

<b>Application Reference</b>	<b>DC/087393</b>
<b>Location:</b>	Edward Street, Stockport SK1 3DQ
<b>PROPOSAL:</b>	Variation of condition 1 (approved plans) of planning permission ref: DC/073782 for a revised design and access solution and reduction in number of dwellings to 131 from 133.
<b>Type Of Application:</b>	Section 73 minor material amendment application
<b>Registration Date:</b>	09.12.2022
<b>Target Date:</b>	21.03.2023
<b>Case Officer:</b>	Daniel Hewitt
<b>Applicant:</b>	The Guinness Partnership
<b>Agent:</b>	Bowker Sadler Architecture

### **DELEGATION/COMMITTEE STATUS**

Due to the number of new homes proposed this application can only be determined by the Planning and Highways Regulation Committee. The proposals also constitute a departure from the development plan as no contributions are proposed to provide future residents with access to new or improved formal recreation or children's play facilities.

### **DESCRIPTION OF DEVELOPMENT**

The application seeks an amendment to condition 1 of planning permission ref: DC/073782 to authorise a series of design and access changes to the proposed development. This original application was approved by the Planning and Highways Regulation Committee on 13/02/20 and planning permission granted on 14/02/20.

The development permitted by the existing planning permission commenced with the demolition of the former Crucible Snooker Club and therefore the planning permission remains extant in perpetuity.

The site now cleared and remediated and ready for development.

The rationale for the changes are set out in the Design and Access Statement which states that:

*“Due to the current economic climate and associated rise in construction costs the applicant has had to review the approved design with the aim of reducing the overall cost of the development. The resultant design changes, as represented in this S73 application, are intended to retain the design principles of the approved scheme whilst optimising construction efficiencies and therefore deliver much needed affordable residential accommodation.”*

The development is best understood by referring to the submitted plans but can be summarised as follows:

- Reduction in overall number of new homes – from 133 to 131
- The type and size of new homes have changed as follows:
  - 117 two bedroom apartments to 47 two bedroom apartments; and
  - 16 one bedroom apartments to 84 one bedroom apartments.
- The tenure of the new homes has changed to a mixture of social and affordable rent from shared ownership. Currently, 68 flats in the 6/8 storey elements are to be provided for social rent (46 one bedroom apartments and 22 two bedroom apartments) and 63 flats in the 10 storey element provided for affordable rent (38 one bedroom apartments and 25 two bedroom apartments). The precise numbers have the potential to change depending on grant funding decisions.
- The overall building footprint has been reduced and is now 8.5 metres shorter in length increasing the distance between the building and the adjacent Halfords car repair garage.
- The scale and massing of the building remains similar but a reduction of one storey from the tallest element to 10 storeys is now proposed and the width of each building element have changed - the six and eight storey element is considerably narrower and tallest element is now wider. The glazed links have been retained.
- The service access within the site connecting to the Halfords garage site has been removed with an access off Bamford Street proposed instead. The access on Edward Street would be improved to better serve the Halfords site and to provide 11 parking spaces dedicated for their use.
- Car parking space serving the proposed new homes has been reduced from 42 spaces (32%) to 15 spaces (11.5%) with 13 disabled spaces provided for use by residents (10% overall). Undercroft car parking spaces have been removed due to cost pressures.
- The main entrance off Edward Street has moved to a back of pavement position and slightly to the west beneath the retained glazed link separating the building elements. This is serves to make the entrance more prominent.
- The ground floor duplex apartments fronting Edward Street have been replaced by single storey apartments but have retained front doors to retain activity at street level. The two storey colonnade on Edward Street has been retained.
- There are no changes to the overall palette of materials but all recessed balconies on the top three floors have been removed and replaced with Juliette balconies which now serve all living room spaces.

The Guinness Partnership are a registered housing provider and have secured grant funding to deliver a 100% affordable housing development with all new homes being built in accordance with the nationally described space standards.

