

Central Stockport Area Committee

27th January 2021

DEVELOPMENT APPLICATIONS

REPORT OF THE CORPORATE DIRECTOR FOR PLACE MANAGEMENT AND REGENERATION

ITEM 1

DC/083273

SITE ADDRESS

Kingsgate, Wellington Road North, Heaton Norris,
Stockport, SK4 1LW

PROPOSAL

Reserved matters application for landscaping following
outline approval DC/077409

INFORMATION

These applications need to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Development and Control has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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ITEM 1

Application Reference	DC/083273
Location:	Kingsgate Wellington Road North Heaton Norris Stockport SK4 1LW
PROPOSAL:	Reserved matters application for landscaping following outline approval DC/077409
Type Of Application:	Reserved Matters
Registration Date:	03.11.2021
Expiry Date:	Extension of time to 11 th February 2022
Case Officer:	Jeni Regan
Applicant:	North West Portfolio (No.3) Limited
Agent:	The Emerson Group

DELEGATION/COMMITTEE STATUS

Planning and Highways Regulation Committee – Development of in excess of 5,000 square metres of floorspace.

Application referred to Central Area Committee for comment and recommendation only on the 27th January 2022.

DESCRIPTION OF DEVELOPMENT

Members will recall that outline planning permission was recently sought under application DC/077409 for the erection of a multi-storey car park and amendments to surface level parking and associated works at this site on land to the rear of Kingsgate House, Wellington Road North, Heaton Norris. Matters being considered in this outline application were access; appearance; layout; and scale.

The application was to provide a multi-storey car deck with 316 spaces in total within a gross internal floorspace of 5,416 square metres. The application included disabled parking, cycle parking and electric vehicle charging points.

The outline application was presented to Central Area Committee on the 24th June 2021 and was subsequently recommended to grant permission by Planning and Highways Regulatory Committee on the 8th July 2021. The decision was then issued on the 14th July 2021.

Following the approval of the outline permission, this application now constitutes the necessary reserved matters application to agree the final matter for the scheme, which is landscaping.

The application has been accompanied by a site location plan, a hard landscaping plan, a landscape proposals plan and a plan showing the specifications for the proposed living walls. These are all shown in the drawings pack before you.

The landscaping proposals include living walls to the eastern and western elevations. The walls will contain 11 different species of plants, planted at a density of 49 plants per sqm as required by the condition applied to the outline planning permission.

The soft landscape proposals include the planting of 14 no. new trees around the application site to the south, west and north of the proposed multi storey car park, mainly along the site boundaries. A further 7 no. new trees would then be planted along the eastern boundary of the site, however these would be outside the application site on the adjacent public open space land. The landscape proposals plan then shows proposed shrub planting in substantial beds to all boundaries around the proposed car park containing approximately 22 different species.

SITE AND SURROUNDINGS

The application site is currently comprised of the existing northern car parking area of Kingsgate House. Kingsgate House building is a 1960's office building now occupied by the NHS (D1 use) and other predominantly office (B1) users. It is a substantial 7 storey building, although due to levels differences only presents 6 storeys to its northern end elevation. Kingsgate House is located on Wellington Road North on the edge of Stockport Town Centre. The application site is located on the corner of Parsonage Street and Wyatt Street, with the other boundary being shared with Heaton Norris Park to the east.

The site is located on the north-western edge of Stockport town centre. The majority of the red-edge site is located to the north of the Kingsgate House building and is accessed off Parsonage Street, with a smaller element located to the east of the building and accessed off Fir Street. The site currently comprises existing surface level parking, although there is a significant levels difference between the car park area off Parsonage Street and that off Fir Street.

To the immediate north of the site and at a higher level are two storey residential properties known as Stanbridge Court, whose rear elevation faces the application site. To the east of the application site is Heaton Norris Park with a number of trees on the Park boundary with the application site and extensive areas of grass beyond. To the south of the application site is Kingsgate House.

To the west of the site on the opposite side of Parsonage Street is a mostly concrete panelled wall (with a middle brickwork section), which runs some 30m parallel to the application site. Behind this wall is mostly vacant land / parking associated with other businesses. At the southern end of this vacant land, there are existing 2 storey residential terraced dwellings (Nos. 75 to 83 Parsonage Street). The front elevations Nos. 75, 77 & 79 would face the proposed car deck structure. Parsonage Street slopes downwards from north to south.

