

## ITEM

<b>Application Reference</b>	<b>DC/085817</b>
<b>Location:</b>	Seaton House 61 Wellington Street Stockport Stockport SK1 3AD
<b>PROPOSAL:</b>	Conversion and Extension of the existing Seaton House, together with the construction of a new building to the rear to provide 35 dwellings (Use Class C3) with associated partial demolition, access, parking and landscaping.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	08.07.2022
<b>Expiry Date:</b>	Extension of time agreed to 28 <sup>th</sup> April 2023
<b>Case Officer:</b>	Jeni Regan
<b>Applicant:</b>	One Heritage PLC
<b>Agent:</b>	Euan Kellie Property Solutions

## DELEGATION/COMMITTEE STATUS

Planning and Highways Regulation Committee – Departure from the Development Plan. Due to viability, there are no contributions proposed to provide future residents with access to new or improved formal recreation or children’s play facilities.

Therefore, the application is referred to Central Area Committee for comment and recommendation only.

## DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for the conversion and extension of the existing building to provide 35 new residential units. The proposals include the creation of a single storey roof top extension to the existing building and a 5/6 storey to the rear of the existing building on the existing car park.

A total of 35 residential apartments are proposed to be provided in the development with the following mix of accommodation:

Seaton House Conversion and Extension:

- 12 no. one bedroom apartments
- 3 no. two bedroom apartments

New Residential Building:

- 16 no. two bedroom apartments
- 4 no. three bedroom duplexes

The submission confirms that the apartments have been developed in line with the requirements of the Nationally Described Space Standards (NDSS).

The proposed extension would be made up of a lower ground floor comprising one floor of the 4 No. 3 bedroom duplex units, each with direct access to a private outdoor garden area. The ground floor of the extension would then be level with the ground floor of the existing building and would provide the upper floor of the duplex units along with the main entrance lobby, a cycle store for 40 cycles, a bin store and plant room. The existing building would house 6 no. 1 bedroom units, all accessed to the rear from the central courtyard area. The remaining residential units would then be located on the upper floors of the main building and extension accessed via open deck access or internal corridors. A lift is provided to ensure level access to all units.

The proposals would not include any off street in curtilage car parking. The pedestrian entrances into the site are both from the frontage on Wellington Street, either side of the existing building. This would also be the level access points to the cycle store and bin store for refuse collections.

## **SITE AND SURROUNDINGS**

The application site comprises Seaton House, 61 Wellington Street, Stockport, which is currently a 2 storey building fronting Wellington Street and a surface car park area to the rear. The site is located on the junction of Wellington Street and Fletcher Street and is to the south-east of the Town Centre. The former use of the property was as offices.

The existing building has heritage character with predominantly full-height brickwork elevations, large feature arched windows and interesting brick detailing. Notwithstanding this, Seaton House is not protected as either a designated or non-designated heritage asset for the purposes of planning considerations and is not located within a designated conservation area. However, the building is located on the boundary with the Hillgate and St Peter's Conservation Areas, along with a number of important heritage / listed assets including St Joseph's RC Church, St Joseph's Primary School, The Old School House, and Nos. 56 and 67 Wellington Street.

The application site is located within the Town Centre and M60 Gateway area as allocated within the Development Plan.

## **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 31<sup>st</sup> 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 17<sup>th</sup> March 2011.

### **Saved policies of the SUDP Review**

- EP1.7 : DEVELOPMENT AND FLOOD RISK
- L1.1 : LAND FOR ACTIVE RECREATION

- L1.2 : CHILDRENS PLAY
- HC1.3 : SPECIAL CONTROL OF DEVELOPMENT IN CONSERVATION AREA
- PSD2.5 : OTHER DEVELOPMENTS IN DISTRICT CENTRES
- TCG1 : TOWN CENTRE AND M60 GATEWAY
- TCG3.2 : CULTURAL, LEISURE AND HERITAGE QUARTER

### **LDF Core Strategy/Development Management policies**

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGES
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- CS2 : HOUSING PROVISION
- CS3 : MIX OF HOUSING
- CS4 : DISTRIBUTION OF HOUSING
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT
- H-2 : HOUSING PHASING
- H-3 : AFFORDABLE HOUSING
- AED-1 : EMPLOYMENT DEVELOPMENT IN THE TOWN CENTRE AND M60 GATEWAY
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND DEVELOPMENT
- T-1 : TRANSPORT AND DEVELOPMENT
- T-2 : PARKING IN DEVELOPMENTS
- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK
- TC-1 : STOCKPORT TOWN CENTRE

### **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.

- RECREATIONAL OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPG
- DESIGN OF RESIDENTIAL DEVELOPMENT SPD
- TOWN CENTRE HOUSING SPD
- SUSTAINABLE DESIGN AND CONSTRUCTION SPD

### **National Planning Policy Framework**

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) in July 2021 replaced the previous NPPF (originally issued 2012 & revised 2018 & 2019). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF 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”.

Paragraphs of relevance in this case are:

Introduction: 1, 2

Achieving sustainable development: 7, 8, 11, 12

Decision Making: 38, 47

Delivering a sufficient supply of homes: 60, 63, 64

Promoting healthy and safe communities: 99

Promoting sustainable transport: 110, 111, 113

Making effective use of land: 119, 120, 124, 125

Achieving well-designed places: 126, 130

*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**

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.

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

## **RELEVANT PLANNING HISTORY**

Reference: J/21411; Type: XHS; Address: Thos. Hooleys (Printers) Ltd. Wellington Street Stockport.; Proposal: Change of use from printing works to offices.; Decision Date: 02-DEC-80; Decision: GTD

Reference: DC/053351; Type: FUL; Address: Digital Id Ltd Seaton House 61 Wellington Street Stockport SK1 3AD; Proposal: Change of use of existing ground floor from A2 office to D1 - non residential institution; Decision Date: 08-OCT-13; Decision: GTD

Reference: J/6149; Type: XHS; Address: 61 Wellington Street Stockport.; Proposal: Extension to printing works.; Decision Date: 22-JUN-76; Decision: GTD

Reference: J/14574; Type: XHS; Address: 61 Wellington Street Stockport.; Proposal: Proposed extension to printing works.; Decision Date: 06-FEB-79; Decision: REF

Reference: J/15689; Type: XHS; Address: 61 Wellington Street Stockport.; Proposal: Extension to works.; Decision Date: 02-MAY-79; Decision: GTD

Reference: J/37855; Type: XHS; Address: Seaton House Wellington St Stockport.; Proposal: Extensions and alterations to elevations of offices.; Decision Date: 09-DEC-86; Decision: GTD

Reference: J/5038; Type: XHS; Address: Wellington Street Stockport.; Proposal: Showroom entrance.; Decision Date: 11-FEB-76; Decision: GTD

## **STATEMENT OF COMMUNITY INVOLVEMENT**

Submitted with this application is a Statement of Community Involvement which details the public consultation that was carried out by the applicant ahead of submitting a full application for this residential development. This exercise is an important element of the planning process and the determination of this application. Early public engagement is not only encouraged by this Planning Authority but also by the Government noting that para 40 of the NPPF advises that LPA's should "encourage any applicants who are not already required to do so by law to engage with the local community and where relevant, with statutory and non-statutory consultees before submitting their applications."

This report advises that the consultation included the following:

- Leaflets were distributed on the 31<sup>st</sup> May 2022 to surrounding residents and businesses in the vicinity of the site.
- The leaflet advised of the proposals and provided contact details for any feedback.
- The consultation area was defined to ensure that those most likely to be affected by the development were provided with the opportunity to comment.

Following the distribution of leaflets, three no. responses were received. Two responses were supportive of the development, however one objection (from a resident of the adjacent Marsland House) was received, citing concerns on relation to overlooking, proposed density, and traffic issues.

The Statement of Community Involvement concludes that all consultation comments have been reviewed, considered and responded to ahead of the application submission. In conclusion, the applicant considers that the pre-application consultation undertaken with the local community has been timely, meaningful and effective and in accordance with national and local guidance.

## **NEIGHBOUR'S VIEWS**

The owners/occupiers of 51 surrounding properties were notified in writing of the application. The application was also advertised by way of display of notice on site and in the press, due to the application being a Major Development and Affecting the Setting of a Conservation Area.

1 letter of objection has been received to the application. The main causes for concern raised are summarised below:-

- The proposed building will impact on our privacy (and vice versa) due to our flat being overlooked by the new building;
- The proposed building will crowd our view out of our windows;

- Increased level of traffic increasing noise levels and fumes, would we need to keep our windows closed?
- There is already excess traffic on Fletcher Street which in turn is a danger to the primary school entrance. The primary school are in the process of having the street made into a school street which will mean the street being closed to traffic at certain times of the day, thus causing access issues for new residents;
- 35 apartments seems a high number of units in a small area.

## **CONSULTEE RESPONSES**

### **Planning Policy (Employment)**

#### Relevant policies

##### *National Planning Policy Framework (NPPF)*

- Para 81 notes that planning decisions should help create the conditions in which businesses can invest, expand and adapt.
- Para 83 requires that planning decisions should recognise and address the specific locational requirements of different sectors.
- Para 86 finds that planning policies and decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation.

##### *Saved Unitary Development Plan*

- TCG3.2 Cultural, Leisure and Heritage Quarter – The area extending from Grand Central and Daw Bank, through St. Peters Square and the Lower Hillgate area will be focus for a range of cultural, leisure and heritage facilities. Permitted uses will include office and business uses (B1 use class), leisure including a hotel, residential, restaurants and cafes and tourism related development.

