

ITEM 4

Application Reference	DC/082744
Location:	The Crown 1 Hawk Green Road Marple Stockport SK6 7HU
PROPOSAL:	Rear extensions to kitchen and restaurant with associated works, new fire escape doors to front elevation to create additional level access and realignment of car park to accommodate proposed new extensions.
Type Of Application:	Full Application
Registration Date:	27/09/2021
Expiry Date:	22/11/2021
Case Officer:	Mark Burgess
Applicant:	Mr Hood
Agent:	PLG Design Ltd

DELEGATION/COMMITTEE STATUS

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

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for single storey kitchen and restaurant extensions to the Northern rear elevation of 'The Crown' Public House on Hawk Green Road in Marple, a new fire escape door to the Southern front elevation and the realignment of the existing car park to the North of the building to accommodate the proposed extensions.

The proposed kitchen extension would be of flat roof design, would have a width of 7.2 metres, a length of 4.9 metres and a height of 3.7 metres and would accommodate a walk in fridge/freezer, which is currently located within the rear yard. The flat roof of the proposed kitchen extension would be enclosed by a timber fence/guard screen and a proposed cooling unit/condenser would be sited on the enclosed flat roof.

The proposed restaurant extension would be of dual pitched roof design, would have a width of 6.9 metres, a length of 8.0 metres and a maximum height of 5.3 metres and would provide an additional trading area.

To the front elevation, it is proposed to install a new ground floor fire escape door to replace an existing window and provide a level access to the front of the premises.

In order to accommodate the proposed new rear extensions, it is proposed to provide minor modifications/realignments to the existing rear car park, to maintain the existing number of parking spaces (37) and provide a safer and improved layout.

An additional accessible parking space would be provided to the front of the premises.

The application is accompanied by the following supporting documents :-

- Design and Access Statement.
- Parking Survey.
- Cooling Unit/Condenser information.

Details of the siting and design of the proposed development are appended to the report.

SITE AND SURROUNDINGS

The application site is located on the Northern side of Hawk Green Road in Marple and comprises 'The Crown', an existing public house/restaurant within a traditional predominantly two storey building. An external drinking area is located to the front (South) and the premises are served by a car park to the rear (North). Vehicular access is taken from Crown Street to the North East.

The site is directly adjoined by residential uses, on Upper Hibbert Lane to the West and Crown Street to the North. To the South is Hawk Green Road with an area of open space beyond and to the East is Crown Street with residential use beyond.

Levels in and around the site slope down from South to North.

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 a Predominantly Residential Area, as defined on the UDP Proposals Map. The application site is entered on the Greater Manchester Historic Environment Record (HER) and falls within the Manchester Airport Safeguarding Area, The following policies are therefore relevant in consideration of the proposal :-

Saved UDP policies

- EP1.9 : SAFEGUARDING OF AERODROMES AND AIR NAVIGATION FACILITIES
- CDH1.2 : NON RESIDENTIAL DEVELOPMENT IN PREDOMINANTLY RESIDENTIAL AREAS

Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- SIE-5 : AVIATION FACILITIES, TELECOMMUNICATIONS AND OTHER BROADCAST INFRASTRUCTURE
- 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 :-

- 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

- J.32682 : Change of use of existing barn to licensed premises with toilet extension and increase kitchen prep area : Granted – 10/01/1985.

- J.12395 : Alterations : Granted – 20/07/1978.
- J.10485 : Provision of car parking accommodation : Granted – 11/01/1978.

NEIGHBOUR'S VIEWS

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

Letters of objection from 4 properties have been received to the application. The main causes for concern raised are summarised below :-

Highways and Parking

- According to the plans, they are reducing the car parking spaces and increasing the restaurant area, advertising to get more people to eat there.
- The restaurant and kitchen are to be expanded, however the number of parking spaces would be reduced.
- How can the premises increase its covers but not increase car parking facilities? The existing car park is not enough for current capacity at the moment. This was an issue in 1985 when the premises were extended.
- It is a regular occurrence that the car park and parking spaces on Crown Street are full.
- The parking is very bad on Crown Street.
- Where are the extra cars going to fit in?
- Parking on Crown Street is always double parked, causing issues with cars entering and exiting the car park and houses. They then resort to parking on Hawk Green Road, taking up valuable spaces.
- There are already real problems with cars parked on both sides of the road at the top of Crown Street, which makes it difficult to get down at times and would prevent emergency vehicles getting into the street should they require access.
- Parking in the area is already an issue, with the car park often being full and people parking on both sides of local roads in residents parking spots, on pavements and blocking the view when trying to pull out of the roads. When the premises are busy, the access on the pavements is so hindered that people have to walk on the road.
- At present, cars park on Crown Street constantly. When cars are parked on both sides of Crown Street, it is very difficult to manoeuvre cars to get into houses.
- With every refurbishment, the problem of parking is exacerbated.

