

ITEM 2

Application Reference	DC/081855
Location:	239-245 London Road Hazel Grove Stockport SK7 4HS
PROPOSAL:	Construction of an additional two storeys onto an existing three-storey building to accommodate 12 new apartments with associated vehicle, cycle parking and refuse provision.
Type Of Application:	Full Planning Application
Registration Date:	22.06.2022
Expiry Date:	21.09.2022
Case Officer:	Helen Hodgett
Applicant:	RA London Road Ltd
Agent:	Mialex

DELEGATION/COMMITTEE STATUS

This application is before Stepping Hill Area Committee, as representations of objection have been received from the occupiers of 8 properties, which are contrary to the recommendation to grant planning permission.

Stepping Hill Area Committee can make a decision upon this planning application.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the construction of an additional two storeys onto an existing three-storey building to accommodate 12 new apartments, with associated vehicle, cycle parking and refuse provision.

The 12 apartments would be located within a two-storey roof extension to be located on top of the existing three-storey building. The building is currently approximately between 11 and 12 metres in height. The roof extension would be approximately 6.4 metres in height, and would be set back from the front building line to the London Road elevation, and also set back from the side building line to the Queens Road elevation and the car park elevation building line.

There would be 5x one-bedroom, one-person residential units and 1x two-bedroom, three person residential units to each floor of the roof extension. A total of 12 self-contained apartments. The apartments at third floor would have areas of external amenity space, incorporating planting with balustrading. The roof top area would have photovoltaic panels and areas of planted 'green roof.'

The apartments would be accessed via the existing doorway to the London Road frontage, via either the proposed lift or stepped access. It is proposed to utilise the existing parking and servicing space to the rear curtilage of the building as part of the

development, which would continue to be accessed via the existing access via Queens Road.

Within the rear curtilage, it is proposed that 10 of the 26 parking spaces (including one accessible space) would be available for the proposed 12 apartments, with covered and secure bicycle parking for 26 bicycles and segregated refuse and recycling storage provision for 26 apartments. Landscaping, CCTV and lighting are also proposed for the curtilage area. The commercial units would retain the single-storey bin store located to the rear of the development, which would continue to be serviced by a refuse vehicle within the site.

As part of the works to the existing building, it is proposed to replace the existing white framed windows with grey uPVC framed windows, to replace the external doors and rainwater goods, and to insert an additional opening at first and second floor levels within the elevation to the rear of the stair and lift core to serve the entrance lobby. It is additionally proposed to elongate two existing openings at first and second floors to the car park rear elevation.

The scheme has been amended since it was first submitted, including the inclusion of a set back in the building line of the extension to the London Road frontage, the retention of the brickwork finish to the building, and as regards the external layout, including cycle parking and bin storage.

The application is accompanied by a number of supporting documents including, Crime Impact Assessment, Drainage Strategy, Transport Statement and addendum, Air Quality Assessment, Noise Impact Assessment, Ventilation Strategy, Sustainability and Energy Statement, Ecological Survey and Daylight and Sunlight Assessment.

SITE AND SURROUNDINGS

This application relates to 239-245 London Road, which is located within the primary shopping frontage of the Hazel Grove District Shopping Centre, upon the corner of London Road / the A6 and Queens Road.

239-245 London Road currently comprises a three-storey, flat roof building, with curtilage to the rear for parking for 26 cars and for servicing, accessed via Queens Road. The building is in use as a retail unit 'Pound Stretcher' over the majority of the ground floor and part of the first floor, with a further barber shop retail unit located to the Queens Road frontage, to the rear side at ground floor.

The remainder of the first floor and the whole of the second floor of the building were most recently within an office use, and are currently vacant. Under the provisions of Permitted Development, subject to prior approval, consent was granted under DC/079889 and DC/079891 for the change of use of the office spaces at first and second floors into 14 self-contained apartments (see planning history section below). These consents are current/extant and can be implemented.

The submitted drawings for this application advise that it is proposed to build out consent ref. DC/079891 for 13x one bedroom units and 1x two-bedroom unit.

The application property, 239-245 London Road, adjoins property 235-237 London Road, which consists of three-storey pitched roof terraced properties, incorporating 2x retail units at ground floor and residential accommodation, with curtilage to the

rear. Businesses and residential uses within adjoining 235-237 London Road have accesses via the London Road frontage and via the rear curtilage. The rear curtilage of 235-237 London Road is accessed via a route through the curtilage of the application property to the rear to/from Queens Road.

247 London Road, adjacent to the application site on the opposite side of Queens Road, fronting London Road, is in commercial use as a fireplace showroom. Properties on the opposite side of London Road / the A6 to the application site are in commercial uses at ground floor with some residential above.

The Grade II listed War Memorial and Gardens are sited on the opposite side of London Road to the southwest of the application site.

To the rear of the application site curtilage are located residential properties/houses with garden curtilages within Victoria Avenue and Queens Road. These properties are located within a Predominantly Residential Area, as regards the Council's development plan. The side gable elevation of two-storey residential property 15 Queens Road is located opposite the rear car park elevation of the application building.

The site is located within Flood Zone 1 of the Environment Agency's (EA's) mapping system, which is low risk of flooding. The site is also located within an Air Quality Management Area and a Coal Consultation Zone.