##### *Core Strategy*

- Development Management Policy AED-1 Employment Development in the Town Centre and M60 Gateway – The Council will encourage development of B1 employment uses in the town centre and M60 Gateway Area, including the redevelopment of existing office space which is currently underused.
- Development Management Policy AED-6 Employment Sites Outside Protected Employment Areas – Proposals for the change of use or redevelopment of employment sites outside designated employment areas which result in the loss of that use will not normally be permitted unless (a) it can be demonstrated the site is no longer viable for employment, (b) the proposal will not adversely affect the operations of neighbouring premises, (c) the loss would not lead to significantly longer journey to work patterns; and (d) the development does not conflict with other policies.
- Core Policy CS11 Stockport Town Centre – The Council objective is the development of a compact, accessible and pedestrian friendly retail core area, within a wider town centre which accommodates other town centre uses and residential development...With the exception of the Core Retail Area it is expected that all other areas in the town centre will be mixed use areas, with some uses predominating...A focus on office development, with some leisure uses, is proposed for a general area covering the bus station, Grand Central and the existing Civic Quarter. A greater level of housing is proposed for the area to the east of that office/leisure sector, particularly in the Hillgate and Hopes Carr area.

### Principle and consideration of issues

The proposal includes the conversion of an existing building from offices to residential, and therefore involves the loss of Class E(g) (i) office floorspace.

The Planning Statement relies upon DM Policy AED-3 to note that the Council will have regard to the requirement for flexibility for employment generating uses beyond traditional employment uses in Employment Areas, although the site is not in an Employment Area.

Instead, the relevant policy is DM Policy AED-6 and its four criteria including the case for the site to be no longer viable for its previous use. The applicant has noted that the 2018 Employment Land Review finds there to be a clear lack of demand for subprime, older and non-refurbished accommodation and therefore the existing building would be unviable to continue in its current use given the significant refurbishment needed to bring it up to standard. Evidence in the Council's emerging Employment Land Review supports this, noting that the COVID-19 pandemic led to a downturn in leasing activity which is now set to return bringing a new focus on high quality buildings from corporate occupiers. Furthermore, sustainability goals are an increasingly important factor which is likely to manifest itself in higher demand for new and efficient stock.

The applicant has advanced the argument that there is a fallback position which is material to the consideration of the principle of the loss of offices, in that the building could be converted to residential without the need for planning permission under permitted development rights up to a maximum floorspace of 1,500 sqm subject to prior approval. It is viewed that this represents a strong fallback position, given the large number of vacant offices that have undergone similar conversions in recent years across the town centre and the changing role of town centres more generally to move towards a mix of uses and not just a focus on retail/commercial. Policies in the NPPF geared towards taking a positive approach to the growth and adaptation of town centres and the reuse of previously developed land also lend support.

### **Planning Policy (Housing)**

#### Housing Supply Position:

The National Planning Policy Framework requires local planning authorities to identify and maintain at least a 5-year housing land supply against its defined housing requirements. Stockport is currently in a position of prolonged significant under-supply with only 3.2 years of housing supply when considered against the most up-to-date housing need position. In these circumstances, the Framework notes that local planning authorities should boost significantly the supply of housing.

As such the principle of the delivery of 35 dwellings is to be welcomed.

#### Accessibility of the housing development:

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough, including within the pedestrian catchment areas of district centres. The site is located within Stockport Town Centre and therefore meets the locational requirements of CS4.

#### Density of the development:

The current proposal has a residential density of approximately 230 dwellings per hectare (dph). Core Policy CS3 states that in the most central locations, such as the Town Centre areas densities of 70ph are common place. It is noted that the NPPF states that "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” (Para 124). Given that the site is located within Stockport Town Centre and is in an accessible location, the proposed density is considered to be acceptable.

### Housing Mix

The proposal includes a total of 35 units, comprising 12 no. one-bed apartments, 19 no. two-bed apartments and 4 no. three-bed duplexes. The latest Housing Needs Assessment (2019), indicates that within the town centre there is a sufficient supply of one and two bedroomed properties, however, there is an insufficient supply of 3 and four bedroom properties (particularly houses). Given this, the inclusion of 4 no. three-bed duplexes is welcomed.

### Affordable housing

In terms of affordable housing, Core Strategy Policy H-3 sets out that within this area of Stockport, developments will be expected to provide 5-15% affordable homes. This would equate to 1.75 – 5.25 affordable dwellings within the development. In terms of tenure, 25% of the affordable units should be provided as First Homes. For the town centre, the preferred tenure for the remainder of the units is for shared ownership.

It is noted that the application currently proposed no affordable dwellings due to viability constraints. It is understood that the submitted Viability Statement is currently being reviewed internally.

### **Strategic Housing**

It is noted that no affordable housing is being proffered and the applicant has submitted a viability appraisal. If scrutiny of the viability finds that the scheme can support affordable housing, the applicant should aim to meet the following requirements:

#### Affordable Housing Need in Stockport

A Housing Needs Assessment, undertaken in 2019, identified a shortfall of 549 affordable units per annum in the Borough taking account of affordable housing need and supply.

As there has always been a significant need for affordable housing in Stockport, the Core Strategy sets a strategic target of 50% of total provision of all housing. The number of units procured through the planning system or through procuring other resources is significantly less than the annual requirements, meaning that there is still considerable affordable housing need in Stockport. The HNA found that 155 households are in need of affordable housing the Town Centre.

Development Management Policy H – 3 contains the site size and thresholds. The policy states that Affordable housing is required on sites providing 15 dwellings (gross) or more and sites of 0.5 hectares or more and that, subject to viability, the council will negotiate to achieve 5%-15% in the Town Centre. For the development in question this would equate to 2 – 5 affordable dwellings.

In the town centre, the preferred tenure is for shared ownership.

Should an assessment of the viability statement agree that the scheme is currently unviable with either policy compliant on site provision of affordable housing or a



contribution towards provision off site for the balance of the policy compliant affordable dwellings, then it is requested that a s106 agreement be entered into that includes a mechanism for clawback if excess profit is made and that these excess profits be utilised by the council for provision of affordable housing elsewhere in the borough

## **Highways**

The proposed development appears appropriate for the location being within Stockport Town Centre with good access to public transport, shops and other services, reducing reliance on private cars for residents.

The development includes no on-site parking. 190 parking spaces are available in nearby public car parks together with on-street parking for 45 vehicles within easy walking distance of the site.

Parking surveys indicated significant spare capacity, on evenings, within nearby car parks and on street. Given the accessibility of the site, the availability of off-site parking locally, and local levels of car ownership (which is likely to reflect accessibility) this lack of car parking is acceptable; the development being suitable for car free living.

A cycle store with capacity for up to 40 cycles is provided as a part of the development. This exceeds the level of parking required by policy which is one cycle storage space per dwelling.

Whilst falling below the threshold for requiring a travel plan, each household will receive a travel pack on occupation outlining sustainable travel initiatives and facilities available locally.

The development will not in itself result in any noticeable increase in traffic particularly when offset against that generated by previous use.

As no parking is provided, the development should support sustainable transport provision within the area; this should take the form of funding the provision of electric vehicle charge points at the level which would be required by policy to cater for the number of dwellings to be provided. The proposal currently includes 34 apartments which would require 6 EV spaces. These may be located within car parks or on highway to best meet need. It is suggested that this provision be secured as a s106 obligation.

Cycle storage is provided for residents; this should include a facility to store a proportion of "non-standard" cycles such as trikes or lie-flat bikes within the cycle store rather than solely catering for standard two wheelers on racks. Advice available within LTN1/20 and GM Cycling Design Guidance and Standards. The cycle store as shown is accessible from adjacent roads without negotiating steps.

I recommend that a condition be attached to any approval requiring further details of cycle racking and storage provision. It may be that overall storage capacity will be reduced from the 40 shown in considering providing facilities for non-standard cycles.

A construction management plan will be required to minimise any detrimental impact on both neighbours and the local highway network. I recommend that an appropriate condition be attached to any approval.

The existing vehicle access is to be removed with the footway reinstated along all site frontages.

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.*

### Highway condition surveys (Pre-commencement Condition)

*No development shall take place until a pre-construction condition survey of Wellington St from Picadilly to Lower Hillgate has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until a post-construction condition survey, together with details of a scheme to reconstruct / resurface / repair any parts of the highway that the survey has identified has been affected through the construction of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until any areas that have been affected through the construction of the development have been reconstructed / resurfaced / repaired in accordance with the approved details.*

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

### Post construction footway reconstruction: submission of details

*A detailed drawing outlining a scheme to reconstruct the existing footway that abuts the site (which shall include the removal of any existing vehicle access, footway or verge crossings) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the footway has been reconstructed in accordance with the approved drawing.*

*Reason: In order to ensure that there are safe and high-quality pedestrian facilities adjacent to the site and ensure that development can be accessed in a safe manner*

*in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.30, 'Post development footway reinstatement', of the SMBC Sustainable Transport SPD.*

#### Pedestrian gates to open into the site

*The approved pedestrian gates / any gates to be erected across the pedestrian access/s shall be constructed so that they only open into the site and not out into the public highway.*

*Reason: In order to ensure that any gates do not impinge on the adjacent footway when open in terms of Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

#### Wayfinding signage

*Details of a scheme to provide directional signs to sign the following routes for pedestrians / cyclists shall be submitted to and approved in writing by the Local Planning Authority:*

- 1) Stockport bus and rail stations/Interchange.*
- 2) NCN routes*
- 3) shopping centres*

*The development shall not be occupied until the signs have been provided in accordance with the approved drawings.*

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

#### 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 35 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

*The development shall not be occupied until the bin store has been provided in accordance with the approved plan. The bin store shall then be retained and shall remain available for use at all times thereafter.*

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

## **INFORMATIVES**

### **Minor highway works**

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

### **Mud or other material on the public highway**

*The applicant's / developer's attention is drawn to the fact it is an offence (under Sections 131, 148 and 149 of the Highways Act 1980) to allow materials to be carried from a site and deposited on, or damage, the highway, from uncleaned or badly loaded vehicles. The applicant / developer should therefore ensure that adequate measures are implemented to ensure that this does not take place. The Highway Authority (Stockport Council) may seek to recover any expense incurred in clearing, cleaning or repairing highway surfaces and may prosecute persistent offenders.*

### **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](http://www.stockport.gov.uk)).*

### **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](http://www.stockport.gov.uk)). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.*

## **Conservation**

This site lies outside but adjacent to the boundaries the St Peters and Hillgate Conservation Areas. From a conservation/heritage perspective there is no objection to the principle of a change of use and extension of the existing building providing special care is taken with the design, both in respect of alterations to the existing building and of the new build elements. Careful attention should be placed upon the selection of external materials and architectural detailing given the site's close proximity to a number of designated and non-designated heritage assets, including the conservation areas, St Joseph's Church (listed Grade II) and a number of locally listed buildings (these are listed within the submitted heritage appraisal). It is noted that the proposals incorporate the reinstatement of the original fenestration pattern to

Wellington Street, and this is supported because it will assist in enhancing the appearance of the existing building and amenity of the local street scene.