- On a weekend, when Hawk Green Cricket Club are playing at home, the problem is doubly compounded as the Cricket Club were also granted planning permission with the removal of their car park resulting in more cars parking on the road.
- There is little public transport in the area which ceases in the evening.
- There is no clear signage to state for customers to use the car park, as when approaching the premises for visitors outside the area, they would not be aware of a car park at the rear.
- There was a provision on the original planning to put either bollards or yellow lines on Crown Street to prevent double parking.
- If the application is approved, it should be made a condition for 'No Parking' restrictions or double yellow lines to be imposed on the premises side of Crown Street, down as far as the entrance to the car park. If this cannot be done, the application should be refused due to the lack of parking
- Contrary to the submitted application, the premises are not regularly used by locals as it has gravitated to a dining pub rather than a local pub, attracting people from outside the area. There are reports of increased traffic flow on Windlehurst Road, due to visitors not locals attracted by the advertising on local radio.

Impact on Amenity

- The proposed extension would be directly outside the back gate of neighbouring properties. The height of the brick wall and roof pitch would run right across the rear of neighbouring properties, obstructing right of light coming into windows and gardens, potentially making the rear of properties dark and blocking sunlight into gardens.
- Looking at a brick wall and roof out of the back of neighbouring properties is not aesthetically pleasing and in a potential eyesore which may decrease the value of neighbouring properties and deter future potential buyers.
- When residents bought their properties, they were assured that the premises were not noisy and closed early. The proposed build is so that the premises can hold more parties and functions. This will increase noise at night which will have a detrimental effect on sleep and mental well-being, especially for those who work shifts.
- The functions that happen now create late noise from people singing, shouting and banging car doors late at night, often up to 01.00 and later.
- The noise will make it unappealing for residents to sit outside their homes and enjoy leisure time, impacting on residents well-being.
- The premises have been reported for noise issues, particularly at weekend. Increasing the capacity will increase the problem.
- The building work will create a lot of noise, dust and access issues, which will impinge on those studying and residents who work shifts.

- Residents at the moment get smells from the kitchen at the premises. Conditions need to be imposed to ensure that adequate smell control is used within the expanded kitchen.
- With the extension of the restaurant area, there will be more food being cooked and more smells coming towards neighbouring properties. Would like to see more ventilation and smell control on the new build.
- The premises are already big and under-utilised so space in the existing footprint is already adequate for functions that could contain the noise within the premises without the need to build something that would have such a detrimental impact on neighbouring properties, well-being and right to light.

Other Issues

- It is very disappointing that the premises are trying to expand to turn into a bigger venue which is not in keeping with the area and the listed properties that surround it.
- This is the third planning application modifying the premises and it is felt not on any occasion have the views of the local community been taken into consideration.
- A neighbouring property has a right of way along the pathway, which is referred to in the conveyance. The proposed plans would affect the light and make this area very dark and potentially very dangerous when using the path. The construction access could also severely hinder access as the building is so close to a neighbouring back gate.
- Neighbouring residents have spent a significant amount of money improving their properties. The proposed build would decrease property values significantly.

A letter of support from 1 property has been received to the application, which asserts the following :-

- The application is supported on the grounds of supporting a local business of community value, improved noise mitigation and improvements to the environment.
- Conditions are encouraged to enforce social opening hours (as existing for the pub), limiting noise levels and requiring a Construction and Environmental Management Plan.
- The applicant is encouraged to install a proportional amount of electric vehicle charging points in the car park, in line with Council guidance.

CONSULTEE RESPONSES

Highway Engineer

Comments of 19/10/2021

The proposed kitchen extension does not in itself cause concern as it will not directly impact on traffic generation.

The application notes the replacement of outdoor seating area/covers with a new dining area extension.

Whilst supporting in principle the formation of two disabled bays, as detailed neither meets standards and one compliant bay would be a more suitable option in the location shown.

No parking spaces are to be lost as a result of the development. It does seem likely that the increased all weather restaurant capacity will lead to increased demand on parking. The information submitted with the application is insufficient to enable judgement on whether the proposed parking provision will adequately serve the development.