On the corner of Parsonage Street and Wellington Road North is a tall single storey red brick Grade II listed building, built in 1889, which has been vacant for some time. The A6 is a main road running to Stockport town centre and has a variety of building styles and heights either side. Immediately to the South East of Kingsgate House, fronting the A6 is Mandale House, which is a 9 storey (at its highest) office building that has in recent years been converted into apartments.

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.

The application site is located within a Predominantly Residential Area as allocated within the UDP and as within the M60 Gateway area. Therefore, the following policies are applicable in this case.

Saved policies of the SUDP Review

- EP1.7 'Development and Flood Risk'
- CDH1.2 'Non Residential Development in Predominantly Residential Areas'
- TCG1.3 'Parking in the Town Centre'

LDF Core Strategy/Development Management policies

- CS1 'Overarching Principles: Sustainable Development – Addressing Inequalities and Climate Change'
- SD-6 'Adapting to the Impacts of Climate Change'
- CS8 'Safeguarding and Improving the Environment'
- SIE-1 'Quality Places'
- 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'

Supplementary Planning Guidance

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

- 'Sustainable Transport Supplementary Planning Document' (December 2007)

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 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in

accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

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

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

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

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

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

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

For decision-taking this means:

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

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

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

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

Para.12 “.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning

authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.

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

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

Para.124 “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”.

Paragraph 127 “states that developments should function well and add to the quality of the area, be visually attractive as a result of good architecture, layout and landscaping, be sympathetic to local character, establish or maintain a strong sense of place, optimise the potential of the site to accommodate an appropriate amount and mix of development, and create places that are safe, inclusive and accessible.”

Para.130 “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.

Para.213 “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.

Planning Practice Guidance

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

RELEVANT PLANNING HISTORY

Reference: DC/077409; Type: OUT; Address: Kingsgate, Wellington Road North, Heaton Norris, Stockport, SK4 1LW, ; Proposal: Outline planning application (access, appearance, layout and scale) for the erection of a multi-storey car park, amendments to surface level parking and associated works.; Decision Date: 14-JUL-21; Decision: GTD

NEIGHBOUR'S VIEWS

Following the submission of the original proposals, the owners/occupiers of 91 surrounding properties were notified in writing of the proposal. A site notice was posted on the site boundary along with a press notice in the local press.

No letters of representation have been submitted in response.

CONSULTEE RESPONSES

Arboriculture

Original comments 17.11.2021

In relation to the following Reserved matters application for landscaping following outline approval DC/077409.

Can the *Carpinus betulus* be replaced with either *Crataegus monogyna* *Stricta* or *Sorbus aucuparia* for increased biodiversity benefits?

Also the trees proposed on the greenspace will need to be planted with tree guards, as well as planted further away from the edge of the site to prevent future overhang to the car park.

Finally the numbers of each *Tilia* and *Quercus* species needs to be reduced and replaced with *Betula pendula* so planting alternatively along the edge of the site.

Further comments following submission of amended landscape plan 14.01.2022

I am now happy with the landscaping proposals.

Nature Development

Original comments 17.11.2021

It's good to see the proposals for the living wall and also the street-level proposed. I'd be happy with the proposed landscape plans, providing that the number of locally native tree species is increased. As the Arboriculture officer has recommended, this can be done by replacing the hornbeam (which is proposed along the north frontage) with species such as rowan and/or hawthorn.

Further comments following the submission of amended landscape plan 18.01.2022

I am now happy with the species proposed.

Highways

The reserved matters application in respect of landscaping works does not in itself cause any impact on the operation of the highway. There are new areas of flagged hardstanding to be formed as a part of the development and these should be constructed and drained in accordance with sustainable drainage policies.

Recommendation: no objection subject to condition:

No work shall take place in respect to the construction of the approved footpath until a detailed drawing of the footpath has been submitted to and approved in writing by the Local Planning Authority. Details shall include how the footpath will be surfaced

(which shall be tarmac, block paving or other non-loose material) and drained (which must be to a soakaway / SuDS system). The approved development shall not be brought into use until the footpath has been provided in accordance with the approved drawing and is available for use.