The site is elevated, sitting on the edge of the Mersey Valley, and therefore a substantial increase in the height of the existing building and any associated new building has potential to impact upon wider views across the town centre and the setting of nearby heritage assets. The current plans indicate that the height of the rooftop extension facing Wellington Street would be broadly comparable to an adjacent residential conversion (Marsland House), located within the conservation area. Modelling of the proposal in the context of the wider townscape, as well as previously approved but unimplemented tall buildings elsewhere across the town centre, indicates there is potential for a six storey building to be accommodated at the rear of the site without harm to the setting, character or appearance of the adjacent conservation areas and the setting of and associated views of other designated and non-designated heritage assets.

In terms of external materials, the current proposal for the new block to generally consist of stone gabion cladding (lower ground floor), brick (to ground/first/second/third floors) and a ribbed metal cladding (to the fourth floor) represents a reasonable response to its context.

Subject to approval, it is recommended that any approval is subject to conditions relating to the selection of external materials, architectural detailing (in particular of windows and external doors) and details of the design of external gates/railings to Wellington Street/Fletcher Street.

### **Further comments following minor amendment 02.12.2022**

Further to previous comments, I have no objections to the amended plans incorporating louvres to windows within the new block to safeguard against potential overlooking of nearby apartments.

### **Air Quality**

I have looked through this assessment and am happy with its findings and methodology.

I therefore have no objections but would suggest that the proposed mitigation of low nox boilers and charging points are implemented.

### **Environmental Health (Noise)**

No objections from this service.

Having looked at the noise impact assessment, it is noted that the main observations on site indicated that the main noise contributions were associated with the road traffic on Wellington St and aircraft overhead, as well as an air handling unit associated with adjacent Grosvenor Casino.

Mitigation is proposed to the building envelope to ensure that internal noise levels within habitable areas are suitable for resting and sleeping and are in accordance with the requirements of the NPPF and BS 8233:2014 "Guidance on sound insulation and noise reduction for buildings". Noise mitigation advice for the proposed residential facades is given in Section 6.0 in the form of treatment to the

glazing and ventilation and recommended roof build-up, would be considered sufficient as a form of mitigation if the application were approved.

Further details of any lighting schemes should be provided at a later stage.

#### **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

#### **Contaminated Land**

I have reviewed the Wardell Armstrong Phase 1 report which states that given the previous use of the premises as a printing works, there is a potential for contamination. As such the developer will need to undertake a site investigation and I would recommend the standard site investigation, remediation strategy and verification conditions.

#### **Arboriculture**

##### **Original comments received 19.07.2022**

The proposed development site is located within the existing commercial site predominantly on the existing informal grounds and hard standing areas. The plot is comprised largely of hardstanding, informal grounds and associated infrastructure.

#### **Legislative and Policy Framework**

Conservation Area Designations - The proposed development is not within or affected by a conservation Area.

Legally Protected Trees - There are no legally protected trees within this site or affected by this development.

Recommendations: The proposed development footprint is proposed to have an impact on the one tree on site as it is cited within the formal hard standing area and at this time shown within the informal grounds of the existing site and it is assumed the proposed new developments including the boundary treatment will impact on the trees and hedges on and adjacent to the site as well as those on the public highway as it is within proximity of trees on site and within the existing hard standing.

A full tree survey has not been submitted as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and where applicable which trees will have a potential impact on the proposed development, although a layout plan considering tree planting throughout the site to increase the amenity levels of the site with replanting of semi-mature trees or fruit trees has been included but needs enhancements. Specific consideration has not been given to the potential benefit of urban tree planting throughout the site to enhance biodiversity, the amenity and the SUDs capacity through hard landscaped tree pits.

A detailed landscaping scheme has not been included but some options have been included in the site layout plan showing replacement trees so requires

enhancements to be is fully acceptable, which clearly shows enhancements of the site and surrounding environment to improve the local biodiversity and amenity of the area. In principle the main works and design will have a minimal negative impact on the trees on neighbouring properties on all the boundaries.

In its current format it could be considered favourable.

The following conditions would be relevant to any planning application relating to the site;

Condition Tree 1

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

Condition Tree 2

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

Condition Tree 3

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

**Further comments following submission of AIA – 22.07.2022**

The proposed development footprints is proposed to have an impact on the two trees on site as its cited within the formal hard standing area and at this time shown within the informal grounds of the existing site and it is assumed the proposed new developments including the boundary treatment will impact on the trees and hedges on and adjacent to the site as well as those on the public highway as its within proximity of trees on site and within the existing hard standing.

A full tree survey has been submitted as part of the planning application to show the condition and amenity levels of the existing neighbouring trees and where applicable which trees will have a potential impact on the proposed development, although a layout plan considering tree planting throughout the site to increase the amenity levels of the site with replanting of semi- mature trees or fruit trees has been included but needs enhancements. Specific consideration has not been given to the potential benefit urban tree planting throughout the site to enhance the biodiversity, the amenity and the SUDs capacity through hard landscaped tree pits.

A detailed landscaping scheme has not been included but some options have been included in the site layout plan showing replacement trees so requires enhancements to be is fully acceptable, which clearly shows enhancements of the

site and surrounding environment to improve the local biodiversity and amenity of the area. In principle the main works and design will have a minimal negative impact on the trees on neighbouring properties on all the boundaries.

In its current format it could be considered favourable with the requirement to increase the replacement and enhancement of the site through the landscaping plan which can be conditioned.

## **Nature Development**

### **Original comments 27.07.2022**

#### **Site Context**

The site is located on Wellington Street in the centre of Stockport. The application is for Conversion and Extension of the existing Seaton House, together with the construction of a new building to the rear to provide 35 dwellings (Use Class C3) with associated partial demolition, access, parking and landscaping.

#### **Nature Conservation Designations**

The site has no nature conservation designations, legal or otherwise as listed in Stockport Council's Local Plan.

The site has been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester. This is not necessarily a barrier to development and does not confer protection or prevention of land uses, but shows that such areas have been prioritised for restoring and linking up habitats. In this case the site has been identified as an opportunity area for tree planting.

#### **Legally Protected Species**

A preliminary ecological appraisal has been carried out and submitted with the application. This survey mapped the habitats present on site and assessed their potential to support protected species (PEA, Tyler Grange 2022). The survey was undertaken in April 2022 by a suitably experienced ecologist and followed best practice survey guidelines. Habitats on site were found to comprise building, hardstanding, amenity grassland, ornamental shrubs and scattered trees.

Many buildings and trees have the potential to support roosting bats. All species of bats and their roosts are protected under 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

The trees are not considered suitable for roosting bats on account of their young age (and lack of potential roosting features). An internal and external inspection survey of the building was undertaken. No internal access was possible into the four roof voids but this limitation has been taken into account as part of the assessment. No evidence of bats was recorded during the survey but suitable roost access points were observed (missing mortar under tiles, and between brick work and rotten



soffits). The building was assessed as offering low bat roost potential. As outlined in section 5.2 of the ecology report and in line with best practice survey guidelines, further survey work (in the form of an activity survey) is required to confirm presence of a bat roost or to give sufficient confidence in likely bat absence. This survey work is required prior to determination of the application to ensure that all potential ecological impacts have been fully assessed.

Buildings, trees and vegetation have the potential to support breeding birds. The nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

Records for badger exist in the vicinity of the site. Badgers and their setts are legally protected by the Protection of Badgers Act 1992. No evidence of badgers was recorded during the survey, however, it is important that ecological connectivity is maintained through the site to allow wildlife to pass through.

### Invasive Species

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

### Recommendations:

The application should not be determined in the absence of further bat survey work. In accordance with best practice guidance and as outlined in section 5.2 of the submitted ecology survey report, a bat activity survey is required to enable full assessment of potential impacts on protected species.

This ecological survey work should be undertaken by a suitably experienced ecologist, at an appropriate time of year following best practice guidance. Assessment of the impact of the proposed work on protected species and appropriate mitigation is also required. Once this information is available, I will be able to comment on the application further. The requirement for the survey information prior to determination of the application is in line with national and local planning policy and is reinforced by legal cases which emphasise the duty the local planning authority has to fully consider protected species when determining planning applications.

Notwithstanding the above, the following comments are also relevant to the current application:

No vegetation clearance/demolition works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check of vegetation/buildings for active birds' nests immediately before (no more than 48 hours before) vegetation clearance/roof works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html)).

To protect wildlife (including badgers) which may pass through the site and prevent potential disturbance during works any works which involve the creation of trenches or with pipes shall be undertaken following measures to protect wildlife from being trapped in open excavations and/or pipework:

- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework greater than 100 mm outside diameter being blanked off at the end of each working day.

Biodiversity enhancements and measurable gains for biodiversity are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). This should include provision of bat and bird roosting and nesting facilities (and this is referred to in the ecology report). The number and type of bat boxes will be informed by the findings of the bat activity survey (see above). Integrated boxes are available and these are preferred as they are long-lasting and less likely to be interfered with. Details of the proposed number, location and type of bat and bird boxes to be provided should be submitted to the LPA for review.

Landscape planting should be maximised and comprise a range of wildlife-friendly species (locally native where possible). The submitted proposed site plan indicates new native shrub planting and new tree planting, which is welcome. Tree species should be locally native where possible and maximising tree planting would be particularly welcomed given the designation of the site as an opportunity area within the LNRS for Greater Manchester.