The proposed building has a stepped design comprising three component parts or blocks that rise from six storeys at the western edge of the site to eight storeys at its centre and peaking at ten storeys at its eastern edge (aligned with the Piccadilly axis). This design has been adopted to provide a high density scheme in this sustainable town centre location whilst respecting the context sets by neighbouring heritage assets and the existing townscape. The density of the proposed development is approximately 450 dwellings per hectare.

Pedestrian and access to the development would be provided from Edward Street via an open, double height entrance space together with a separate pedestrian entrance between the two lower blocks. Vehicular access would be provided

primarily from Bamford Street with the new Edward Street access linked to a small, additional area of residents parking – three disabled spaces.

15 car parking spaces are proposed including 13 disabled bays (this equates to an overall provision of 11.5%). 14 of car parking spaces would benefit from electric charging points. Cycle parking would be provided in internal secure stores (132) together with some external visitor storage space for 22 cycles.

The proposed palette of external facing materials is predominantly buff brick with a contrasting lighter buff colour to differentiate the duplex homes at street level. Window and door openings would be metal framed whilst Juliette style balcony openings would be metal and glass. Bespoke metal railings would be provided at the main Edward Street entrance.

Externally, hard surfaces would comprise a mixture of flag / block paving and bitmac in car park vehicle circulation areas.

16 new, extra heavy standard trees would be planted along the edges of a new pedestrian and cycle path between the Stockport Homes office building and the proposed apartment building together with relatively small areas of complementary planting.

The detailed design of the proposed development is of course best understood by reference to the submitted plans.

The following documents have been submitted in support of the application:

- Application forms
- Plans and drawings
- Design and Access Statement Addendum
- Transport Statement and
- Road Safety Audit and Designer's Response
- Drainage Strategy

## **SITE AND SURROUNDINGS**

The application site is bound by Edward Street to the north, Bamford Street to the south, the Stockport Homes office building to the west and the Halfords car repair and MOT garage to the east. The site directly faces Fred Perry House.

The site forms part of a long, linear impermeable block that currently severs convenient and direct access from Piccadilly and Edward Street to Bamford Street behind. Currently, buildings on this part of Edward Street range in height from 4-6 storeys (Fred Perry House, Stockport Homes office, Edward House, Magistrates Court and former Police Station). The townscape in this location is dominated by the 16 storey residential towers (Mottram, Ratcliffe and Millbrook Towers) that form the backdrop to the application site when viewed from the north.

The application site lies outside of but between two conservation areas – the Town Hall Conservation Area to the west and the Hillgate Conservation Area to the east. The development would also affect the setting of the following listed buildings:

- Town Hall (Grade II\* listed); and
- St Thomas's Church (Grade I listed).

## **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**

TCG1 – Town Centre / M60 Gateway

TCG1.2 – Town Centre/M60 Gateway Transport Hub

TCG1.3 – Parking in the Town Centre

TCG1.4 – Sustainable access in the Town Centre/M60 Gateway

TCG3.4 – Civic Quarter

HC1.3 – Special control of development in conservation areas

EP1.10 – Aircraft Noise

MW1.5 – Control of waste from development

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

SD1 – Creating sustainable communities

SD3 – Delivering the energy opportunities plans – new development

SD6 – Adapting to the impacts of climate change

SIE1 - Quality places

SIE2 - Provision of recreation and amenity open space in new development

SIE3 – Protecting, safeguarding and enhancing the environment

SD6 - Adapting to the impacts of climate change

CS2 - Housing provision

CS3 - Mix of housing

CS4 - Distribution of housing

H1 - Design of residential development

H2 - Housing phasing

H3 - Affordable housing

CS9 - Transport and development

CS10 - An effective and sustainable transport network

T1 - Transport and development

T2 - Parking in developments

T3 - Safety and capacity on the highway network

### **Supplementary Planning Guidance**

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

- Open Space Provision and Commuted Payments Supplementary Planning Document (2019)
- The Design of Residential Development Supplementary Planning Document

- Sustainable Transport Supplementary Planning Document
- Town Centre Housing Supplementary Planning Document
- Sustainable Design and Construction Supplementary Planning Document
- Affordable Housing Supplementary Planning Guidance and Explanatory Note