I ask therefore that a parking survey be undertaken through typical operational days, say Friday evening, Saturday and Sunday lunchtime. Applicant should confirm the level of operation of the premises at the time of the surveys; some similar premises are operating with a reduced service given staffing or supply issues. The survey area should include the pub car park, Crown Street, and Hawk Green Road fronting the green.

- Recommendation : Defer for further information.

Further comments of 15/11/2021, following submission of additional information

The proposed kitchen extension does not in itself cause concern as it will not directly impact on traffic generation.

No parking spaces are to be lost as a result of the development

The application also includes the replacement of outdoor seating area/covers with a 50 m² dining area extension. This would raise the public floor area of the pub/restaurant to approximately 200m². Stockport parking standards note a *maximum* parking requirement of 40 spaces for that size of pub. The car park has 37 spaces. Given parking requirements are maximum, and the fact that the parking provision is close to the maximum requirement, it is my opinion that it would be difficult to sustain any objection to the development on the grounds of lack of parking.

The applicant has provided photographic evidence of levels of parking on both the pub car park and adjacent streets at varying times of the day and on several days which suggest spaces remain unused within the car park which could therefore accommodate any potential increased demand following development.

Given the close proximity to other properties it is recommended that a condition be attached to any approval requiring submission and approval of a construction management plan.

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

No development shall take place until a method statement detailing how the development will be constructed (including any 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, access arrangements, turning / manoeuvring facilities, 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.

The approved development shall not be brought into use until the car parking facilities for the development have been provided in accordance with the approved drawings, marked out (with carriageway markings, or similar) and available for use. The car parking facilities shall thereafter be kept clear and remain available for parking of vehicles for the development.

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 SD-6 'Adapting to the impacts of climate change', 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.

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).

Conservation Officer

The application site is located within the historic Hawk Green Settlement (HER no. MGM3179) and is entered on the Greater Manchester Historic Environment Record (HER no. MGM15497). As such the building is considered a non-designated heritage asset for the purpose of the NPPF. Further, the building forms part of the setting of the following heritage assets :-

- Statutory Listed 81-83 Upper Hibbert Lane
- Locally listed Hawk Green Reading Rooms
- Locally listed former Hawk Green Co-Op

The building is considered to make a positive contribution to the setting of these heritage assets and the wider streetscene.

Detailed information in respect of entries on the HER can be obtained through Greater Manchester Archaeology Advisory Service. I understand that GMAAS have been consulted on the application and have provided comments on the application.

Details in respect of listed buildings can be found on the Council's web pages at the following link: <https://www.stockport.gov.uk/find-conservation-and-heritage-assets>

In reviewing the details of the application I note that a proportionate heritage assessment has not been submitted, contrary to the requirements of para 194 of the NPPF.

Notwithstanding the above, given the relative small-scale nature of the development I consider that the works would have an acceptable impact, subject to conditional control over the materials of external construction and the details of design. I therefore recommend that the following conditions are required, if it is resolved that planning permission should be granted :-

Condition : 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 for inspection on site. The details and samples shall include a sample panel of the proposed stonework, and the type of joint and colour of the mortar to be used. The schedule shall also contain details of the design, materials and external finish of all screen and boundary railings, fences, gates and walls and details of both hard and soft landscape works and hard landscaping materials. Development shall not be carried out except in accordance with the agreed schedule, samples and details.

Reason : In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset and the setting of the surrounding heritage assets, in accordance with Development Management Policy SIE-3 (Protecting, safeguarding and enhancing the environment) of the adopted Stockport Core Strategy.

Condition : Notwithstanding the information shown on the approved plans, no installation of the proposed doors to the front elevation (which shall be of traditional timber construction with a painted finish of a design to match the existing front elevation door) shall take place until details have been submitted to and approved in writing by the local planning authority. Details shall include sample elevations drawn at a scale of 1:20, and vertical and horizontal sections drawn at a scale of 1:5 and shall show details of the door surrounds, heads and sills and position within the external reveal.

Reason : In order to preserve or enhance the special architectural, artistic, historic or archaeological significance of the heritage asset and the setting of the surrounding heritage assets, in accordance with Development Management Policy SIE-3 (Protecting, safeguarding and enhancing the environment) of the adopted Stockport Core Strategy.

Environment Team (Noise and Amenity)

Comments of 03/11/2021

Insufficient information has been submitted with the application, in order to adequately assess, if there is likely to be a significant loss of amenity caused by noise arising from the - new cooling units / fridge freezer condensers – to be introduced on the existing flat roof on the rear elevation (kitchen extension).