The application site is located within an accessible location, within the District Shopping area of Hazel Grove, with access to shops, services and amenity spaces, including Green Park, Torkington Park and School Street allotments. There are bus stops outside the premises on the A6, along with Hazel Grove Railway Station in close proximity. There are vehicle parking restrictions to the streets surrounding the application site, including on Queens Road and the A6/Buxton Rd. Public car parks are available within the district centre.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

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

Saved policies of the SUDP Review

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

EP1.7 – Development and Flood Risk

EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities

PSD2.5 – Other Development in District Centres

LDF Core Strategy/Development Management policies

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

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE

SD-1: Creating Sustainable Communities

SD-6: Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3: MIX OF HOUSING

CS4: DISTRIBUTION OF HOUSING

H-1: Design of Residential Development

H-2: Housing Phasing

H-3: Affordable Housing

CS5 ACCESS TO SERVICES

CS6 SAFEGUARDING AND STRENGTHENING THE SERVICE CENTRE HIERARCHY

AS-1 The Vitality and Viability of Stockport's Service Centres

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

SIE-5: Aviation Facilities, Telecommunications and other Broadcast Infrastructure

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.

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

National Planning Policy Framework

The NPPF, initially published on 27th March 2012 and subsequently revised and published, sets out the Government's planning policies for England and how these are expected to be applied.

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”.

National Planning Policy Framework.

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. They should use the full range of planning tools available.....and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. 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.

5. Delivering a sufficient supply of homes

Para 60. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

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

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

9. Promoting sustainable transport

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

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

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

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

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

Para 111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

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

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

11. Making effective use of land

Para 119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Para 120. Planning policies and decisions should:

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Achieving appropriate densities

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

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.*

Para 125. ...Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- c)when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).*

12. Achieving well-designed places

Para 126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Para 130. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

132. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

174. Planning decisions should contribute to and enhance the natural and local environment by:

d. minimising impacts on and providing net gains for biodiversity..

e. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability...

185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

187. Planning policies and 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.

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

Annex 1: Implementation

Para 219. ...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 (PPG)

The PPG 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.

<https://www.gov.uk/government/collections/planning-practice-guidance>

RELEVANT PLANNING HISTORY

Reference: DC/079889; Type: PC3O; Address: 239-245 London Road, Hazel Grove, Stockport, SK7 4HS, ; Proposal: Application to determine if prior approval is required for a proposed Change of Use from Offices (Class B1(a)) to 14 Dwellinghouses (10x one-bedroom and 4x two-bedroom units) (Class C3)).; Decision Date: 19-APR-21; Decision: PARA

Reference: DC/079891; Type: PC3O; Address: 239-245 London Road, Hazel Grove, Stockport, SK7 4HS, ; Proposal: Application to determine if prior approval is required for a proposed Change of Use from Offices (Class B1(a)) to 14 Dwellinghouses (13x one-bedroom and 1x two-bedroom units) (Class C3)).; Decision Date: 19-APR-21; Decision: PARA

Reference: DC/074976; Type: PC3O; Address: 239-245 London Road, Hazel Grove, Stockport, SK7 4HS, ; Proposal: Change of use of a building from Office Use (B1a) to a Dwellinghouse (C3) to form 11 dwellings; Decision Date: 20-NOV-19; Decision: PARA

Reference: DC/080565; Type: PC3O; Address: Grove House, 227-233 London Road, Hazel Grove, Stockport, SK7 4HS, ; Proposal: An application to determine if prior approval is required for a proposed: Change of Use from Offices (Class B1(a)) to 15 Dwellinghouses (Class C3).; Decision Date: 08-JUL-21; Decision: PARA

Reference: DC/066736; Type: PC3O; Address: Grove House, 227-233 London Road, Hazel Grove, Stockport, SK7 4HS, ; Proposal: Prior Approval for change of use of upper floors (1st, 2nd and 3rd) from office use (class B1(a)) to 15 apartments (class C3); Decision Date: 13-SEP-17; Decision: PNRA

Reference: DC/054873; Type: FUL; Address: 235C London Road, Hazel Grove, Stockport, SK7 4HS; Proposal: Change of use of ground floor and first floor shop to form 2 no. flats with external alterations to front, side and rear elevations; Decision Date: 24-SEP-14; Decision: GTD

Reference: J/32174; Type: XHS; Address: 237 London Road, Hazel Grove.; Proposal: Rear extension.; Decision Date: 08-NOV-84; Decision: GTD

CONSULTATION

In order to publicise the application, the occupiers of neighbouring properties were notified of this planning application by letter and were later notified of amended plans by letter.

A site notice was also posted adjacent to the application site and a notice was published in the Stockport Express to give publicity to the application. The application is publically available via the Council's website.

The Council has received representations from contributors at 8 addresses objecting to the application.

The representations can be reported as follows:

Access:

Adjoining properties 235/237 London Road have a legal right of way though the car parking area shown in the proposed site plans, the right of way is for unrestricted pedestrian and vehicular access.

Looking at the proposed plans, the changes specified will restrict vehicular access to 235/237 London Road. The access route for 235/237 through the car parking area is clearly stated/displayed in the title register/plan for 235/237 and the proposed changes shown will block vehicle access to the properties directly in front of the point of access.

At the moment there is a no parking zone/yellow hatching directly in front of the gate to 235/237, but on the site plan there is an encroachment in to this zone with a shown parking space. This will severely restrict vehicle access to the properties, and will be particularly the case for large delivery vehicles and also residents vehicles.

Emergency vehicle access will be curtailed to 235 & 237, as the only access to the properties is via this entrance and as such any emergency vehicles such as Fire Engine or Ambulance would not be able to enter the demise of 235/237 if any vehicles were parked on the proposed added resident car parking spaces in front of the properties.

Amenity and Design:

By adding an extra two stories to the building it would potentially block the light into the adjoining properties gardens and rear rooms.

Concerned about impacts of development upon amenity of residential properties on Queens Road, including loss of light, view of the sky, loss of privacy within property,

including within the garden area, from overlooking, along with issues of traffic and parking.