## **National Planning Policy Framework**

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

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

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

## **Planning Practice Guidance**

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

## **RELEVANT PLANNING HISTORY**

**Ref: DC/073782**

**Address:** Edward Street, Stockport, SK1 3DQ

**App Type:** FUL

**Proposal:** The demolition of existing building, erection of 133 apartments and associated works

**Decision:** Granted

**Decision Date:** 14/02/20

**Ref: DC/056266**

**Address:** Lamborghini Manchester, Edward Street, Stockport, SK1 3NQ

**App Type:** FUL

**Proposal:** Demolition of existing car showroom, vacant offices and vacant former workshop and erection of 4 storey office accommodation (Use Class B1) with associated access, basement and ground floor car parking, landscaping and ancillary works.

**Decision:** Granted

**Decision Date:** 12/11/14

**Ref: DC/027743**

**Address:** Car Showroom & Assoc Offices At Edward Street Stockport SK1 3NQ

**App Type:** FUL

**Proposal:** Development of mixed use scheme comprising ground floor commercial / retail units and provision of 65 apartments above including assoc sevicng. underground parking & amenity space

**Decision:** Granted

**Decision Date:** 21/05/09

**Ref:** J/34467

**Address:** Unit 2A, Edward Street, Stockport

**App Type:** Historic application

**Proposal:** Proposed licensed proprietary snooker club

**Decision:** Granted

**Decision Date:** 12/09/85

## **NEIGHBOUR'S VIEWS**

The application was publicised in the Stockport Express. The public were also notified of the application by way of 171 neighbour letters and multiple site notices were posted around the edges of the application site.

No representations have been received.

## **CONSULTEE RESPONSES**

### **SMBC Highway Engineer**

After reviewing the documents and drawings, I would make the following comments:

- 1) A Stage 1 Road Safety Audit for the highway works associated with the development has been carried out and submitted, as required. This highlights two issues, both relating to the tactile paving at the site accesses. It outlines that the width of the tactile paving proposed at the Edward Street access is insufficient and the no tactile paving is shown to be provided at the Bamford Street access. A Designer's response to the RSA has also been produced and submitted. This outlines that the designer accepts the recommendations of the RSA and notes that additional tactile paving will be provided at the Edward Street access and tactile paving will be provided at the Bamford Street access. Drawings 2613-F03 and 18-033-A-1201 have been revised to show this. Noting that the RSA has not highlighted any issues that cannot be addressed and the recommendations of the RSA have been accepted, I can confirm that I consider the proposed access arrangements and highway works acceptable (subject to detailed design). Details of the works will need to be agreed, although this can be dealt with at detailed design stage / by condition.
- 2) As outlined above, drawings 2613-F03 and 18-033-A-1201 has been revised to show the required tactile paving at the site accesses. Drawing 18-033-A-1201 has also been revised to show amended kerb lines at the Bamford Street access, bollards on the build-outs on Bamford Street and no gates at the Bamford Street access, thus addressing the issues raised in my Consultation Response of the 28<sup>th</sup> March 2023.

I can therefore confirm that as the Road Safety Audit has not highlighted issues and revised plans have been received which address the issues that I previously highlighted, I raise no objection to the application, subject to conditions and the applicant entering into a Section 106 Agreement in respect to making a financial contribution of £8000 to fund amendments to existing Traffic Regulation Orders and

to make any contribution to be determined to be required by SMBC Parking to compensate for the loss of car parking income.

### Recommendation

No objection subject to conditions and the applicant entering into a Section 106 Agreement in respect to making a financial contribution of £8000 (plus RPI indexation) prior to commencement of development to fund amendments to the existing Traffic Regulation Order on Bamford Street and Edward Street and to make any contribution to be determined to be required by SMBC Parking to compensate for the loss of car parking income that will result from the loss of existing "Pay and Display" parking spaces on Bamford Street.

