF the government continues to support the increased delivery of new homes. Moreover, in respect of these proposals the schemes would repurpose vacant sites delivering much needed homes on brownfield sites in a highly sustainable urban location. Furthermore, the schemes would make a significant contribution towards the five years' worth of housing land supply - on both large and smaller sites - against the housing requirement.

Whilst the concerns of the Conservation Officer are noted, it is considered that the outstanding matters can be addressed through conditional control requiring the approval of detail and this approach has been agreed by the applicant. Having regard to the proposals they are not considered to significantly and demonstrably outweigh the wider substantial planning benefits weighing in favour, when assessed against the policies in the NPPF taken as a whole and the key priorities for the Council. On balance the regeneration scheme accords with the policies of the Development Plan and the Framework as a whole and represents a sustainable form of development. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 11 of the Framework requires that permission be deferred and delegated to secure obligations relating to phasing, the provision of affordable housing off-site open space provision and maintenance in compliance with Regulation 122 of the CIL Regulations and the tests outlined in para.56 of the Framework.

RECOMMENDATION

Defer and delegate the granting of permission subject to:-

- Negotiating obligations to be covered by a legal agreement to secure the phased delivery of the development to ensure that the 6 no. affordable 'shared ownership' (managed by a RP) apartments proposed for Site 'B' (DC/078266) 1-3 Lower Hillgate are delivered first and that public open space including the provision of a 'Pocket Park' is provided at an appropriate trigger point mechanism associated with the delivery across the four sites and associated population capacity.