### **Further comments following submission of Bat Survey 02.08.2022**

Please note that these comments update those previously issued on 27 July 2022 following submission of a further bat survey report as part of the application.

#### Recommendations:

There is considered to be sufficient ecological information available to inform determination of the application. The works are considered to be of low risk to roosting bats as no bat roosts were recorded during the survey. As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that roosting bats can sometimes be found in unexpected places and that bats can regularly switch roosting sites. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of bats (or any other protected species) is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

No vegetation clearance/demolition works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check of vegetation/buildings for active birds' nests immediately before (no more than 48 hours before) vegetation clearance/roof works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html)).

To protect wildlife (including badgers) which may pass through the site and prevent potential disturbance during works any works which involve the creation of trenches or with pipes shall be undertaken following measures to protect wildlife from being trapped in open excavations and/or pipework:

- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework greater than 100 mm outside diameter being blanked off at the end of each working day.

Biodiversity enhancements and measurable gains for biodiversity are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). This should include provision of bat and bird roosting and nesting facilities (and this is referred to in the ecology report). The bat survey report proposes two bat boxes. A minimum of two bird boxes should also be provided. Integrated boxes are available and these are preferred as they are long-lasting and less likely to be interfered with. Details of the proposed location and type of bat and bird boxes to be provided should be submitted to the LPA for review and this can be secured by condition.

In addition, landscape planting should be maximised and comprise a range of wildlife-friendly species (locally native where possible). The submitted proposed site plan indicates new native shrub planting and new tree planting, which is welcome. Tree species should be locally native where possible and maximising tree planting would be particularly welcomed given the designation of the site as an opportunity area within the LNRS for Greater Manchester.

### **Planning Policy (Energy)**

The UK has set into law a target to bring all its greenhouse gas emissions to net zero by 2050. In March 2019, Stockport Council declared a climate emergency, and agreed that Stockport should become carbon neutral by 2038, in advance of the UK 2050 target. The Stockport CAN strategy was developed to underpin this agreement and was approved by full council in October 2020. The strategy sets out to ensure that Stockport achieves carbon neutrality by 2038, in order to support global efforts to prevent global warming going above 1.5°C. The Environmental Law Foundation has suggested that climate emergency declarations should be regarded as material considerations in the determination of planning matters.

Meeting our 2038 carbon neutrality target will require new development to achieve net zero carbon in advance of then, and we should not be building homes and workplaces which will require retrofitting in the near future. The definition of net zero carbon development has been established by the UK Green Building Council. <https://www.ukgbc.org/ukgbc-work/net-zero-carbon-buildings-a-framework-definition/> It is important to note that most microgeneration technologies (e.g. solar panels), and other climate change mitigation / adaptation measures are significantly easier to install at the time of building rather than retrofitting later.

Paragraph 8 of the NPPF places mitigating/adapting to climate change as an overarching objective for the planning system, to ensure sustainable development.

Objective 1 of the Core Strategy relates to climate change, this is supported by a number of policies that seek to deliver this primary objective.

Policy CS1 states that: *“The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint by achieving carbon management standards.”*

*Policy SD-6 states that: "Development should be designed in such a way as to avoid, mitigate or reduce the impacts of climate change."*

*Paragraph 3.68 of Policy SD-6 states that: "Development, particularly within the urban area of the Borough, that takes into account the urban heat island effect and incorporates measures to reduce this phenomenon will be given positive consideration."*

*Policy H1 states that: "Proposals should ... consider the need to deliver low carbon housing".*

The supplied information does not adequately or clearly demonstrate how the development will respond to the challenges presented by climate change.

### Solar PV

The information supplied via the Sustainable Energy statement states that: *"Photovoltaic panels: Due to the all-electric scheme, this renewable technology is most likely to be included to directly offset remaining carbon emissions"*

- No details are shown on the plans supporting the application regarding any solar PV panels (no roof plans).
- Page 12 of the SAP assessment provides system parameters and mentions photovoltaic panels will be on *"new extension only"*. However there are no roof plans which indicate scale, location or placement of solar PV panels.
- Page 13 indicates that 0.60kWp from PV per apartment, but it is unclear if this is for each apartment, or new build only; this should be clarified.
- No information has been provided regarding offsetting communal emissions.
- If solar panels are proposed as part of the overall emissions reduction strategy, information should be supplied regarding layout & location, technical details on the panels, power rating and likely electricity generated per annum. Information on who benefits from the electricity generated and the SEG should also be supplied to make it clear whether panels are provided for each of the apartments, the communal area, or the commercial unit.
- A glint and glare study may be required due to the proximity to the airport.

### Standards

- The development will have to comply with building regulations in place at the time of development. It is unclear whether the Sustainable Energy Statement and SAP Assessment has been drafted in reference to building regulations standards pre- or post- June 2022 changes, this should be clarified.
- Meeting the new Part L regulations is not considered to meet a high standard of sustainability nor will it minimise emissions as far as is financially viable, as required by the Core Strategy.
- To meet the policy requirements and ensure compliance with our climate emergency declaration, it is suggested that the scheme is designed to comply with recognised standards, for example PassivHaus or BREEAM. If this is not financially viable, an explanation should be provided.

### Urban heat island effect

- Due to the absence of roof plans, it is unclear whether any green roofing is proposed as part of the scheme to help mitigate the urban heat island effect.

In summary, it is recommended that the proposal should be amended to ensure that this scheme goes beyond minimum building standards to avoid costly retrofit to meet the Council's target of carbon neutrality by 2038, provide clear details of proposed solar PV, and incorporate high levels of onsite green infrastructure to enable climate change mitigation and adaptation measures for the benefit of future residents in the area.

## **LLFA Drainage**

### **Original comments 03.08.2022**

We have reviewed

- 0003\_SEATON\_HOUSE\_DRAINAGE\_TECHNICAL\_NOTE\_LOW\_RES-1944311
- NT15765-002A\_PROPOSED\_DRAINAGE\_STRATEGY-1944299
- NT15765\_PHASE\_1\_DESK\_STUDY\_1.0\_PART1-1944310
- 20-0105\_SITE\_PLAN-1944289
- 03-0003\_EXISTING\_SITE\_PLAN-1944282

The proposal is to discharge attenuated surface water to a combined sewer. The use of infiltration has been discounted due to steep gradients and potential creation of springs. However, this is based on assumptions and a Phase 1 site investigation with no intrusive site based data. In addition the proposals include for raingardens and shallow infiltration which have similarly not been investigated. The proposals include for a blue roof which is encouraged. However, no details have been provided with respect to any water recycling etc. Discharge to watercourses and /or public surface water sewers have been discounted because they appear to be too onerous.

The report indicates the nearest watercourse is Hempsshaw Brook approx. 140m. However there is a culvert indicated in Lower Hillgate which is only approx. 75m. It is acknowledged that the potential routes may be disruptive but this would be temporary whereas discharging to the combined sewer would result in nearly all the surface water from the site being conveyed to wastewater treatment with potential interim pumping etc with associated financial and environment costs, for the lifetime of the development. Therefore if infiltration is found not be viable the feasibility of a connection to a surface water outfall (potentially as a s104 application) would need to be more thoroughly investigated / assessed.

We consider that the drainage proposals should be acceptable in principle before any conditions are applied. However, if the LPA decision is to permit the application with conditions then any drainage condition should clearly state that the current drainage proposals have not been accepted and the above investigations are required

### **Further comments 03.11.2022**

Further to our previous comments below we have further reviewed

- Drainage Strategy 1854-SH-DP2-A180-RP-XX-9033 P02 11/10/2022

The proposal remains discharge of surface water to a combined sewer. Infiltration is now acknowledged as potentially feasible but still testing / phase 2 SI has not been undertaken. The blue roof has become smaller but there is still no discussion of the recycling proposals. It says discharge to surface water outfall has been considered and discounted but there is no supporting evidence as requested below. Therefore the proposals remain unacceptable in principle.

Further comments 28.11.2022

Further to a review of the drainage strategy 1854-SH-DP2-A180-RP-XX-9033 Rev P03

1. Infiltration appears to be discounted without any site-based evidence. This would require further supporting information before it could be accepted.

2. The routes to surface water outfalls are discounted due to cost and complexity. The provision of approx. 100 to 150m of outfall for 35 dwellings is approx 4m/dwelling pro rata which does not seem too onerous. In addition, the route to the combined sewer is a similar distance albeit along quieter roads. The potential for pumping requirements for the SW outfall routes are not clear. The water courses are within public highways and therefore permission to connect should not be an issue.

3. The potential for recycling has again been discounted due to cost and complexity. However, this does not appear to be in comparison with discharge to a surface water outfall

### **Further comments 29.03.2023**

We have further reviewed.

- Drainage Strategy Addendum SH-CDL-ZZ-XX-RP-C-05-0001

The conclusions are similar to the previous cost estimate, in that the “construction” of option 4 would be more onerous, with respect to embodied carbon, compared to constructing a shorter discharge to a combined sewer. But as we have previously commented this is not in dispute. However, it still has not assessed the embodied carbon for the treatment of the surface water for the lifetime of the development because it has already dismissed option 4 based solely on the construction impact.

The addendum states: *“It is assumed that the local Wastewater Treatment plant is operating on a reasonable basis and uses energy per kilogram of waste, not by volume of wastewater. If Option 4 is omitted as recommended in this report, then the total volume of surface water entering the combined system will remain as existing with reduced flows and treatment now being provided.”*

The assumption that the receiving treatment works uses energy per Kg of waste and not by volume would need to be confirmed. We are not aware that the treatment works adjusts its treatment process based on the contaminant load of the received sewage.

The calculations for option 1 & 2 do not factor in SW pumping as indicated in Figure 2.2 Optioneering Table.

There is still no assessment of infiltration or partial infiltration.

There is no indication of how the blue roof water will be recycled.

There is no discussion of a potential s104 enquiry because option 4 has already been discounted.

We are not qualified to comment in detail on the Air Quality issues. However, we would note that this has been assessed in quite generic terms. It is accepted that option 4 is likely to be more onerous than Options 1&2 but there is no actual assessment how significant or otherwise the impact might be.