Year round and especially through the autumn/winter, are concerned about the shadow cast over our home by what in real terms is a six-story development to our south.

The development will result in overlooking and reduction in sunlight emanating to the back and garden area of Grove Court. There are already more than enough tall buildings overlooking currently.

The scale of development is out of keeping with existing scale of development. The development will be an eyesore.

The development will generate noise upsetting existing residents.

Noise caused by deliveries to Poundstretcher have been dismissed as infrequent within the Noise report. No reference is made to the Poundstretcher waste collection that occurs between 6am and 7am every Monday, or to the O'Hares waste collection at a similar time on a Monday.

Highways:

Has parking been considered for the inevitable extra vehicles?

With the already consented flats (14) there would be 26 flats within this development. Only 10 resident car parking spaces are proposed. The level of parking is no way adequate for this size of development.

Each apartment could have 2 vehicle owners, which could equate to 52 vehicles.

All the surrounding roads such as Queens Road have residents parking, so any overspill from this development would severely aggravate the already existing parking difficulties in this location.

This proposed development is similar in nature to an existing and recent nearby one, located at Dale House, 204 London Road Hazel Grove Stockport Cheshire SK7 4DF, ref: DC/026681 and DC/065625, but this development of 23 apartments has parking availability of 28 spaces, two of which are designated disabled bays, which this proposal does not have.

Consider parking report to be inaccurate. From experience there is not parking capacity to Queens Road, Grundy Street, Argyle Street and Hatherlow Lane. There is a constant fight for parking on Queens Road, as people are reluctant to pay to park or to walk to their destination.

The assumption that anyone wishing to rent or buy one of these flats will almost certainly use only a bicycle or walk is wrong.

Queens Road is already heavily used by school traffic and as a 'rat run' to avoid the traffic lights at Commercial Road.

The traffic in the area is already horrific.

Infrastructure:

By having extra occupants, has the existing infrastructure been considered i.e. doctors, schools?

CONSULTEE RESPONSES

SMBC Highways – The site is in an accessible location with easy access to local facilities and to public transport. The proposed development will result in a slight increase in traffic when compared to previous uses, to and from the site, but not of a volume to impact severely on the operation of the local highway. The existing access is retained and is adequate for purpose.

The Transport Statement submitted with the application includes car parking demand and local car ownership data in concluding that the level of onsite parking provided will meet residents and other users demands. Given the location and accessibility of the site, it would be difficult to argue against development purely on any perceived lack of parking provision.

Further details of proposed cycle parking confirming the type, size and suitability of the proposed store and any racking system therein are also required, and should be secured by condition. It is noted that the applicant/agent confirm additional indoor storage is available for cycle storage; whilst the indicative store on the site plan would, with an appropriate racking system, provide the appropriate level of provision, cycle guidance would suggest that some storage be included for non-standard cycles such as lie flats. I would expect, given the applicants expressed commitment that the available internal space would be allocated for this purpose, with details included in the attached condition.

Further details of appropriate lighting for car parking area to be provided and may be secured by condition.

The site plan submitted includes adequate provision for bin storage to cater for 26 apartments. Sufficient circulation space remains within the car park for bin collection and servicing of the retail units.

2 EV spaces are indicated together with cable ducting for other spaces relevant to the development though no details of marking, signage or management are provided; these may be secured by condition.

A construction method statement/plan should be submitted prestart demonstrating measures to mitigate against impact during construction works on neighbours and highway users. This may be conditioned as noted previously.

Recommendation: No objection subject to conditions.

CONDITIONS:

Construction method statement (Pre-commencement Condition):

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.

Car park/s: constructed as approved plans:

The approved development shall not be occupied 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 are 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.

EV Charging:

No work shall take place in respect to the provision of parking spaces for electric vehicles within the site until details of proposals to provide:

- 1) Charging equipment for the charging of electric vehicles for a minimum of 2 car parking spaces
- 2) Ducting and pull through to all other parking spaces within the site so as to enable charging equipment for the charging of electric vehicles to be provided for all other parking spaces in the site in the future

have been submitted to and approved in writing by the Local Planning Authority, together with a method statement outlining how the spaces and electric charging equipment will be managed and operate. Details to be submitted shall include how the parking spaces with charging equipment will be signed and marked out, details of the electric charging equipment and details of cabling and ducting. The approved development shall not be occupied until the parking spaces and electric charging equipment have been provided in accordance with the approved details and are available for use and cabling and ducting has been provided to all other parking spaces. The parking spaces and electric charging equipment shall thereafter be retained, as approved, and shall remain available for use. The spaces and associated electric charging equipment shall be managed and operated at all times in complete accordance with the approved method statement (or alternative method statement as may have been approved in writing by the Local Planning Authority).

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and

Cycle parking:

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide the following cycle parking facilities within the site have been submitted to and approved in writing by the Local Planning Authority:

- 1) Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 26 cycles, including 3 lie-flat or similar non-standard cycles

The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

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

Bin stores:

Details of a scheme for the provision of a bin store/s within the site shall be submitted to and approved in writing by the Local Planning Authority. The bin store/s shall be of a size and design that ensures that it / they can accommodate the number and size of bins that will be required for a development of the size approved. The development shall not be occupied until the bin store/s has/have been provided in accordance with the approved details. The bin store/s 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

ADVISORY

Advice on the discharge of highways related planning conditions:

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

Construction Method Statement:

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).

Transport for Greater Manchester (TfGM) – The above application seeks approval for a 2-storey extension above 239-241 London Road for 12 residential apartments.

The quantum of development in this instance falls below TfGM's threshold for a highway impact review.

