

ITEM 3

Application Reference	DC/081204
Location:	5 Station Road Marple Stockport SK6 6AJ
PROPOSAL:	Change of use from Physiotherapy Clinic to form 1 no. dwellinghouse.
Type Of Application:	Full Application
Registration Date:	16/06/2021
Expiry Date:	11/08/2021
Case Officer:	Mark Burgess
Applicant:	Acom Property
Agent:	Buju Architects

DELEGATION/COMMITTEE STATUS

Marple Area Committee. Application referred to Committee due to receipt of more than 4 letters of objection, contrary to the Officer recommendation to grant.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the change of use of Number 5 Station Road, Marple from a Physiotherapy Clinic to form 1 no. residential dwellinghouse.

Information submitted in support of the application confirms that the proposed conversion would not require any external alterations to the existing building. Internally, the proposed conversion would comprise a living room/dining room and kitchen at ground floor level and two bedrooms and a bathroom at first floor level. Private amenity space would be provided within an existing yard to the rear of the building.

The proposal has been amended since its original submission, with the aim of addressing neighbour objections received to the application. As such, the proposal before Members does not include the originally proposed three parking spaces within the adjacent Smithy Court, which have now been deleted from the scheme.

The location plan and proposed floor plans submitted in support of the application are appended to the report.

SITE AND SURROUNDINGS

The application site is located on the Northern side of Station Road in Marple, close to the junction with Stockport Road and comprises an existing Physiotherapy Clinic within a traditional two storey building. The building has a small yard area to the rear.

The site is adjoined to the Western side by a residential dwellinghouse at Number 3 Station Road. To the rear (North) of the site is Smithy Court, a three storey block of retirement apartments. Beyond the access to Smithy Court to the East are residential

properties on Station Road. To the front (South) of the site is Station Road, with a variety of commercial and residential uses beyond.

POLICY BACKGROUND

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

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 17th March 2011.

The application site is allocated within the Marple District Shopping Centre, as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the proposal :-

Saved UDP policies

- L1.1 : LAND FOR ACTIVE RECREATION
- L1.2 : CHILDRENS PLAY
- PSD2.5 : OTHER DEVELOPMENT IN DISTRICT CENTRES
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- CS2 : HOUSING PROVISION
- CS3 : MIX OF HOUSING
- CS4 : DISTRIBUTION OF HOUSING
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT
- H-2 : HOUSING PHASING
- H-3 : AFFORDABLE HOUSING
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND DEVELOPMENT
- T-1 : TRANSPORT AND DEVELOPMENT
- T-2 : PARKING IN DEVELOPMENTS
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

Supplementary Planning Guidance and Documents

Supplementary Planning Guidance and Documents (SPG's and SPD's) do not form part of the Statutory Development Plan. Nevertheless, they do provide non-statutory Council approved guidance that is a material consideration when determining planning applications. Relevant SPG's and SPD's include :-

- OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPD
- PROVISION OF AFFORDABLE HOUSING SPG
- DESIGN OF RESIDENTIAL DEVELOPMENT SPD
- SUSTAINABLE DESIGN AND CONSTRUCTION SPD
- SUSTAINABLE TRANSPORT SPD
- TRANSPORT AND HIGHWAYS IN RESIDENTIAL AREAS SPD

National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in July 2021 by the Ministry of Housing, Communities and Local Government, sets out the Government's planning policies for England and how these are expected to be applied.

In respect of decision-taking, the revised NPPF constitutes a 'material consideration'.

Paragraph 1 states *'The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied'*.

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

Paragraph 7 states *'The purpose of the planning system is to contribute to the achievement of sustainable development'*.

Paragraph 8 states *'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'*

Paragraph 11 states *'Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means :-*

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

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

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

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

Paragraph 12 states '*.....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'.*

Paragraph 38 states '*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'.*

Paragraph 47 states '*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'.*

Paragraph 219 states '*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)'.*

National Planning Practice Guidance (NPPG)

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

RELEVANT PLANNING HISTORY

- DC080792 : Prior Approval for the change of use from office to form 1 no. residential dwellinghouse : Withdrawn – 25/05/2021.
- J.56075 : Change of use from Offices (B1) to Physiotherapy Practice : Granted – 23/08/1993.
- J.54932 : Change of Use from Dwelling to Office (B1). Refurbishment of 2 cottages and rear single storey extension : Granted – 03/03/1992.
- J.47501 : Dental surgery : Granted – 30/01/1990.

NEIGHBOUR'S VIEWS

The owners/occupiers of surrounding properties were notified in writing of the application.

Letters of objection from 10 properties have been received to the application. Members are advised that the majority of the objections received raised concerns to

the original proposal, to include the provision of three parking spaces to serve the proposed dwellinghouse within the car park of Smithy Court to the North of the site. This was allegedly contrary to the leasehold agreement and was considered to result in associated reduction in residents parking space numbers, servicing issues and safety, noise and disturbance concerns. However, Members are advised that the originally proposed three parking spaces within Smithy Court have now been deleted from the scheme.