## Environment Agency

We have reviewed the Phase 1 Land Contamination Assessment report (Prepared by Wardell Armstrong, dated April 2022) and identified that the site is located in a high environmental sensitivity location: within a source protection zone 1 for known abstraction boreholes and immediately above a principal aquifer groundwater body.

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

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with the National Planning Policy Framework (NPPF).

Without the below conditions we may would object to the proposal in line with the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

### Condition

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

- 1. A site investigation scheme, based on the submissions to date, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.*
- 2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.*
- 3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.*

*Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.*

*Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.*

### Condition

*No infiltration of surface water drainage into the ground where any adverse concentration of contamination is known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.*



*Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.*

#### Condition

*Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.*

*Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.*

#### Condition

*Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.*

*Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.*

#### Informatives

Further to the above, please see outlined below several informatives which should be used to inform and advise development going forward.

#### Model Procedures and good practice

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

We recommend that developers should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) [Land contamination risk management \(LCRM\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk), when dealing with land affected by contamination
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the [contaminated land](#) pages on gov.uk for more information
- Refer to [‘The Environment Agency’s approach to groundwater protection’](#)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.



Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

### Waste on-site

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

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

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

We recommend that developers should refer to:

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

### Waste to be taken off-site

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

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on GOV.UK for more information.

### Introduction of SUDS

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table.

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

### Piling and Penetrative ground improvement methods

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

### Dewatering

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

### Regulatory position statements

If dewatering and discharging into surface water is required during development, the following Regulatory Position Statement will apply:

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

### Seeking additional advice and support

As there may be challenging technical issues regarding this development, we have introduced a chargeable scheme whereby detailed technical advice and guidance can be sought from a dedicated technical officer in the groundwater and contaminated land team for the duration of the project.

We are keen to work with you early in the development process to resolving any problems or issues that may occur so that delays are minimise or avoided.

Should you wish us to work with you on your development and undertake a detailed review of reports or provide further, technical, advice to address the land contamination issues, we can do this as part of our charged service.

Further detailed engagement can speed up the formal planning application process and provide you with certainty as to what our response to your future planning application will be.

Enhanced advice and guidance should also result in a better quality and, more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems.

We currently charge £100per hour. We will provide you with an estimated cost for any further discussions or review of documents.

The terms and conditions of our charged for service are available upon request . Please contact us at [SPPlanning.RFH@environment-agency.gov.uk](mailto:SPPlanning.RFH@environment-agency.gov.uk)

## **GMP (Design for Security)**

Thank you for the opportunity to comment on this application, having looked at the plans and Crime Impact Statement we consider that the recommendations listed below will enhance security of the development:

- consider measures to enhance the privacy and security of the windows of the ground floor apartments in Seaton House;
- install appropriately secure fencing and access-controlled gates;
- control entry to the lift, the stair core, and the ground floor corridor of the new building;
- ensure the cycle store is weatherproof and secure;
- install a modest CCTV to monitor activity in and around the development;
- consider arrangements for mail delivery that will not compromise the security of the mail or the apartments; and,
- the development should be constructed to the Secured by Design standard.

Greater Manchester Police support the application subject to the inclusion of a condition requiring the completed development to achieve Secured by Design, SBD, accreditation as per section four of the Crime Impact Statement dated 17<sup>th</sup> June 2022

## **ANALYSIS**

In considering this application it is acknowledged that the applicant has sought to engage with the Planning Authority, statutory consultees and the local community prior to the submission of this application. This engagement is a welcomed and important element of the planning process and one which is encouraged not only by this Authority but by the Government also. The submission of this application is therefore the culmination of that process however during the consideration of this application, further amendments have also been discussed and agreed to ensure that the proposals comply with the Development Plan.

Members are advised that at the heart of the NPPF is a presumption in favour of sustainable development (para10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

- approving developments that accord with an up to date development plan or
- where the policies which are most important for the determination of the application are out of date (this includes for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of housing), granting planning permission unless:
  - the application of policies in the Framework that protect areas or assets of importance (that is those specifically relating to designated heritage assets (conservation areas and listed buildings)) provides a clear reason for refusing planning permission or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply that are considered to be out of date. That being the case, the tilted balance as referred to in para 11 of the NPPF directs that permission should be approved unless:

- there are compelling reasons in relation to the impact of the development upon the Conservation Area and the setting of adjacent listed buildings to refuse planning permission or
- the adverse impacts of approving planning permission (such as the loss of the community facility, local open space or sports pitch or impact on residential amenity, highway safety etc) would significantly and demonstrably outweigh the benefits.

The main issues for consideration are as follows:-

- Loss of an employment site
- Principle of residential accommodation including affordable housing and density
- Impact on the character of the locality
- Impact on residential amenity
- Highway impacts
- Other matters such as ecology, trees, energy efficient design, contamination and drainage.

Having regard to this presumption in favour of residential development, Members are advised accordingly:

### **Loss of Employment Site**

The proposal includes the conversion of an existing building from offices to residential, and therefore involves the loss of Class E(g) (i) office floorspace. The Planning Statement relies upon DM Policy AED-3 to note that the Council will have regard to the requirement for flexibility for employment generating uses beyond traditional employment uses in Employment Areas, although the site is not in an Employment Area.

Instead, the relevant policy is DM Policy AED-6 and its four criteria including the case for the site to be no longer viable for its previous use. The applicant has noted that the 2018 Employment Land Review finds there to be a clear lack of demand for subprime, older and non-refurbished accommodation and therefore the existing building would be unviable to continue in its current use given the significant refurbishment needed to bring it up to standard. Evidence in the Council's emerging Employment Land Review supports this, noting that the COVID-19 pandemic led to a downturn in leasing activity which is now set to return bringing a new focus on high quality buildings from corporate occupiers. Furthermore, sustainability goals are an increasingly important factor which is likely to manifest itself in higher demand for new and efficient stock.

The applicant has advanced the argument that there is a fallback position which is material to the consideration of the principle of the loss of offices, in that the building could be converted to residential without the need for planning permission under permitted development rights up to a maximum floorspace of 1,500 sqm subject to prior approval. It is viewed that this represents a strong fallback position, given the large number of vacant offices that have undergone similar conversions in recent years across the town centre and the changing role of town centres more generally to move towards a mix of uses and not just a focus on retail/commercial. Policies in the NPPF geared towards taking a positive approach to the growth and adaptation of town centres and the reuse of previously developed land also lend support.

It is also considered that the current uses on the site (single storey building and surface car parking) is a highly inefficient use of previously developed land in such a sustainable and accessible location at a time of significant housing undersupply, contrary to paragraphs 122 and 123 of the NPPF and the strategic objectives of the development plan.

### **Principle of Residential Accommodation**

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District/Large Local Centres; and other accessible locations). Policy H-2 confirms that when there is less than a 5 year deliverable supply of housing (as is currently the case) the required accessibility scores will be lowered to allow the deliverable supply to be topped up by other sites in accessible locations. This position has been regularly assessed to ensure that the score reflects the ability to 'top up' supply to a 5 year position. However, the scale of shortfall is such that in order to genuinely reflect the current position in that regard the accessibility score has been reduced to zero.

As referred to at the start of this analysis, the fact that the Council cannot demonstrate a 5 year supply of housing means that elements of Core Strategy policies CS4 and H2 are considered to be out of date. As such the tilted balance in favour of the residential redevelopment of the site as set out in para 11 of the NPPF is engaged.

The principle of high-density housing development on a previously developed site in a highly accessible and sustainable Town Centre location is welcomed, particularly in the context of the current significant undersupply of housing in the Borough. This positive position is supported by Core Strategy Policies CS2 and CS4, which seek to promote and focus the provision of housing in the town centre and on brownfield sites. Whilst the Council's Housing Delivery Test Action Plan (August 2019) emphasises the importance of maximising the potential of Town Centre Living to ensure housing needs are in met in the Borough that will in turn help reduce development pressure on the Greater Manchester Green Belt.

In addition, NPPF Paragraph 85 requires local planning authorities to recognise that residential development often plays an important role in regenerating and ensuring the vitality of town centres. Core Strategy Policy CS4 echoes this point by highlighting the supporting role new housing development in the Town Centre will play in creating a critical mass of activity to support the local economy and improve the vibrancy and overall vitality of viability of the Town Centre.

The application site predominantly comprises a brownfield site in an accessible and sustainable area within the Town Centre readily served by public transport and located close to the M60 motorway and so the proposal is therefore in compliance with policies CS4 and H2 of the Core Strategy. The redevelopment of the site for residential purposes is also in accordance with para 118 of the NPPF which places substantial weight upon the use of brownfield land within settlements for homes and supporting opportunities to remediate derelict land.

With regard to the density of the proposed development, policy CS3 of the Core Strategy confirms that for sites close to or within Town Centres/District Centres, housing densities of 70 dwellings per hectare (dph) and above are

commonplace. Moving away from these central locations, densities should gradually decrease, first to around 50 dph then to around 40 dph, as the proportion of houses increases. Developments in accessible suburban locations may be expected to provide the full range of house types, from low-cost 2 bed terraces to larger detached properties. However, they should still achieve a density of 30 dph.

The proposed development will achieve a residential density of approximately 230 dwellings per hectare (dph). Although it is noted that this is significantly above the densities outlined within Core Policy CS3, the NPPF states that “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” (Para 124). Given that the site is located within Stockport Town Centre and is in an accessible location, the proposed density is considered to be acceptable.

### **Affordable Housing Provision, Formal Recreation and Children’s Play Provision and Viability**

Paragraph 63 of NPPF requires that where a need for affordable housing has been identified, planning policies should specify the type of affordable housing required with an expectation that this should be provided on-site unless:

- (a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- (b) the agreed approach contributes to the objective of creating mixed and balanced communities.

Paragraph 64 of NPPF states that in order to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. A footnote advises that this should be equivalent to the existing gross floorspace of the existing buildings and does not apply to vacant buildings which have been abandoned.