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.

ANALYSIS

In considering the current reserved matters application, it is acknowledged that the principle of the proposal has already been established via the previous permission DC/077409. Furthermore, it is accepted that the access, floorspace, maximum overall height and design associated with the current application would be in compliance with the previous permission and all the relevant conditions contained within it.

The following matters require consideration as part of the assessment of this application:-

Landscaping

As outlined earlier in the report, the application has been accompanied by a hard landscaping plan, a landscape proposals plan and a plan showing the specifications for the proposed living walls.

The landscaping proposals include living walls to the eastern and western elevations. These living walls will be to surround the circulation cores for the multi storey car park on the front and rear of the structure. The walls will contain 11 different species of plants, planted at a density of 49 plants per sqm as required by the condition applied to the outline planning permission.

The specification information supplied states that the living wall panels have planting pockets and an integrated irrigation system. The panels are fixed to a timber or steel frame, which is in turn attached to the main building framework. In terms of maintenance, 2 visits would be made during the growing season to inspect the plants and identify any weeds or dead plants. Any dead or dying plants would be removed and replaced as necessary to maintain 95% wall coverage. The irrigation system would also go through annual checks for any defected pipes or blockages.

The hard landscaping proposals at the site is mainly to retain the existing hardscaping from the existing surface car park already seen at the site. However, it is proposed to provide proposed concrete flagged walkways to the circulation core stairwells on the eastern and western elevations of the structure. Details of the proposed drainage methods for these new areas of flagged walkway have been requested by the Highways Officer, and this will be controlled via an appropriately worded condition.

The soft landscape proposals include the planting of 14 no. new trees around the application site to the south, west and north of the proposed multi storey car park, mainly along the site boundaries. A further 7 no. new trees would then be planted along the eastern boundary of the site, however these would be outside the application site on the adjacent public open space land. The landscape proposals plan then shows proposed shrub planting in substantial beds to all boundaries around the proposed car park containing approximately 22 different species.

The proposals for the living walls and the proposed landscaping scheme for the site have been assessed by the Council's Arboricultural and Nature Development officers and their full comments can be seen in the consultation section above. Recommendations were made from both officers in response to the initial submission, including the replacement of certain tree and shrub species with alternatives that would increase the locally native tree species at the site and also increase the biodiversity benefits at the site. It was also suggested that the trees to be planted on the adjacent open space should be planted with tree guards, as well as being located further away from the edge of the site to prevent future overhang to the car park.

The applicant has taken on board all of the recommendations made and has amended the proposed soft landscaping proposals accordingly. It has now been confirmed by the relevant Council officers that the landscaping proposals are now considered to be acceptable for this development.

Through the provision of the living walls to the front and rear elevations, the planting of 21 new trees on and around the site and the substantial planting beds proposed to all boundaries, the proposed landscaping scheme will assist significantly to soften and screen the multi storey car park, particularly from the adjacent existing residential properties. The biodiversity value of the site is currently very low, with the site predominantly covered in existing hardstanding and no trees planted around the edges. Therefore, the proposals will also increase the biodiversity value of the site and contribute to addressing local air quality issues to the benefit of the environment in the wider area.

In view of the above, in the absence of objections from the Arboricultural and Nature Development Officers and subject to conditional control, the proposal is considered acceptable with regard to landscaping and biodiversity enhancements at the site, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

SUMMARY

In conclusion, the proposed landscaping for this multi-storey car park is considered acceptable, following the approval of the wider scheme under outline permission DC/077409. The landscaping proposals are considered to be acceptable for the development in relation to the appropriate softening and screening for the multi storey car park, and in relation to improving the biodiversity value of the site over the existing surface parking site currently in situ to serve an existing office development. Subject to conditional control, the landscaping is considered acceptable, in accordance with Core Strategy DPD policies CS8, SIE-1 and SIE-3.

RECOMMENDATION

GRANT

Should Members agree the recommendation, the application should be referred to the Planning and Highways Regulation Committee for determination as a development in excess of 5,000 sqm of floorspace.