The application forms confirm that the existing access and servicing arrangements for the building will remain unchanged.

In terms of other comments, it is noted that 12 cycle parking spaces are proposed. The cycle store should be covered and secure, suitable for overnight accommodation, preferably with CCTV and sufficient lighting.

Site observations have confirmed that a bus stop exists outside the site frontage on London Road. TfGM would request that if the construction works are likely to affect the use of the bus stop, the applicant will need to contact the Bus Station Operations team (BusStation.operations@tfgm.com) who deal with temporary bus stop closures.

SMBC Environmental Health – In accordance with the acoustic report, the following Conditions are necessary in order for this application to be approved:

- The mitigation recommended in the acoustic report ADT, 239 – 345 LONDON ROAD, STOCKPORT ENVIRONMENTAL NOISE IMPACT ASSESSMENT ACOUSTIC CONSULTANCY REPORT ADT 3269/ENIA, 24 September 2021 AND EMAIL 25 April 2022 18:18 shall be implemented in full prior to the occupation of each unit.
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.

Environmental Quality 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.

SMBC Environmental Health Air Quality – The submitted Redmore Environmental Air Quality Assessment is accepted. The construction measures discussed to minimise dust should be put in place.

SMBC Environmental Health Contaminated Land – The proposed development site has not been identified as potentially contaminated and it would appear from the supporting documents that there will be minimal/no breaking of ground, as most of the works are to add additional stories onto the existing building. As such, have no comments or objections to make.

GMP – Design for Security – We would support the application, subject to the layout issues within Section 3.3 being addressed and recommend that the physical security measures within Section 4 of the Crime Impact Statement are conditioned.

SMBC Arboriculture – There are no trees, legally protected or otherwise, within this site or affected by this development. Further consideration needs to be given to the proposed enhancement planting within the site, with several species considered for the site to enhance the biodiversity including, for example, Sorbus, Prunus and Betula. A condition regarding tree planting/landscaping is required to be imposed.

SMBC Ecology – The site has no nature conservation designations, legal or otherwise.

Legally Protected Species:

Many buildings have the potential to support roosting bats. All species of bats, and their roosts, are protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. Bats are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS).

Under the Regulations it is an offence to:

- 1) Deliberately capture or kill a wild EPS
- 2) Deliberately disturb a wild EPS in such a way that significantly affects:
 - a) the ability of a significant group to survive, breed, rear or nurture young.
 - b) the local distribution of that species.
- 3) Damage or destroy a breeding place or resting site of such an animal.

A preliminary ecological assessment and bat roost assessment survey has been submitted with the application (Enzygo, 2021). The survey was carried out in December 2021 by a suitably experienced ecologist. An interior and exterior inspection survey was carried out, including detailed inspection at height with the aid of a cherry picker. Gaps were noted under fascia boards and there was a damaged section of fascia board at the southwest elevation. Close inspection of these features did not identify any suitable bat roosting features or access into the cavity wall space and the building is subject to high levels of artificial lightning. As such the building has been assessed as offering negligible bat roost potential.

Buildings also have the potential to support breeding birds. The nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended). Evidence of pigeon were recorded behind the fascia board at the southwest elevation.

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

Invasive species:

No invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded during the survey.

Recommendations:

There is considered to be sufficient ecology survey information available to inform determination of the application. The works are considered to be of very low risk to roosting bats as the building has been assessed as offering negligible potential to support a bat roost.

Bats can sometimes roost in seemingly unlikely places however, and so as a precautionary measure I would advise that an informative is attached to any planning consent granted to ensure that the applicant is aware of the legal protection that bat roosts receive. If at any time during works, evidence of roosting bats (or any other protected species) is discovered on site, works must stop and a suitably experienced ecologist be contacted for advice. Precautionary working measures are detailed in Table 3 of the ecology report and these should be implemented in full (can be conditioned).

In relation to breeding birds works to the roof should be carried out in accordance with Table 3 of the ecology report – i.e. undertaken outside the nesting bird season (which is 1 March – 31 August inclusive) and if this is not possible, a pre-works inspection for nesting birds to be carried out by a suitably experienced ecologist immediately prior to works. This can be secured via condition should planning consent be granted.

The applicant's attention should also be drawn to the presence of pigeons within the building (pigeons can breed year round) and as such a General Licence from Natural England may be required (e.g. GL41 or GL42). The licence does not need to be applied for but the terms and conditions of the licence must be abided to in order to prevent a breach in the relevant legislation (see <https://www.gov.uk/government/collections/general-licences-for-wildlife-management#birds>). An informative to this effect can be placed on any planning consent granted.

Biodiversity enhancements are expected within the development in line with national and local planning policy (NPPF and para 3.345 of the LDF). Submitted plans show some proposed landscape planting on the balcony but this be greatly increased e.g. through provision of a green roof/wall within the scheme design (see for example: https://www.london.gov.uk/sites/default/files/urban_greening_and_bng_design_guide_march_2021.pdf and <https://greenroofslivingwalls.files.wordpress.com/2014/07/living-wall-guide-uk.pdf> as well as the Mailbox (the redeveloped Stockport Exchange building)). Landscape planting at ground level should also be maximised (e.g. tree planting in the car park area). Landscape planting should comprise wildlife friendly species (ideally locally native) to maximise benefits to biodiversity. It would also be expected for bat/bird roosting/nesting facilities to be provided within the development – such as at least 4 swift bricks. These measures can be secured via condition via a Biodiversity Enhancements Plan.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>).

Ecological conditions can change over time. In the event that works have not commenced within two survey seasons of the 2021 ecology survey (i.e. by August 2023), update ecology survey work may be required to identify whether that there has been any change in baseline conditions and ensure that appropriate mitigation is in place.