Core Strategy Policy H-3 sets out that within this area of Stockport, developments will be expected to provide between 5-15% affordable homes. This would equate to 1.75 – 5.25 affordable dwellings within this development. In terms of tenure, 25% of the affordable units should be provided as First Homes. For the town centre, the preferred tenure for the remainder of the units is for shared ownership.

Saved UDP policy L1.2, 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 require the include provision for recreation and amenity open space either on-site or off-site, dependent on the population of the proposed development.

As there is no space on the application site to accommodate formal recreation or children’s play facilities, Core Strategy SIE-2 and the 2019 Open Space Provision and Commuted Payments SPD requires the payment of commuted sums to fund and maintain off-site provision. The proposed development generates a total commuted sum requirement of £116,254.50 after a 50% discount on children’s play is applied (in accordance with the Town Centre

Housing Supplementary Planning Document that recognises the lower child yield generated by new homes in the Town Centre, particularly from new apartments).

The applicant has argued that in this case, financial viability prohibits the provision of any affordable housing units within the development or any payment of any commuted sums and has submitted a viability assessment to support their position. In response, the Council has appointed a specialist consultant to undertake an independent assessment of the information. After careful analysis, the consultant has concluded that the scheme is unable to provide any Section 106 contributions in any scenario or provide the 5-15% affordable housing provision in this case. They are satisfied with the responses provided by the applicant and therefore, it has been confirmed that the Viability Assessment provides relevant justification for not fully complying with the usual policy requirements in relation to usual Affordable Housing or Open Space contributions.

Given the viability gap discovered, it is considered that the affordable housing requirement and open space commuted sums should be waived in this case in order to promote the delivery of the development. This policy shortfall does however weigh against the proposals in the overall planning balance.

Notwithstanding the above, a S106 agreement will be included in any approval decision that includes a mechanism for clawback if excess profit is made from the development once completed. These excess profits could then be utilised by the Council for the provision of affordable housing elsewhere in the Borough and / or for the provision or improvement of open space and children's play facilities to meet the needs of the community.

## **Heritage Impacts**

In terms of indirect impacts on the setting of designated heritage assets, the Council's Conservation Officer is satisfied that no harm would arise to the Grade II St Joseph's Church, the St Peter's and Hillgate Conservation Areas and the nearby Locally Listed Buildings. The site is elevated, sitting on the edge of the Mersey Valley, and therefore a substantial increase in the height of the existing building and any associated new building has potential to impact upon wider views across the town centre and the setting of nearby heritage assets.

The current plans indicate that the height of the rooftop extension facing Wellington Street would be broadly comparable to an adjacent residential conversion (Marsland House), located within the conservation area. Modelling of the proposal in the context of the wider townscape, as well as previously approved but unimplemented tall buildings elsewhere across the town centre, indicates there is potential for a six storey building to be accommodated at the rear of the site without harm to the setting, character or appearance of the adjacent conservation areas and the setting of and associated views of other designated and non-designated heritage assets.

Paragraph 196 of the NPPF advises "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal*". This policy test is echoed in Core Strategy policy SIE-3. It is considered that the public benefits offered by the development, in terms of the delivery of much needed housing and other regeneration benefits, far outweigh any limited harm to the designated and non-designated heritage assets in the vicinity.

On that basis, no conflict with relevant local or national policies would arise if planning permission were granted, subject to appropriate conditions relating to the selection of external materials, architectural detailing (in particular of windows and external doors) and details of the design of external gates/railings to Wellington Street/Fletcher Street.

### Design, Siting and Impact on Visual Amenity

Policy SIE-1 'Quality Places' states that development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment within which it is sited, will be given positive consideration. Specific account should be had to the materials, site's characteristics, safety and security of users, provision and maintenance of access, privacy and amenity and landscaping.

As outlined within the Design and Access Statement, the proposals have been considered within both the existing context and the emerging context following recent applications and approved schemes. In the immediate vicinity of the site, there are recent applications for a 14 storey building at Piccadilly, a 15 storey building at Fletcher Street and the Eamar scheme at 19 storey storeys. Therefore, at a height of 6 storeys, this development is lower than these nearby sites, but is more in context with the immediate surroundings. The scheme has been designed to respect and be a very similar height to the adjacent Marsland House building, to ensure that the development is not overdominant or overbearing to the existing buildings. This is also important due to the significant changes in land levels from Wellington Street at the front down to Fletcher Street to the rear. Therefore, it is considered that the proposed development has secured an appropriate scale for the setting.

The application site is bounded by buildings of various styles and ages. Therefore, in terms of design approach, the proposals include both traditional and contemporary architecture to be in keeping with the surroundings. In terms of Seaton House itself, the historic photos of the building indicate a more prominent vertical character which is emphasised by the stone mullions and window pattern. The approach to Seaton House is to remove the modern interventions to the building including the arched windows and the twentieth century extension to the rear. To the front elevation the entrance door configuration is to be restored to its original form. To the rear elevation, the cills are to be lowered to facilitate the apartment entrances. These works are welcomed and will return the building to be closer to its historic appearance. The extension to the roof to provide additional apartments has been carefully designed to be a clear modern intervention. It will be set in within the existing roof parapet and back from the front elevation façade to retain the emphasis and form of the existing building.

The extension to the rear has a contemporary design whilst also providing a vertical emphasis to match the existing host building. This has been achieved through window locations and dimensions, materiality and other fenestration details. The lightweight top to the extension through the use of cladding rather than brick, mirrors the approach to the rooftop extension to the existing building and results in a reduced overall appearance in terms of scale and massing. In terms of materiality, given the sites location adjacent to two conservation areas which are largely characterised by Victorian buildings with rich detailing, the proposal looks to limit the number of materials used in order to present modern



language throughout the development. The proposed design ethos is for a restricted palette that is sensitive to the conservation area and one that does not try to compete with the Seaton House. This includes the use of a buff/grey mix facing brick, aluminium cladding panels in bronze patina, and fenestration detailing through the use of brick soldier coursing in the same buff/grey mix. Picking up on the language of retaining walls across the site and the wider context within the Town Centre, the lower ground floors will be clad in gabion baskets which will act to ground the building. In particular the proportions and detail are developed to respond to the proportions of the both the new and old buildings.

Therefore, on this basis, no concerns are raised to the general design and proposed use of materials for the proposed development. Suitably worded planning conditions would be imposed to secure appropriate materials of external construction and boundary treatments.

All new developments should ensure that they respond to the surrounding context of the site and maximise frontages with the street scene and other important features of sites. The application site is fairly uniform in shape and size and has two road frontages on Wellington Street and Fletcher Street. The proposed development responds positively to both of these road frontages by providing built form along the perimeter of the application site and strengthening the urban grain. Habitable room windows and amenity spaces face onto both of these street frontages to provide activity, presence and natural surveillance over the street scenes.

It is acknowledged that there is limited private outdoor amenity space for the future occupants of the development. As outlined in the Planning Statement, the development includes private balconies to the third-floor apartments within Seaton House facing onto Wellington Street, comprising approximately 13 sqm per balcony. The 4 no. three bedroom duplexes within the new extension to the rear also include small private terraces each comprising between 15 and 29 sqm. A small area of communal external amenity space of approximately 100 sqm is also provided within the site. These levels of amenity space provided do fall below the guidance provided within the Residential Design SPD and this must be noted. However, it is also necessary to highlight that the development is sustainably located within the Town Centre, and is in close proximity to a number of other parks and green spaces including the new podium park being completed at the Interchange, Fountain Park, London Square and Fred Perry Way.

Amenity space shortfalls are considered to be outweighed by the requirement for additional dwellings within the Borough and the current focus within Paragraphs 122 and 123 of the NPPF, which seek to maximise densities within residential developments where there is an identified housing need. As such, the NPPF desire to maximise densities within residential developments effectively supersedes private amenity space requirement guidance as recommended within the SPD, which Members will be aware has been reflected in recent appeal decisions.

Therefore, overall, the siting and layout of the development maximises the relationship with the existing and new surrounding road network. The siting and layout provides a logical arrangement and is therefore considered to be in accordance with the development plan.

In view of the above, it is considered that the size, scale, height and design of the proposed development could be successfully accommodated on the site without causing undue harm to the character of the street scene or the visual amenity of the area. As such, the proposal is considered to comply with Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

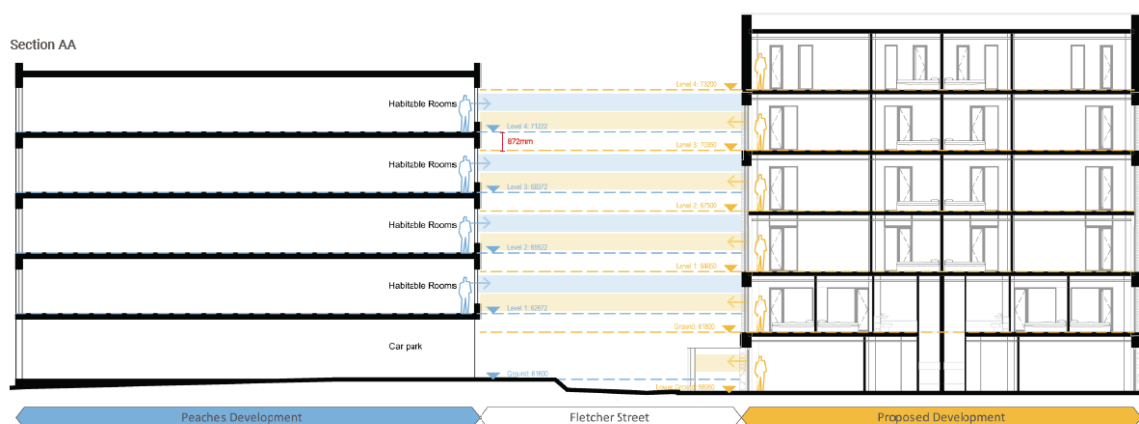
### Impact on Residential Amenity

Policies H1, CS8, SIE1 and SIE3 of the Core Strategy together with para 127 of the NPPF seek to ensure that developments provide for a good standard of amenity not only for existing but also future occupiers. The Core Strategy policies are supported by the Council's SPD 'Design of Residential Development' which provides detailed guidance regarding the layout of development and its relationship with existing properties. Members are reminded that the SPD is not policy, but is simply guidance to influence but not dictate development. There is acknowledgement within that document that rigid adherence with the guidance can stifle creativity and result in uniformity of development.