Recommended conditions relate to:

- Construction method statement
- Detailed design of accesses
- Maintenance of visibility splays
- No gates or barriers on vehicular accesses
- Detailed design of new link path including access
- Refuse and recycling
- Detailed design of car parking areas
- EV charging points – all spaces including 2 rapid charging points on spaces 11 and 12
- Cycle parking
- Travel Plan
- Retaining walls detailed design

### **Historic England**

Opted not to provide advice and instead suggested that the views of the Council's own specialist officers are sought.

### **SMBC Heritage Conservation**

The amended proposals do not involve a degree of change sufficient to require a substantive change from my previous advice: the overall impact of the proposed development upon designated and non-designated heritage assets is unchanged.

In respect of the previous application they concluded: *"Overall the application results in a low level of harm to heritage assets and it is acknowledged that the regenerative benefits of the development should support new and existing activities within the adjacent conservation areas that will assist in their long term preservation and enhancement."*

### **SMBC Strategic Housing**

Supports the proposals and proposed tenure change on the basis that the Guinness Partnership (a partner registered housing provider) will be applying a local lettings policy prioritising economically active households to support town centre regeneration and provide a better balance of local housing options given the currently disproportionately high number of social rent homes in the area.

### **ANALYSIS**

Section 73 of the Town and Country Planning Act makes clear that *"on such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted"* and therefore the principle of the use and nature of the development should not be revisited.

The assessment of this application is therefore limited to the proposed changes only.

### **Affordable housing tenure change**

The application has been submitted by the Guinness Partnership (a partner registered provider of social and affordable housing) who have secured grant funding from the government to fund the development. Despite the clear preference for shared ownership or intermediate properties in the Town Centre expressed in Core Strategy Policy H-3, the proposed tenure change to social rent and affordable rent would address a recognised local housing need and is therefore supported – see SMBC Strategic Housing comments above.

Core Strategy policy H-3 currently requires 5% of new homes in the Town Centre to be affordable – equivalent to 7 of the 131 proposed. The proposed provision of an additional 124 affordable homes (95% above and beyond the current policy requirement) is obviously of great benefit to Stockport and should be afforded very significant weight in decision making in the context of the current significant undersupply of new housing in the Borough, particularly affordable housing.

The proposed amount and tenure of the proposed new homes can be adequately secured by planning condition and revised condition(s) are recommended accordingly. It is recommended that condition(s) are also revised to require the approval of the local lettings policy by the local planning authority given the comments of the Council's Strategic Housing team, Core Strategy policy H-3 and paragraph 63 of the NPPF which all emphasise the need to create mixed and balanced communities.

### **Design quality**

The application is supported by a Design and Access Statement that explains the proposed changes to the development and rationale. Paragraph 134 of the NPPF makes clear that the quality of new development should not be materially diminished between the grant of planning permission and completion. Despite the proposed changes, the quality of the proposed design is considered to remain good and is therefore supported in planning policy terms.

### **Micro-climatic effects**

Given the limited nature of the proposed changes and reduced scale of the development it is not anticipated that significant changes to micro-climatic conditions will arise. Existing conditions requiring approval of identified mitigation measures will be carried over to any approval of the proposed amendments e.g. canopies above the Edward Street entrances to mitigate downwash.

### **Access and parking**

Following revisions to the access arrangements during consideration of the application, the Council's Highway Engineer is now satisfied that, subject to the imposition of conditions, the development will accord with the relevant planning policies and technical highway requirements – see above.

The application site is located in a highly sustainable and accessible Town Centre location and the development is considered to be built at an appropriately high density.

### **Sustainable transport**

The site's sustainable location, within comfortable walking distance of public transport infrastructure, jobs, services, leisure activities justifies the proposed level of car provision within the development. The scheme's contribution to improving pedestrian and cycle connectivity between Edward Street and Bamford Street is a significant benefit that weighs in favour of the proposals

The development also presents the opportunity to improve safe pedestrian movement across Edward Street to provide better connections to Piccadilly and the wider Town Centre. This is considered a necessary requirement to promote sustainable transport modes particularly in view of future residents' reliance on walking and cycling. The site is also well served by the four Enterprise Car Club cars already established in the 'Civic Quarter'. Sustainable transport choices would be further promoted by way of a residents travel plan and other recommended conditions.