SMBC Conservation and Heritage – The application site is not a designated or non-designated heritage asset and is not situated in any conservation area, though it does form part of the wider setting of the Grade II listed War Memorial and Gardens, which is sited on the opposite side of London Road.

It is concluded that given the degree of separation from the war memorial and gardens, and the mixed character of the streetscene, there are no heritage objections.

Lead Local Flood Authority (LLFA) – The proposals are acceptable subject to detailed design and adherence with DRAINAGE_REPORT-1532434 Issue 5 17/02/22 - to be secured by condition.

Manchester Airport Group (MAG) – The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no objection to the development.

There is no requirement for an aviation perspective Glint & Glare assessment. No further comments regarding roof mounted solar PV.

Advisory: 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/Cranenotification/>

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.

ANALYSIS

Policy principles

The National Planning Policy Framework (NPPF) emphasises the government's objective to significantly boost the supply of housing. Stockport MBC is currently in a position of housing under-supply, with 3.2 years of supply against the minimum requirement of 5 years with appropriate buffer.

Until the Council can demonstrate a 5 year housing supply, the National Planning Policy Framework (NPPF) confirms that relevant local authority development plan policies for the supply of housing should not be considered up-to-date.

The NPPF establishes within paragraph 11 that there is a presumption in favour of sustainable forms of development, and that development should be approved without delay unless 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.

Regarding 'windfall sites,' potentially such as this application site, paragraph 69 of the NPPF establishes that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should...

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

Policy CS2 of the core strategy, which relates to housing provision, states that "a wide choice of quality homes will be provided to meet the requirements of existing and future Stockport households. The focus will be on providing new housing through the effective and efficient use of land within accessible urban areas, and making the best use of existing housing." The policy also underlines that in order to make best use of existing housing stock, development should safeguard the residential amenity of housing, and protect "the character and quality of predominantly residential areas."

Policy CS3 of the core strategy advises that a mix of housing, in terms of tenure, price, type and size will be provided to meet the requirements of new forming households, first time buyers, families with children, disabled people and older people. It states that new development should contribute to the creation of more mixed, balanced communities by providing affordable housing in areas with high property prices and by increasing owner occupation in areas of predominantly social rented housing.

Core Strategy policy CS4, regarding distribution of housing, directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations).

Core Strategy policy H-2 states that the delivery and supply of new housing will be monitored and managed to ensure that provision is in line with the local trajectory, the local previously developed land target is being applied and a continuous 5 year deliverable supply of housing is maintained and notes that the local previously developed land target is 90%. Paragraph 3.117 of the policy states that in the absence of a five year housing supply, housing development in less accessible and sustainable locations will be supported.

It is confirmed that the application proposes a windfall 'brownfield' development of 12 residential units within a District Shopping accessible urban location, which is supported in principle by policies including the above.

The 12 units are proposed to be 'market housing,' which accords with Core Strategy policy H-3 regarding affordable housing. There is no requirement for the units within this 12 unit scheme to be affordable in this location.

Core Strategy policies CS5 'Access to Services,' CS6 'Safeguarding and Strengthening the Service Centre Hierarchy,' and AS-1 'The Vitality and Viability of Stockport's Service Centres' provide that Stockport's centres, including Hazel Grove District Centre, shall be supported as accessible hubs of communities, and that uses in centres will be managed to safeguard and enhance vitality and viability.

Saved UDP policy PSD2.5 – 'Other Development in District Centres' supports the provision of residential development within district centres, such as Hazel Grove, provided that the proposal would not adversely affect the vitality and viability of the

District Centre and maintains the centre's role as a preferred location for business premises and offices.

The inclusion of the proposed residential properties in the Hazel Grove District Centre location is assessed to accord with the policy principles, as set out above, and as also advocated by paragraph 86 of the NPPF, which advises that planning decisions should take a positive approach to the growth of centres by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.

The inclusion of the proposed residential accommodation would serve to further increase the mix of accommodation within the accessible centre of Hazel Grove, without the loss of commercial units, and would, for example, increase footfall within the centre, which would contribute to the vitality and viability of the district centre.

Saved UDP policy PSD2.5 also advises that "adequate account must be taken of traffic generation, highway capacity, road safety, car parking and servicing, design and environmental matters." These matters will be assessed in detail as follows.

Design and Amenity

NPPF and Core Strategy policies, as outlined above, confirm that there is a presumption in favour of sustainable forms of housing development to meet identified demand. Policies support high quality, well-designed development that is in keeping with the character and appearance of the locality, and development that provides a high standard of amenity for existing and future occupiers.

The NPPF in paragraph 124 establishes that planning decisions should support development that makes efficient use of land, taking into account (amongst other factors), the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change, and the importance of securing well-designed, attractive and healthy places.

Paragraph 126 of the NPPF emphasises that "the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 130 of the NPPF advocates that developments "should ensure developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where

crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Paragraph 134 of the NPPF specifically states that “Development that is not well designed should be refused.”

The NPPF also states that “para. 185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

Policy H-1 of the Core Strategy regarding design of residential development advocates high quality standards of design, responding to the character of the local area, with good standards of amenity, privacy, safety/security and open space for the occupants of new housing, with amenity and good privacy standards maintained for existing occupiers, with guidance provided within the Council’s Supplementary Planning Document – “The Design of Residential Development.”

Policy SIE-1 ‘Quality Places’ of the Core Strategy states that specific account should be had of matters of design, including, materials; the site’s context in relation to surrounding buildings and spaces; ensuring the safety and security of users; provision, maintenance and enhancement (where suitable) satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents; and the potential for a mixture of compatible uses to attract people to live, work and play in the same area, facilitating and encouraging sustainable, balanced communities.