The closest relationship of the development to existing residential properties is to the east with the existing apartments at Marsland House. An objection has been received from occupants of one of the apartments within this block, which has habitable room windows overlooking the application site. The distance between the new build extension and the existing windows at Marsland House is 12.19 metres. For this reason, the application has been accompanied by an Overlooking Analysis and a Daylight/Sunlight Analysis in order to address the potential impacts on this existing apartment block. The scheme has also been amended throughout the life of the application again in order to address the objections received from neighbouring occupants.

In relation to overlooking, the Council's SPD 'Design of Residential Development' guidance advises that the minimum privacy distances are 21m from habitable room to habitable room up to 2 storeys and 24m for 3 + storeys. However, it also outlines that imaginative design solutions and a more flexible approach to the distances required between new dwellings is required, particularly within the town centre, and that these standards are more reflective of the distances required in a more suburban setting.

The Overlooking Analysis submitted includes a sectional diagram through the proposed development and the adjacent apartment block (see below). This sectional diagram highlights that because of the difference in floor levels between Marsland House and the proposed scheme, the impact of direct overlooking is actually limited.



It is proposed that through careful placement and the orientation of windows, along with the use of louvres on the windows in this elevation, this would help to mitigate any direct overlooking further.

Through further negotiations with the Planning Officer, the proposals were amended in relation to the arrangement of the windows in the eastern elevation and the strategic placement of louvres. The floor plans have also been designed to eliminate direct overlooking from beds and sofas whilst maintaining longer views. The proposed louvres are integral for not only the minimising overlooking but as passive purge ventilation, which when fully opened also acts as guarding from falling. The submitted proposals for splayed louvres have been designed in order to minimise the impact of any potential overlooking but whilst maintaining sufficient daylighting.

Therefore, although it is acknowledged that the proposed development does not meet the minimum space standards of 12 metres for this relationship, it is considered that the applicant has used imaginative design solutions within the scheme to reduce the amount of overlooking as much as possible. If the whole of this elevation had been void of any windows to stop any overlooking at all, this would have resulted in a very poor quality and harsh design, with no activity, presence or natural surveillance over Fletcher Street. The outlook from the existing windows over this blank gable would also have been very poor and detrimental to visual amenity.

Therefore, it is considered that on the basis of the context provided within the submitted analysis in relation to the floor level differences and the design solutions proposed, this constitutes a more flexible approach within this dense town centre setting, where reduced standards are more appropriate in order to not stifle development or prohibit regeneration aims.

In relation to an overshadowing impact, the application has been accompanied by a daylight and sunlight assessment completed by GIA Chartered Surveyors. A technical analysis has been completed using the methodologies set out within the Building Research Establishment Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011)'. It is noted that the BRE guidelines provide a recommendation to inform site layout and design and are not mandatory. Their interpretation may be treated flexibly depending on the specifics of each site and importantly to this case, the guide recommends a more contextual approach and setting alternative target values for city centres and urban environments. Notwithstanding this, the results of the assessment conducted indicate an acceptable level of compliance for the surrounding properties when considered against the flexibility with which the BRE guidelines are intended to be used.

In relation to the windows serving Marsland House, the report confirms as follows:

*16 windows do not meet the BRE target criteria for VSC daylight. 10 of these serve bedrooms, which the BRE consider as having a lesser requirement for daylight. The remaining windows serve three living rooms, each of which is served by alternative windows. The BRE guide state that where a room is served by multiple windows of a similar size, the mean VSC for the room as a whole can be calculated. Two of the affected living rooms meet the BRE criteria for VSC daylight when considering the mean VSC for the room overall. The third is reduced by 28.1%, which is a minor*

*impact, and the overall impact to VSC daylight is therefore considered to be minor adverse and acceptable.*

*11 rooms do not meet the BRE target criteria for NSL daylight, all of which are bedrooms which are considered as having a lesser requirement for daylight. As such, all main living rooms and living kitchen diners meet or exceed the NSL daylight target, and the impact is therefore considered to be minor adverse and acceptable.*

*All living rooms assessed for APSH sunlight will meet or exceed the BRE target criteria with the proposed development in place.*

*Overall, considering the minor nature of impacts, location of the site and the anticipated increase in height and density in the area, the impact of the scheme on this property is considered wholly acceptable.*

In conclusion, the report confirms that overall, considering the location of the site, the anticipated increase in height and density in the area and flexibility with which the BRE guide is intended to be used, the impact of the scheme on the surrounding residential properties is considered wholly acceptable.

On the basis of the above, it is considered that the proposed development as a whole, will provide for a good standard of amenity and will not cause significant harm to existing occupiers by reason of overshadowing, loss of outlook, overlooking or loss of privacy. Noting that there is a presumption in favour of residential development as engaged by para 11 of the NPPF it is not considered that the limited instances of failure to comply with this guidance as set out above significantly or demonstrably outweigh the benefits of the proposed development. That being the case, the development is considered to accord with policies H1, CS8, SIE1 and SIE3 of the Core Strategy together with the relevant guidance within the NPPF.

#### Traffic Generation, Access, Highway Safety and Parking

A Transport Statement has been submitted in support of the application. The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above. The report concludes that the development would not result in a severe impact on highway operation or unacceptable effects on road safety.

It is considered that the proposed development is appropriate for the location being within Stockport Town Centre with good access to public transport, shops and other services, reducing reliance on private cars for residents. The development will not in itself result in any noticeable increase in traffic, particularly when offset against that generated by previous use.

It is acknowledged that the proposals do not include any on-site parking for the future occupants of the development. However, the parking surveys conducted as part of the Transport Statement indicate significant spare capacity, on evenings, within nearby car parks and on street. 190 parking spaces are available in nearby public car parks, together with on-street parking for 45 vehicles within easy walking distance of the site. Given the accessibility of the site, the availability of off-site parking locally, and local levels of car ownership (which is likely to reflect accessibility), this lack of on-site car parking is considered to be acceptable in this case.

Due to the lack of on-site parking, the Highway officer has recommended that the development should support sustainable transport provision within the wider area. It is confirmed that this should take the form of funding the provision of electric vehicle charge points off site, at a number equivalent to that which would be required by policy for the development. The proposal currently includes 34 apartments, which would result in the provision of 6 EV spaces. These may be located within car parks or on highway to best meet need in the area. It is recommended that this provision be secured as a s106 obligation.

In relation to other sustainable transport provision, a cycle store with the capacity for up to 40 cycles is proposed as a part of the development, with the cycle store being accessible from adjacent roads without the need to negotiate any steps. This exceeds the level of parking required by development plan policies of one cycle storage space per new dwelling. It is acknowledged however, that this proposal is for 40 standard bikes and that proposals should also include the capacity to store a proportion of "non-standard" cycles, such as trikes or lie-flat bikes. On this basis, it is recommended that a condition is included in any approval requiring further details of cycle racking and storage provision.

Finally in relation to sustainable modes, the TA confirms that whilst falling below the threshold for the requirement for a fully detailed Travel Plan, each household will receive a travel pack on occupation outlining sustainable travel initiatives and facilities available locally.

Due to the tight nature of the development site, to mitigate against the impact of construction operations on the local highway network and residential amenity, a construction method statement should be prepared and submitted for approval. A suitably worded condition would be attached to any approval. Also, the existing vehicle access is to be removed with the footway reinstated along all site frontages.

In conclusion, in the absence of objections from the Highway Engineer and subject to the imposition of the conditions recommended by the Highway Engineer, it is considered that the proposed development should not have a material impact on the local highway network. As such, the proposal complies with Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-3 and the Sustainable Transport SPD.

### Landscaping and Impact on Trees

Due to the nature of the existing site, mainly comprising the existing building and the existing surface car park to the rear, the level of trees and planting is low. The application is accompanied by an Arboricultural Impact Assessment (AIA), which has been assessed by the Council Arboricultural Officer. The detailed comments received to the application are contained within the Consultee Responses section above.

The AIA outlines that the site survey identified a total of seven individual trees, on and adjacent the site. Tree 1 on the survey is off site and on the opposite side of Fletcher Street. The 7 trees surveyed included 2 individual trees graded Category B trees of moderate value (T1 and T2) and 4 individual trees graded Category C trees of low value (T3, T5. One individual tree has been graded Category U, which is unsuitable for retention. The AIA confirms that the construction of the development as proposed would require the removal of 1

individual tree graded 'B' category and 1 individual tree graded 'C' category. The remaining trees would be retained and protected throughout the construction period, and then supplemented by a replacement tree planting scheme. All tree works should be carried out by a competent arborist in accordance with BS 3998:2010, Tree Work Recommendations.

Although a fully detailed landscaping scheme has not been submitted for consideration, areas of green and planting are shown on the site plans, as can be seen in the drawing pack attached to this report. This includes the replacement of the 2 trees to be lost and further planting around the site. The Arboricultural Officer notes the submitted reports and landscape proposals and subject to the inclusion of appropriately worded conditions raises no concerns about the development.

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

### Impact on Protected Species and Ecology

A Preliminary Ecological Appraisal dated April 2022 and a Bat Survey Report dated July 2022 both completed by Tyler Grange have been submitted in support of the application. The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above.

It is noted that the site has no nature conservation designations, legal or otherwise, as listed in Stockport's Local Plan (e.g. Site of Biological Importance, Local Nature Reserve, Green Chain etc). It has however been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester. This is not necessarily a barrier to development and does not confer protection or prevention of land uses but shows that such areas have been prioritised for restoring and linking up habitats.