In the absence of this information, it has not been possible to demonstrate that the proposal would comply with material planning considerations.

It is recommended that the applicant addresses this issue in future planning applications or provides this information should the application be delayed or withdrawn.

The 'Objection' would be reviewed, only, if a BS4142 - NIA is provided, demonstrating that the proposal complies with material planning considerations.

There are no ongoing odour or noise complaints being investigated by this service. The last noise complaint concerned entertainment noise in October 2021 and was not progressed as related to a one-off event. A previous noise complaint in 2017, related to ventilation or extractor noise - was not progressed as no further contact from complainant.

The proposal does not concern extension to hours of operation.

The introduction of new plant on the roof requires to be assessed via BS4142 – NIA.

There are a number of noise sensitive residential receptors in the vicinity of the site, which may be sensitive to construction noise, so an informative relating to acceptable construction hours is recommended.

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

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

- Does not create a negative impact upon the amenity of noise sensitive receptors
- Shall not cause an increase in the ambient background sound level at the boundary of the nearest noise sensitive receptor.

The applicant is required to complete a BS 4142:2014+A1:2019, 'Methods for rating and assessing industrial and commercial sound' to determine the rating level arising from the introduction of the proposed sound source.

The rating level from all fixed plant and machinery associated with the proposed development (when operating simultaneously), shall be 10dB below background sound level, at any time when measured at the boundary of the nearest noise sensitive receptor.

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

Reason : In accordance with the National Planning Policy Framework, 20 July 2021

- AMENITY: *para. 130 (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*
- NOISE: *para. 185 (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*

Further comments of 12/11/2021, following submission of additional information

EHO Objection on grounds of insufficient information, dated 03/11/21 are withdrawn.

The information submitted in email 10 November 2021 12:35 from the agent, is sufficient to address this service concerns about plant noise impact upon residential receptors: noise level at 1m from the units, timber screen and shielding provided by building extension/roof.

Reason : In accordance with the National Planning Policy Framework, 20 July 2021

- AMENITY: para. 130 (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*
- NOISE: para. 174 (e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution*
- NOISE: para. 185 (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*
- AGENT OF CHANGE: para. 187 *decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*

ENVIRONMENTAL HEALTH INFORMATIVES

For the protection of community amenity, these informative comments are designed to assist developers to prevent, minimise and control noise and dust, arising from the construction and operational phases of the proposed development.

- CONSTRUCTION & DEMOLITION SITES - HOURS OF OPERATION

Any works which can be heard outside the site boundary must only be carried out between:

Monday to Friday	7.30 am – 6.00 pm
Saturday	8.00 am – 12:30 pm
Sundays, Public and Bank Holidays	- No noisy working audible from the site boundary

Please view the [guidance notes for contractors \(PDF 300kb\)](#) for more information.

- PREMISES LICENCE

It is the responsibility of the applicant to obtain other licencing consents/approvals which may be required in addition to the necessary Planning approval.

<https://www.stockport.gov.uk/premises-licence>

To provide late-night refreshments, regulated entertainment and sell alcohol, you need a licence from the local authority.

For further information, please contact the Licensing team on 0161 474 4181 or email licensing@stockport.gov.uk

If the Planning Permission and the Premises Licence differ; for example where the Planning Authority have set a terminal hour which is earlier or later than those conditioned by the Premises Licence; you must abide by the earlier time, otherwise vulnerable to enforcement action.

Arboricultural Officer

Site Context

The site is located in residential area of Marple. Proposal is for a full application to alter the current building on site for a commercial plot.

Conservation Area Designations

The proposed development is not within a Conservation Area or affected by this development

Legally Protected Trees

There is no legally protected tree within this site or affected by this development.

Recommendations

The proposed development in relation to the public house alterations on site for the commercial property will not have a negative impact on trees located on or off site.

The main concern for the development is the lack of detailed information in relation to the materials storage and potential impact on the retained tree, which is assumed to be on the car park but needs clarification, as well as any consideration of landscaping to the front/rear of the site to enhance the screening of 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 without an enhanced landscaping plan showing an agreed level of replacements.

Further consideration will needs to be given to the proposed enhancement planting within the site with several species considered for the site to enhance the biodiversity including Sorbus, Prunus and Betula along the rear and frontage of the development. In principle the scheme as a whole will not have a negative impact on the trees in the area, therefore the only issue is the potential material storage impact on the protected trees on site and so just needs confirming location as well as enhancing landscaping through the landscape plan and should be considered positively from an arboriculture aspect.