It is assessed that the proposed two-storey roof extension and the proposed refurbishment works to the existing building, including new grey uPVC window installations and doors, would appear acceptably within the street scenes and would, for example, not appear incongruous, due to the proposed design, siting, scale, detail and context, pursuant to policies including the above.

The proposed building would be 5 storeys in height, which is taller than adjacent properties, however, the street scenes are mixed in character, with properties of varying heights, ages, styles and uses; the proposed roof extension has been designed to appear subservient, being set back from the principle front elevation of London Road and also Queens Road; there are properties of similar scale within the vicinity, including four-storey Grove House to the east of the application site, and a similar five-storey development to the southwest of the site, adjacent to the war memorial, which includes a Wetherspoon public house at ground floor; and this is a site located on a main arterial road route within a district centre.

Conditions would be required in order to agree the details of the materials/products of external construction and the landscaping, in the interests of the appearance of the development in context, pursuant to the above local and national policies.

Residential amenity of adjacent occupiers:

The Council's Supplementary Planning Document (SPD) "The Design of Residential Development," provides that new development should provide satisfactory levels of privacy and amenity for future, existing and neighbouring users.

Regarding 'Space about dwellings,' development is encouraged that promotes variety and interest, and which seeks to create an appropriate balance between built form and plot size.

The SPD further advises that "A feeling of privacy, both within the dwelling and the associated garden is a widely held desire that the Council has a duty to secure for the occupants of new and existing housing. In general terms, the design and layout of the development should minimise the degree of overlooking between new houses and should not impose any unacceptable loss of privacy on the residents of existing dwellings."

Minimum space standards normally applied by the Council are then listed within the SPD, with the proviso that imaginative design solutions can be appropriate and will be assessed on a case by case basis.

It is assessed that the proposed development would not unduly detrimentally impact upon the amenities of the occupiers of neighbouring residential properties, due to the proposed siting, design, scale, details and context of the scheme, pursuant to saved UDP policy PSD2.5 – 'Other Development in District Centres,' and Core Strategy policies H-1 'Design of Residential Development' and SIE-1 'Quality Places,' together with policies of the NPPF.

A Daylight and Sunlight study has been submitted to support the application, given the proximity of the proposed development to residential properties, including within adjoining 235 to 237 London Road, to the rear of the site, including within Queens Road and Victoria Avenue; and on the opposite side of London Road.

The study is stated to be based on the various numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition' by P. J. Littlefair 2011. In summary, the numerical results in this study demonstrate that the proposed development will have a low impact on the light receivable by its neighbouring properties, including garden spaces.

It is assessed that the proposed development would have an acceptable impact upon the quality of the living environment for the occupiers of existing residential properties, taking into account the findings of the above study, and due to the proposed separation distances between the development and surrounding residential properties, in context, including within Queens Road, Victoria Avenue, Grove Court located within Chapel Street, 235 to 237 London Road, and on the opposite side of London Road.

In terms of privacy and overlooking, the proposed habitable room windows and external amenity areas within the rear car park elevation of the proposed development would primarily overlook the blank gable of 15 Queens Road. There would be approximately 25.6 metres of separation between a habitable room window within the side elevation of 15 Queens Road's outrigger and habitable room windows within the development. The Council's SPD advocates a distance of 15 metres between habitable room windows and the site boundary, to which this development complies.

The SPD also advocates a distance of 30 metres between habitable room windows on the public or street side of dwellings. As advised above, however, the SPD is guidance, and it is assessed that there would be sufficient separation between the properties for there not to be an undue impact upon privacy overall within the dwelling and the garden, in the context of an urban environment, where, for example, mutual overlooking already exists from existing windows.

It is considered that the proposed distance of approximately 20.8 metres between habitable room windows within the development and within the opposite side of London Road / the A6, is also acceptable in terms of privacy and overlooking, given the urban context and presence of existing windows.

There are windows within the side elevations of 235 to 237 London Road, which would be located opposite the proposed elevation of the development facing towards Chapel Street. There would be approximately 21.6 metres between habitable room windows within the side elevation of 235 London Road and within the development. This distance is also considered to be acceptable, given the context and existing overlooking.

There is one single window at first floor and one double window at ground floor located within the side elevation of 237 London Road opposite existing windows within the 'towards Chapel Street elevation' of the building. It is not considered, given the existing overlooking and context, that the proposed addition of further habitable room windows would unduly impact upon privacy for the occupiers of 237 London Road.

It is considered that the proposed development would not have an undue impact upon the amenities of the occupiers of existing neighbouring properties, in terms of activity associated with the use of the residential development, given the urban setting of the development, the residential character of the proposed use and commensurate noise and disturbance, and the separation between developments.

Occupiers' amenity:

With regard to the level of residential amenity future occupants of the proposed apartments would enjoy, future occupants would be provided with adequate living space, together with light and outlook from their habitable room windows, with access to a range of travel modes, shops, services and amenities, with segregated refuse and recycling provision.

Each property would not have access to on-site amenity space, as advocated, however, this is not unusual within urban environments. The site is well located for local public open spaces including Green Lane Park, Torkington Park and School Street allotments, along with local shops and services, and ready access to a range of travel modes, including public transport, to travel further afield.

In terms of open space provision, Core Strategy DPD policy SIE-2 and the Open Space Provision and Commuted Payments SPD, identify the importance of open space and children's play facilities to meet the needs of the community, and a requirement to include provision for recreation and amenity open space either on-site or off-site. A commuted sum would be required regarding the policies and SPD in connection with the enhancement and maintenance of local open space provision, payable as part of a Section 106 Legal agreement (S.106). Using the formula within the SPD the commuted sum payment would be £38,896.00.