The works are considered to be of low risk to roosting bats as no bat roosts were recorded during the survey. Nevertheless, the applicant will be advised of the potential for bats to be present on the site, the legislation in place to protect biodiversity and procedures to follow should bats or other protected species be discovered on site by way of informative. In relation to birds, a condition is recommended to prevent any demolition or vegetation clearance during the bird breeding season, unless it can be demonstrated that no birds would be harmed and/or appropriate mitigation measures are in place to protect nesting birds.

To protect wildlife (including badgers) which may pass through the site and prevent potential disturbance during works any works, Reasonable Avoidance Measures (RAMS) are recommended to be conditioned. It is also recommended that any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance.

In relation to biodiversity enhancements, the bat survey report proposes two bat boxes. The nature development team have also recommended that a minimum of two bird boxes should also be provided. Details of the proposed location and type of bat and bird boxes to be provided should be submitted for review and it is recommended that this can be secured by condition along with a proposed

landscaping scheme. Landscape planting should be maximised and comprise a range of wildlife-friendly species (locally native where possible). The submitted proposed site plan indicates new native shrub planting and new tree planting, which is welcome. Tree species should be locally native where possible and maximising tree planting would be particularly welcomed given the designation of the site as an opportunity area within the LNRS for Greater Manchester.

In view of the above, in the absence of objections from the Council Nature Development Officer and subject to the imposition of suitably worded planning conditions, the proposal is considered acceptable with regard to its impact on protected species, biodiversity and the ecological interest of the site, in accordance with Core Strategy DPD policy SIE-3.

### Land Contamination

A Phase 1 Contaminated Land Report has been completed by Wardell Armstrong and has been submitted to accompany the application. This states that given the previous use of the premises as a printing works, there is the potential for contamination at the site.

The detailed comments received to the application from the Council Environment Team are contained within the consultee responses section above. It is recommended that the undertaking of the necessary reports for soil are completed before the development commences. As such, it is recommended that conditions are imposed, to require the submission, approval and implementation of an investigation, risk assessment, remediation scheme and remedial action into potential land contamination at the site.

Subject to compliance with such conditions, it is considered that the proposed development would not be at risk from land contamination or landfill gas migration, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Flood Risk and Drainage

The detailed comments received to the application from the Council Drainage Engineer/Lead Local Flood Authority are contained within the Consultee Responses section above.

Saved Policy EP1.7, Development and Flood Risk, controls development to require that any proposal is not at risk of flooding, does not increase the risk of flooding elsewhere, does not hinder access to watercourses, does not result in the loss of the flood plain or result in extensive culverting, affect existing flood defences, or significantly increase surface water runoff. This accords with Paragraphs 163 - 167 of the NPPF, which relates to ensuring any planning application ensure vulnerable uses are located within the lowest areas of risk, and that proposals are flood resilient.

A Drainage Strategy prepared by Wardell Armstrong has been submitted to accompany this planning application. In relation to the proposed surface water drainage strategy for the site, there have been detailed negotiations between the Drainage Engineer/Lead Local Flood Authority and the applicant's drainage consultant. As can be seen from the LLFA consultation responses outlined above, dialogue continues in relation to finding the best solution for the drainage strategy for this site. However, it is considered that this dialogue is productive and further negotiations will result in an appropriate solution being agreed.

Therefore, on this basis, it is considered that the appropriate drainage of the development could be secured by conditional control. This would require the submission, approval and implementation of an appropriate surface water drainage system; and management and maintenance of such a drainage system at all times thereafter.

Subject to compliance with such conditions, it is considered that the proposed development could be drained in a sustainable and appropriate manner without the risk of flooding elsewhere, in accordance with saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

### Noise and Air Quality

A Noise Assessment completed by PDA Acoustic Consultants has been submitted to accompany the application. The report assesses the impact of existing noise levels on the occupiers of the proposed development. The observations on site indicated that the main noise contributions were associated with the road traffic on Wellington St and aircraft overhead, as well as an air handling unit associated with adjacent Grosvenor Casino. Mitigation is proposed within the report to the building envelope to ensure that internal noise levels within habitable areas are suitable for resting and sleeping and are in accordance with the requirements of the NPPF and BS 8233:2014 "Guidance on sound insulation and noise reduction for buildings". Noise mitigation advice for the proposed residential facades in the form of treatment to the glazing and ventilation and recommended roof build-up. The report states that the proposed site design, with incorporated mitigation would meet the aims of the NPSE and comply with Paragraph 185 of the NPPF. The effect of noise can be mitigated at this site to avoid noise giving rise to significant adverse impacts on health and quality of life.

As such, noise should not be a barrier to residential development at this location. The Council's EHO has considered this report and agrees with the conclusions in relation to the protection of the future occupiers of the proposed development.

In relation to Air Quality, an Air Quality Screening Assessment completed by Wardell Armstrong has been submitted to accompany the application. This report considers whether the proposed development could significantly change air quality during the construction phase and occupation phases.

With the implementation of mitigation measures for both construction activities and the long term occupation of the development, the impact of the proposed development is predicted to not be significant. Dust and fine particulate matter impacts from the construction are considered to be 'not significant', in accordance with IAQM guidance. The use of low NO<sub>x</sub> boilers and the provision of EV charging facilities will assist with the development once occupied.

The submitted assessment was considered by the EHO and it has been confirmed that they are happy with its findings and conclusions subject to a suitably worded condition being included to ensure that the mitigation measures outlined are followed.

Therefore, on the basis of the above, the proposed development is considered to be acceptable and in compliance with Core Strategy DPD policies CS8 and SIE-3 and the relevant paragraphs of the NPPF.



## Designing out Crime

Policies H1 and SIE1 of the Core Strategy together with para 130 of the NPPF seek to ensure that developments create safe living conditions. The applicant is required to include a Crime Impact Statement (CIS) with the application. This report is compiled by GMP Design for Security who then offer their comments on the proposals in this respect once the application is submitted.

In responding to the application, GMP advise that they have no objection to the application subject to compliance with the CIS. The recommended security measures are outlined within the consultations section above.

On this basis, the proposed development by reason of its design and layout will minimise the opportunity for criminal behaviour and as such accords with policies H1 and SIE1 of the Core Strategy together with para 130 of the NPPF.

## Energy Efficiency

As the proposed development is for more than 10 residential units, it triggers the Council's carbon reduction targets, as defined by Core Strategy DPD policy SD-3. Therefore, an Energy Statement has been submitted in support of the application.

Following the initial concerns raised by the Council's Planning Policy officer in relation to energy and sustainability, the applicant provided an updated Statement in order to address the concerns raised. The information contained within the Statement provides further clarification in relation to the low energy design solutions proposed that limit carbon emissions in-line with the nationwide objective of achieving net zero carbon buildings.

The Sustainable Energy Statement demonstrates that a holistic approach has been taken to achieve compliance with all CO2 emission reduction targets outlined within the Stockport Council Core Strategy document. The proposed design effectively utilises design and construction techniques to reduce the demand for energy, employs renewable technology and provides at least a 13% betterment over the current Building Regulations. The Statement confirms that Approved Document L1a and L1b 2013 is applicable for this scheme, as this is what has already been registered by Building Control. Therefore, the approved Document L is not applicable in this case.

The building "fabric" (e.g. façade, roof, windows etc) have been designed in a manner that exceeds the minimum requirements which are defined within Approved Document Part L1a and L1b. An assessment has taken place to ensure a comfortable & sustainable design is in place that does not rely on the need for mechanical cooling or mechanical fans which are energy intensive. The fabric improvements in the scheme along with suitable window openings to outside have resulted in a passively cooled building design. The proposed sustainable and low energy design solutions include electric panel radiators with App control functionality, mechanical ventilation with heat recovery, intelligent lighting and low water flow appliances.

In relation to renewable technologies, the proposed development includes the installation of solar photovoltaics on the roof of the new extension and an indicative plan has been provided within the Energy Statement. As the building utilises electric space heating, electric hot water heating, lighting and small power

etc, offsetting the electricity demand with solar photovoltaics (PV), provides an effective solution which can be utilised throughout the year, albeit this is more beneficial during the summer months. The current proposal is to provide 15kWp of solar PV to serve both the new and remodelled building landlord areas. This may alter as the project energy strategy develops and potentially a greater extent of PV may be provided, however, this is subject to economic viability which can only be considered once the cost of the building contract has been determined. With the extent of solar photovoltaics noted above, it is anticipated that circa 11,000kWh of “free” electricity to be generated per year.

On this basis, an appropriately worded condition would be included in any approval decision that requires the submission of further details in relation to the above renewable technologies and how the development will meet both the Building Regulations and policy standards.

## **CONCLUSION**

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

The proposed redevelopment of this site will result in the loss of office employment space. The loss of the employment space has been justified and as such this aspect of the development and the provision of a residential development at the site is considered to be acceptable and compliant with development plan policies.

The location of the site is within the Town Centre and as referred to at the start of this analysis, the fact that the Council cannot demonstrate a 5 year supply of housing means that elements of Core Strategy policies CS4 and H2 are considered to be out of date. As such the tilted balance in favour of the residential redevelopment of the site as set out in para 11 of the NPPF is engaged. The application site predominantly comprises a brownfield site in an accessible area and the redevelopment of the site for residential purposes is also in accordance with para 118 of the NPPF which places substantial weight upon the use of brownfield land within settlements for homes and supporting opportunities to remediate derelict land.

It is considered that the siting, scale and design of the proposed development could be successfully accommodated on the site without causing undue harm to the visual amenity of the area or the residential amenity of surrounding properties. In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of traffic generation, parking and highway safety; impact on trees; impact on protected species and ecology; flood risk and drainage; land contamination; and energy efficiency.

In view of the above, notwithstanding the fact that approval of the development would constitute a departure from the development plan due to there being no commuted sum towards open space, the proposal is considered to represent sustainable development. On this basis, notwithstanding the objection raised to the proposal, in accordance with the requirements of Section 38(6) of the

Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

### **RECOMMENDATION**

#### GRANT SUBJECT TO CONDITIONS AND S106 AGREEMENT

Should Members agree the recommendation, the application should be referred to the Planning and Highways Regulation Committee for determination as a departure from the Development Plan.