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 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.

Manchester Airport

The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no objection to this development, subject to the following informative :-

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Manchester Airport, or not attach conditions which Manchester Airport has advised, it shall notify Manchester Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Greater Manchester Archaeological Advisory Service

The Crown is not a designated heritage asset (neither a nationally or locally listed building), and it does not lie within a conservation area, although it is encompassed by the Macclesfield Canal Conservation Area, the Peak Forest Canal Conservation Area and All Saints Conservation Area. In addition, the Grade II listed 81 & 83 Upper Hibbert Lane lie immediately to the west of The Crown, the locally listed Hawk Green Reading Rooms and the former Hawk Green Co-operative in close proximity. Contra to the guidance of the NPPF paragraph 194, a Heritage Statement assessing the impact of the proposals on the setting of these heritage assets has not been submitted in support of the application, although given the relatively small-scale character of the proposed additions to The Crown, it seems unlikely that any such impact will be anything more than negligible. However, the Conservation Team at Stockport Council may be better placed to comment on the harm of development to the setting of designated heritage assets.

Having checked our records, I am happy that the delivery of the proposal will not threaten any known or suspected below-ground archaeological remains. As such, GMAAS is not seeking any further archaeological investigation.

ANALYSIS

Design, Siting, Impact on Visual Amenity and Impact on Heritage Assets

The application site is entered on the Greater Manchester Historic Environment Record (HER) and is therefore considered as a non-designated heritage asset for the purposes of the NPPF. In addition, the building forms part of the setting of 81-83 Upper Hibbert Lane (Statutory Listed Buildings), Hawk Green Reading Rooms (Locally Listed Building) and the Former Hawk Green Co-Op (Locally Listed Building). The detailed comments received to the application from the Council Conservation Officer are contained within the Consultee Responses section above.

The Conservation Officer considers that the existing building makes a positive contribution to the setting of the above heritage assets and the wider street scene and notes that a Heritage Assessment has not been submitted in support of the application. Nevertheless, given its relatively small-scale nature, the Conservation Officer considers that the proposed development would have an acceptable impact, subject to the imposition of suitably worded planning conditions relating to materials of external construction and details of design.

No objections are raised to the proposal from Greater Manchester Archaeological Advisory Service (GMAAS), who consider that the proposed development would not threaten any known or suspected below ground archaeological remains.

In view of the above, in the absence of objections from the Conservation Officer and subject to conditional control, it is considered that the siting, scale and design of the proposed development could be accommodated on the site without causing harm to the visual amenity of the area or existing heritage assets. As such, the proposal is considered to comply with saved UDP policy CDH1.2 and Core Strategy DPD policies CS8, SIE-1 and SIE-3.

Impact on Residential Amenity

The application site is allocated within a Predominantly Residential Area, as defined on the UDP Proposals Map and the site is directly adjoined to the North by residential properties on Crown Street and to the West by residential properties on Upper Hibbert Lane. Saved UDP policy CDH1.2, along with Core Strategy DPD policies CS8, SIE-1 and SIE-3, seek to ensure that non-residential development within Predominantly Residential Area can be accommodated without detriment to the amenity of existing residential properties in respect of siting, scale, noise, odour and nuisance. Notwithstanding this policy designation, consideration must be taken of the fact that the site comprises a longstanding public house/restaurant which has been in existence at the site for many years.

In terms of the proposed kitchen and restaurant extensions, due to the fact that these extensions would be sited a minimum of 28.0 metres from the site boundary with the residential properties on Crown Street to the North and separated by way of the existing car park, no residential amenity concerns are envisaged. It is acknowledged that the proposed restaurant extension would be sited directly adjacent to the Western boundary with residential properties on Upper Hibbert Lane. However, due to the siting of the proposed extension to the East of these properties,

the single storey nature of the proposed extension and the fact that no windows are proposed in the Western facing elevation, it is considered that the proposed extension would not result in undue loss of residential amenity to these properties by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy that would justify the refusal of the application

Neighbour objections raised to the proposal on the grounds of additional noise and disturbance from the proposed development are noted and acknowledged. However, consideration must be taken of the fact that the proposal would relate to an extension of a longstanding public house/restaurant which has been in existence at the site for many years. The detailed comments received to the application from the Council Environment Team are contained within the Consultee Responses section above. At the request of the Environment Team, information has been submitted in support of the application in order to assess whether or not there would be a loss of residential amenity to neighbouring properties caused by noise arising from the proposed new cooling units/fridge freezer condensers to be introduced on the flat roof of the proposed kitchen extension. On the basis of the submitted information, the Environment Team is satisfied that any previous concerns raised regarding noise impacts on residential properties has been satisfactorily addressed, in view of the siting of the proposed equipment, resulting noise levels and the proposal to incorporate appropriate screening.