The application was advertised as a Departure from the Council's development plan, as initially open space commuted sums were not proposed to be paid for the development. There is now an undertaking to accord with the policies and SPD. The application is accordingly not a Departure from the development plan. The S.106 would be legally agreed prior to the granting of any planning permission.

The GMP Design for Security unit confirm that there are no objections to the proposed development, in terms of security, providing that the proposed development is designed and constructed to Secured by Design standards. Developments that are built to this standard are less likely to be susceptible to crime, pursuant to policies including Core Strategy policy SIE-1 and H-1, and policies of the NPPF. A condition is required regarding such details of the scheme to be submitted, agreed, implemented and maintained.

The residential units within the application property will be impacted upon by noise, including from vehicle traffic and commercial uses, including the existing retail uses within the building, and from noise generated by each flat. A Noise Impact Assessment (NIA) and ventilation strategy has been submitted to support the application.

The NIA and ventilation strategy have been assessed to be acceptable. As advised above, as part of the development, the windows are proposed to be changed to the first and second floors of the existing building. It is proposed to provide the same acoustic mitigation measures for all four floors of development.

Pursuant to Core Strategy policies H-1, SIE-1 and SIE-3, and saved UDP policy PSD2.5 'Other Development in District Centres,' a condition is required to ensure that the mitigation recommended in the NIA and the ventilation strategy is implemented in full prior to the occupation of each unit, and to ensure that the agreed mitigation scheme be maintained for the purpose originally intended throughout the use of the development.

The Air Quality Assessment has been assessed to be acceptable, pursuant to Core Strategy policy SIE-3. A condition regarding measures to minimise dust during construction shall be imposed, pursuant to policies, including SIE-3.

Conditions regarding the agreement of details of lighting and CCTV shall be imposed, with regards to amenity, security and ecology, pursuant to Core Strategy policies, including SIE-1, SIE-3 and H-1.

Heritage

It is considered that pursuant to the NPPF and Core Strategy policy SIE-3, the proposed development would have a neutral impact upon the setting of the grade II Listed War Memorial and Gardens, which are located to the southwest of the application site, due to the context and separation.

Ecology and Trees

Policy SIE-3, which relates to protecting, safeguarding and enhancing the environment, states that the Borough's biodiversity shall be maintained and enhanced, with planning applications being required to keep disturbance to a minimum and where required identify mitigation measures and provide alternative habitats to sustain at least the current level of population.

It is assessed that the proposed development would accord with policy SIE-3 and relevant policies of the NPPF, provided mitigation measures, as outlined below, are imposed by condition.

There is considered to be sufficient ecology survey information available to inform determination of the application. The works are considered to be of very low risk to roosting bats as the building has been assessed as offering negligible potential to support a bat roost.

Bats can sometimes roost in seemingly unlikely places, however, and so as a precautionary measure, an informative shall be attached to any planning consent granted to ensure that the applicant is aware of the legal protection that bat roosts receive. If at any time during works, evidence of roosting bats (or any other protected species) is discovered on site, works must stop and a suitably experienced ecologist be contacted for advice. Precautionary working measures are detailed in Table 3 of the ecology report and these should be implemented in full (can be conditioned).

In relation to breeding birds works to the roof should be carried out in accordance with Table 3 of the ecology report – i.e. undertaken outside the nesting bird season (which is 1 March – 31 August inclusive) and if this is not possible, a pre-works inspection for nesting birds to be carried out by a suitably experienced ecologist immediately prior to works. This can be secured via condition should planning consent be granted.

The applicant's attention should also be drawn to the presence of pigeons within the building (pigeons can breed year round) and as such a General Licence from Natural England may be required (e.g. GL41 or GL42). The licence does not need to be applied for, but the terms and conditions of the licence must be abided to in order to prevent a breach in the relevant legislation. An informative to this effect can be placed on any planning consent granted.

Biodiversity enhancements are expected within the development in line with national and local planning policy (NPPF and para 3.345 of the LDF). Submitted plans show some proposed landscape planting on the balcony and provision of a green roof.

There are no trees to be lost as part of the development. Landscape planting at ground level should be maximised (e.g. tree planting in the car park area). Landscape planting should comprise wildlife friendly species (ideally locally native) to maximise benefits to biodiversity. A condition is required to secure a detailed landscaping and maintenance scheme for the roof, balconies and within the external area, including tree planting.

It would also be expected for bat/bird roosting/nesting facilities to be provided within the development – such as at least 4 swift bricks. These measures can be secured via condition via a Biodiversity Enhancements Plan.

Any proposed lighting should be sensitively designed, so as to minimise impacts on wildlife associated with light disturbance. A condition regarding details of lighting should be imposed regarding ecology and amenity.

Ecological conditions can change over time. In the event that works have not commenced within two survey seasons of the 2021 ecology survey (i.e. by August 2023), update ecology survey work may be required to identify whether that there has been any change in baseline conditions and ensure that appropriate mitigation is in place. This to be secured by condition.

Parking and highway safety

Policy CS9 of the core strategy states that the Council will require that development is located in locations that are accessible by walking, cycling and public transport. Policy T1 reiterates this requirement, with this policy setting out minimum cycle parking and disabled parking standards.

Policy T2 of the core strategy states that developments shall provide car parking in accordance with maximum car parking standards for each type of development as set out in the existing adopted parking standards, stating that developers will need to demonstrate that developments will avoid resulting in inappropriate on street parking that has a detrimental impact upon highway safety or a negative impact upon the availability of public car parking.