Additional causes for concern raised by neighbours assert the following :-

- The property has no garden and is completely open to the private and well-kept gardens of Smithy Court to the rear. A resident with children or pets could cause problems or a danger to the elderly/infirm people who enjoy the peace and security of living there.
- Residents at Smithy Court have very strict leases – no pets, no outdoor washing, no outdoor rubbish, no noise after 23.00, for which they pay high fees. It would be a shame to have this security invaded in what should be a peaceful time of life.
- The entrance to Smithy Court is a very fast and dangerous corner. There has been an instance where a contractor parked on the corner blocked the view of people going out of and into the site and could have potentially caused a head-on collision at the gates.
- Work has been carried out on the interior of the application building, generating two skip loads of discarded materials.
- Exterior work has been initiated, including the removal of a first floor window and the inner surface bricked up. Presumably, this means that the room now lacks light and ventilation.

CONSULTEE RESPONSES

Highway Engineer

Comments of 22/06/2021

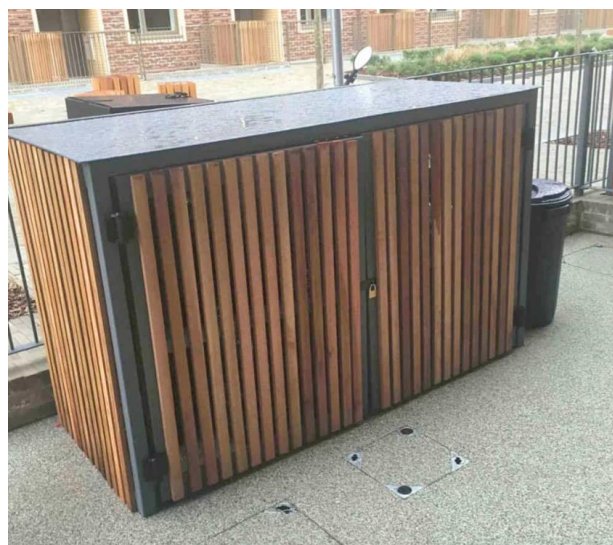
I raise no objection to this application, in principle, noting that:

- 1) The proposal should not result in a material increase in vehicle movements or change in character of traffic on the local highway network in the vicinity of the site
- 2) The site is adjacent to Marple District Centre and is within reasonable walking distance of a primary school, a high school, bus route, Marple Rose Train Station, medical facilities and various shops and services
- 3) An adequate level of car parking is proposed to be provided (having regard to the adopted parking standards and expected demand)

I do not, however, consider the scheme acceptable in its present form. This is on the basis that the submitted plans do not show any proposals to provide cycle parking (as required by Policy T-1 'Transport and Development') and it is not clear whether a cycle store could be provided within the site (noting that room is also required for bin storage). This issue therefore needs to be addressed.

I would therefore recommend that the application is deferred and the applicant is requested to submit a detailed site layout which shows proposals to provide a cycle store within the site (as well as showing where bins will be stored). If the applicant provides full specification details of the cycle parking at this stage (e.g. a manufacturer's specification sheet), this may avoid the need to submit further information as part of a discharge of conditions application.

For information, the cycle store could be in the form of a cycle locker along the lines indicated on the images below or, alternatively, a small shed. Further information on cycle parking can be obtained from: www.stockport.gov.uk/highways-and-transport-advice/advice-on-the-discharge-of-highways-related-planning-conditions.



- Recommendation : Defer

Further comments of 11/01/2021, following receipt of revised scheme

I write further to my comments of the 22nd June 2021. I note that the applicant has submitted drawing P555_220 Rev A Proposed Plans which shows the approx. location for a cycle store and bin store, as requested. I also note that the previously proposed car parking has been removed from the scheme.

With respect to the cycle store and bin store, whilst the drawing shows approximately where they will be located, the exact location of the stores is not shown, nor details of their form. This matter, however, could be dealt with by condition, requiring the submission and approval of such details prior to their provision.

With respect to car parking, whilst no parking is now proposed to be provided, as the site is reasonably accessible, being adjacent to Marple District Centre and within reasonable walking distance of a primary school, a high school, bus route, Marple Rose Train Station, medical facilities and various shops and services, and the parking generation of a single dwelling should not be any greater (and should be less) than a Physiotherapy Clinic and therefore the proposal should not result in a material increase in on-street parking, I would conclude an objection on the grounds of the dwelling having no off-street parking could not be justified. I therefore raise no objection to the application, subject to conditions.