In view of the above, whilst the neighbour concerns raised to the proposal on the ground of impact on residential amenity are acknowledged and appreciated, Members are advised that no objections are raised to the proposal from the Environment Team. On this basis, the proposal is considered acceptable with regard to the issue of impact on residential amenity, in accordance with saved UDP policy CDH1.2, along with Core Strategy DPD policies CS8, SIE-1 and SIE-3.

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 proposed kitchen extension from the Highway Engineer, who considers that this element of the proposal would not directly impact on traffic generation.

The Highway Engineer notes that, although no existing parking spaces at the site would be lost as a result of the proposal, the proposed dining area extension would result in increased restaurant capacity and would lead to an increased demand on parking. The proposed dining area would increase the public floor area of the existing public house/restaurant to approximately 200 square metres and the Councils adopted parking standards require a maximum parking requirement of 40 spaces to serve the resulting development. The Highway Engineer notes that the existing car park has 37 spaces. However, given that parking requirements are maximum and the fact that the provision is close to the maximum requirements, the Highway Engineer considers it difficult to sustain an objection on the grounds of lack of parking

In addition and at the request of the Highway Engineer, a Parking Survey has been submitted in support of the application, in order for consideration to be made as to whether or not the proposed parking provision would adequately serve the proposed development. Photographic evidence has been provided of the levels of parking at both the car park and adjacent streets at varying times of the day and on several

days, which suggests that spaces remain unused within the car park which could therefore accommodate any potential increased demand following development.

Conditions are recommended by the Highway Engineer, to require the submission, approval and implementation of a Construction Method Statement/Management Plan during construction and to ensure that the development is not brought into use until the car parking facilities have been provided in accordance with the details shown on the submitted plans.

In view of the above, whilst the neighbour concerns raised to the proposal on the ground of lack of parking are acknowledged and appreciated, Members are advised that no objections area raised to the proposal from the Highway Engineer. On this basis, the proposal is considered acceptable with regard to the issues of traffic generation, parking and highway safety, in accordance with saved UDP policy CDH1.2, Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-2, the Sustainable Transport SPD and the Transport and Highways in Residential Areas SPD.

Impact on Trees

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

The Arboricultural Officer acknowledges that existing trees on the site are not afforded protection by way of either Tree Preservation Order or Conservation Area status. As such, consideration must be taken of the fact that existing trees on the site could effectively be worked to or removed without the requirement for consent.

The Arboricultural Officer notes that the proposed development would not have a negative impact on existing trees within the site and the submitted application forms confirm that no existing tree would be removed to accommodate the proposed development. As such, in view of the fact that the proposal would not comprise any tree loss, the imposition of a condition to require additional tree planting, as recommended by the Arboricultural Officer, is not considered to be reasonable in this particular case. Nevertheless, in order to any prevent adverse impact on existing trees during any construction, conditions could be imposed to ensure that no existing tree is worked to and to require the provision of appropriate tree protection measures during construction.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

Aerodrome Safeguarding

In the absence of objections from Manchester Airport, the proposal is considered acceptable from an aerodrome safeguarding perspective, in accordance with saved UDP policy EP1.9 and Core Strategy DPD policy SIE-5.

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.

No objections are raised to the proposal from the Conservation Officer. On this basis, it is considered that the siting, scale and design of the proposed development could be accommodated on the site without causing harm to the visual amenity of the area or existing heritage assets on and surrounding the site.

The neighbour objections raised to the proposal on the grounds of loss of residential amenity are acknowledged and appreciated. However, in the absence of objections from the Environment Team, the proposal is considered acceptable in terms of its impact on the amenity of the surrounding residential properties.

The neighbour objections raised to the proposal on the grounds of insufficient parking are acknowledged and appreciated. However, 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.

In the absence of objections from the Arboricultural Officer and Manchester Airport, the proposal is considered acceptable with regard to its impact on trees and from an aerodrome safeguarding perspective.

In view of the above, the proposal is considered to comply with relevant saved UDP and Core Strategy DPD policies and SPD guidance. 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.