Policy T3 of the core strategy states that development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues. It also advises that new developments should be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking and servicing facilities.

Para 111. of the National Planning Policy Framework (NPPF) states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

It is proposed that 10 of the 26 car parking spaces (including one accessible space) within the rear curtilage would be available for the proposed 12 apartments, with covered and secure bicycle parking for 26 bicycles and segregated refuse and recycling storage provision for 26 residential units. The commercial units would retain the single-storey bin store located to the rear of the development, which would continue to be serviced by a refuse vehicle within the site.

The Highways Engineer has assessed the application and is satisfied with the proposed development, subject to the imposition of conditions. It is considered the proposal would accord with Core Strategy policies including, CS9, T1, T2 and T3 of the Stockport Core Strategy, saved UDP policies PSD2.5 – Other Development in District Centres and MW1.5 – Control of Waste from Development, together with the National Planning Policy Framework (NPPF), including paragraph 111.

The application site is located within an accessible location, within the District Shopping area of Hazel Grove, with access to shops, services and amenity spaces, including Green Park, Torkington Park and School Street allotments. There are bus stops outside the premises on the A6, along with Hazel Grove Railway Station in close proximity. There are vehicle parking restrictions to the streets surrounding the application site, including on Queens Road and the A6/Buxton Rd. Public car parks are available within the district centre.

The proposed development will result in a slight increase in traffic when compared to previous uses, to and from the site, but not of a volume to impact severely on the operation of the local highway. The existing access is retained and is adequate for purpose.

The Transport Statement submitted with the application includes car parking demand and local car ownership data in concluding that the level of onsite parking provided will meet residents and other users demands. Given the location and accessibility of

the site, it would be difficult to argue against development purely on any perceived lack of parking provision.

Further details of proposed cycle parking confirming the type, size and suitability of the proposed store and any racking system therein are also required, and should be secured by condition.

Further details of appropriate lighting for car parking area to be provided and may be secured by condition.

The site plan submitted includes adequate provision for bin storage to cater for 26 apartments. Sufficient circulation space remains within the car park for bin collection and servicing of the retail units.

2 EV spaces are indicated together with cable ducting for other spaces relevant to the development though no details of marking, signage or management are provided; these may be secured by condition.

A construction method statement/plan should be submitted prestart demonstrating measures to mitigate against impact during construction works on neighbours and highway users. This may be conditioned as noted previously.

It is reported that adjoining properties 235/237 London Road have a legal right of way though the car parking area shown in the proposed site plans. The right of way is stated to be for pedestrian and vehicular access. The location of the route can be identified within the area of yellow hatching on site. It is acknowledged that the proposed parking layout, specifically including the proposed accessible parking space, when occupied, would impact upon this access area.

It would, however, be for the relevant owners/interested parties to resolve the matter of private access rights. This matter would sit outside of Planning legislation, as a separate Civil matter, and not a material planning consideration. As shown within the proposed site plan, there would remain the potential for access between the rear of 235/237 London Road and Queens Road with the proposed development.

Airport Safeguarding

The development accords with airport safeguarding considerations, pursuant to policies including EP1.9 – Safeguarding of Aerodromes and Air Navigation Facilities and SIE-5: Aviation Facilities, Telecommunications and other Broadcast Infrastructure, due to the design and siting of the development.

Energy Efficiency

The proposed energy strategy fully complies with Stockport's Core Strategy Policy CS3 in terms of addressing the minimum domestic carbon reduction target of 13% over current Part L. This will be achieved by:

- An enhanced fabric and servicing specification for the new build apartments;
- This will be allied to efficient heating system with sophisticated controls; and,
- The integration of a 12.3kWp photovoltaic array on the roof of the apartments in a south facing orientation.

It should be noted that the Building Regulations have now, however, set new minimum standards for fabric efficiency and energy efficiency, and it is the

responsibility of the developer to comply with relevant building regulations standards, which sit outside of planning requirements.

Land contamination and stability

The proposed development site has not been identified as potentially contaminated and it would appear from the supporting documents that there will be minimal/no breaking of ground, as most of the works are to add additional stories onto the existing building. An informative regarding the unexpected discovery of land contamination should be applied.

Regarding coal mining, the Coal Authority advise that the site is located within an area of low risk. The site is within the defined coalfield, however, whilst coal mining has taken place in this area, it was at such depths that it is much less likely to pose a risk to new development. In this area our records indicate no known or likely coal-mining legacy features at shallow depth. Standing advice is provided by the Coal Authority, and will be applied to a decision by way of an informative.

The above pursuant to Core Strategy policy SIE-3 and the NPPF.

Drainage

Policy SD-6 of the Core Strategy states that all development will be required to incorporate Sustainable Drainage Systems (SuDS), so as to manage the run off of water from the development. In order to ensure compliance with the policy, a condition is required to be imposed, requiring the submission, approval and subsequent implementation and management of a final detailed scheme to manage sustainable surface water run-off from the development.

Other matters

It is not considered that the impacts of 12, mainly one-bedroom apartments, would be significant upon existing infrastructure provision, including schools and GP places.

Conclusion

This development of 12 additional residential units would make a small, but nonetheless valuable, windfall contribution within an urban area of mixed tenure, to addressing the shortage of new housing in Stockport.

The development would be of acceptable quality, would be located in an accessible location, and would be sustainable in terms of travel and building.

Overall, the proposal is considered to comply with the development plan and the NPPF, for the reasons set out within the report, and therefore, the NPPF requires the development to be approved without delay.

RECOMMENDATION

Grant; subject to conditions and Section 106 Legal Agreement in respect of the "Open Space Provision and Commuted Sum Payments SPD" and relevant planning policies.