- Recommendation : No objection, subject to the following conditions :-

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide a long-stay cycle parking facility for the approved dwelling (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle for the dwelling) have been submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not be occupied until the cycle parking facility has been provided in accordance with the approved details. The cycle parking facility 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 paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD

A detailed drawing of the proposed bin store, as indicated on drawing P555_220 Rev A 'Proposed Plans', shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be of a size and design that ensures that it can accommodate the number and size of bins that will be required for a single dwelling. The development shall not be occupied until the bin store has been provided in accordance with the approved details. The bin store shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that the development will have adequate bin storage facilities, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

ANALYSIS

Policy Principle

The site is located within the Marple District Shopping Centre, as defined on the UDP Proposals Map, which is one of the two main spatial priority areas for residential development, as defined by Core Strategy DPD policy CS4. It is also noted that Stockport is currently in a position of housing under-supply, with 2.6 years of supply against the minimum requirement of 5 years + 20%, as set out in Paragraph 74 of the NPPF. The site comprises previously developed, brownfield land, in an accessible and sustainable location and the proposal would add to the housing supply, in line with Core Strategy DPD policy CS2. On this basis, the principle of much needed residential development in an accessible and sustainable

location, within a District Shopping Centre is considered acceptable, in accordance with Core Strategy DPD policies CS2, CS3, CS4 and H-2.

Impact on Visual Amenity and Residential Amenity

Information submitted in support of the application confirms that the proposed conversion would not require any external alterations to the existing building. On this basis, it is considered that the proposed residential use could be accommodated on the site without causing harm to the visual amenity of the area or residential amenity of surrounding properties.

Private amenity space to serve the proposed dwelling would be provided within a small existing yard area to the rear of the building. It is acknowledged that the proposed level of private amenity space to be provided to serve the proposed dwelling would be sub-standard when assessed against the recommended requirement of 50 square metres for a two bedroomed terraced dwelling, as defined by the Design of Residential Development SPD. However, such provision is considered acceptable in this particular case, due to the location of the site within Marple District Shopping Centre and taking into consideration similar private amenity space provision to serve existing traditional residential properties on the opposite side of Station Road.

In view of the above, it is considered that the proposed residential use could be accommodated on the site without causing harm to the visual amenity of the area or the residential amenity of surrounding properties, in accordance with Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

Highways Considerations

The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

No objections are raised to the proposal from the Highway Engineer, who notes that the proposal should not result in a material increase in vehicle movements or change in character of traffic on the local highway network in the vicinity of the site and the site is located adjacent to Marple District Centre, within reasonable walking distance of a primary school, a high school, bus routes, a train station, medical facilities and various shops and services.

On the basis of the amended scheme, the Highway Engineer notes that no parking is proposed to be provided to serve the proposed dwellinghouse. However, due to the accessible location of the site and the fact that the parking generation of a single dwellinghouse should not be any greater than a Physiotherapy Clinic, it is considered that the proposal should not result in a material increase in on-street parking and therefore an objection on the grounds of the proposed dwellinghouse having no off-street parking could not be justified.

Whilst it is acknowledged that the exact location of the proposed cycle store and bin store have not been shown on the submitted, it is considered that such provision could be secured by way of suitably worded planning conditions.

In view of the above, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable from a traffic generation, parking and highway safety perspective. As such, the proposal complies

with Core Strategy DPD policies SIE-1, CS9, T-1, T-2 and T-3 and the Transport and Highways in Residential Areas SPD.

Developer Contributions

With regard to affordable housing, notwithstanding the requirements of Core Strategy DPD policy H-3 and the Provision of Affordable Housing SPG, the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments (10 residential units or more). As such, on the basis of the proposal for 1 no. dwelling, there is no requirement for affordable housing provision within the development.

Notwithstanding the requirements of saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, it is noted that the property has previously been used as a dwelling (planning permission was granted for the change of use from a dwelling to an office in 1992 – Reference J.54932). On this basis, there is no requirement for a commuted sum payment for the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the needs of the residents of the development in this particular case.

SUMMARY

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and indicates that these should be sought jointly and simultaneously through the planning system.

The principle of the proposed residential use, within an accessible and sustainable location, within one of the two main spatial priority areas for residential development (Marple District Centre), on a previously developed/brownfield site, is considered acceptable and would provide much needed additional residential development at a time of housing under-supply within the Borough.

Due to the fact that the proposed residential conversion would not require any external alterations to the existing building, it is considered that the proposed residential use could be accommodated on the site without causing harm to the visual amenity of the area or residential amenity of surrounding properties.

On the basis of the amended scheme, in the absence of objections from the Highway Engineer and subject to conditional control, the proposal is considered acceptable with regard to the issues of traffic generation, access, parking and highway safety.

In view of the above, the proposal is considered to comply with relevant saved UDP and Core Strategy DPD policies and relevant SPG's and SPD's. In considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, notwithstanding the objections raised to the proposal, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

RECOMMENDATION

Grant.