#### Highway safety

Following dialogue and the receipt of a Road Safety Audit & Designer's response, the Council's Highway Engineer has assessed revised proposals and raises no highway safety concerns subject to the imposition of recommended conditions – see above.

#### Traffic generation and impact on highway network

When the existing planning permission was assessed it was concluded the development would not have a material impact on the local highway network and that conclusion has not changed in response to the proposed revisions. No conflict with local or national planning policies therefore arises.

#### Parking provision

The proposed level of car parking provision has reduced from 42 (32%) spaces including 13 spaces for disabled badge holders to 15 spaces (11.5%) of which 13 would be disabled spaces provided for use by residents (10% disabled parking provision overall). Undercroft car parking spaces have been removed due to cost pressures. Two spaces would be provided with rapid charge facilities for electric vehicles. Cycle parking provision would be made in accordance with development plan policy requirements. Subject to the imposition of conditions recommended by the Council's Highway Engineer, no conflict with local or national planning policies would arise.

#### Servicing and waste collection

Following detailed dialogue with the Council's Highway Engineer and Waste and Recycling Collection Service, officers are now satisfied that the proposed waste storage and collection proposals are fit for purpose and can be collected by Council refuse vehicles who would be able to safely drive into and out of the site on collection days.

In order to ensure servicing is appropriately managed in the operational phase, the Highway Engineer's recommended conditions are considered necessary in this regard.

#### Access for all

The amended development would be accessible to all (level access and three lifts servicing all floors). The three westernmost ground floor apartments would have stepped access from Edward Street/the new pedestrian link due to level changes, however, level access to these homes by people with mobility

impairments would be available via the main, shared Edward Street access ensuring all homes are accessible to all.

### **Drainage and flood risk**

A Drainage Strategy has been submitted in support of the application that proposes to attenuate surface water runoff to 20 litres per second in accordance with United Utilities' requirements and the requirements of Core Strategy policy SD-6 that requires surface water flows on brownfield sites to be reduced by a minimum of 50%. This would be achieved by providing a geo-cellular attenuation tanks below ground in the car parking area and by adding a hydrobrake to the surface water sewer connection.

The Council's Drainage Engineer acting in its capacity as Lead Local Flood Authority (LLFA) has been consulted on the revised proposals and their response is awaited.

Previously, the LLFA raised concerns that the developer had prematurely discounted more sustainable drainage solutions in the drainage hierarchy such as natural infiltration, green roofs, rainwater harvesting etc. requesting infiltration testing to be carried out before discounting more sustainable options. A condition was imposed accordingly. That condition would be re-imposed if matters remain unresolved prior to any grant of planning permission.

Foul water would be drained separately at an unrestricted rate connecting with the combined sewer on Edward Street. This solution is supported by relevant consultees and would not increase flood risk.

### **Planning obligations**

No planning obligations were required for the existing planning permission given viability challenges and the 100% affordable housing offer. It will however now be necessary to secure a planning obligation to:

1. fund the implementation (£8000) of necessary Traffic Regulations Orders; and
2. provide any necessary compensation for the loss of three pay and display on-street parking bays on Bamford Street to facilitate the new access.

These heads of terms are included in the officer recommendation.

### **Planning balance and overall conclusion**

The proposed development will make a significant contribution to helping Stockport meet its housing needs at a time of significant undersupply, particularly for high quality, affordable housing on accessible, brownfield sites in the Town Centre - noting that the proportion of affordable housing proposed exceeds policy requirements by 95%. The proposed changes to the development are not considered to materially diminish the overall quality of the development whilst continuing to address an identified local housing need. It is therefore recommended that planning permission be granted.

## **RECOMMENDATION**

Grant planning permission subject to:

- conditions; and
- a Section 106 legal agreement to secure the following heads of terms:

- fund the implementation (£8000) of necessary Traffic Regulations Orders; and
- provide any necessary compensation for the loss of three pay and display on-street parking bays on Bamford Street to facilitate the new access.