

## **ITEM 6**

<b>Application Reference</b>	<b>DC/087901</b>
<b>Location:</b>	21 Bramhall Lane South Bramhall Stockport
<b>PROPOSAL:</b>	Division of building into three units in Class E use (Commercial, business and service). Renovation of existing building including new openings, windows, cladding, signage and new ramp and stair access points with canopies above.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	14.02.2023
<b>Expiry Date:</b>	20230214
<b>Case Officer:</b>	Mr Osian Perks
<b>Applicant:</b>	Precinct Associates
<b>Agent:</b>	Mr David Lambert

## **DELEGATION/COMMITTEE STATUS**

The application has been called-up by former Councillor Brian Bagnall.

## **DESCRIPTION OF DEVELOPMENT**

This planning application seeks permission for the division of the former Bank (Use Class E) into three separate Class E units. Each unit would have a separate front entrance. Units 1 and 2 would be at ground floor level and unit 3 would operate at first floor level.

New access ramps and new canopies would be installed at entrances. Grey metal panelling would replace existing cladding trim and new windows would be inserted throughout.

## **SITE AND SURROUNDINGS**

This application relates to the former Natwest Bank. It adjoins a small shopping precinct and is positioned to the south of Bramhall Methodist Church. Saved UDP Policies identify the site as being in a designated shopping area and Core Policy CS6 of the LDF Core Strategy identifies Bramhall as being a District Centre.

The former bank on site falls under Use Class E. When considering the current application, it is worth bearing in mind that lawfully, without requiring planning permission, the site can be used for any Class E use provided it functions as a single unit. These uses are given as follows:

- Display or retail sale of goods, other than hot food
- Sale of food and drink for consumption (mostly) on the premises
- Provision of:
  - o Financial services,
  - o Professional services (other than health or medical services), or

- Other appropriate services in a commercial, business or service locality
- Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- Creche, day nursery or day centre (not including a residential use)
- Uses which can be carried out in a residential area without detriment to its amenity:-
  - Offices to carry out any operational or administrative functions,
  - Research and development of products or processes
  - Industrial processes

## **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**

- PSD2.1 Retail Development in District and Local Centres
- TCG2.1 Central Shopping Area

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

- Core Policy CS6 ‘Safeguarding and Strengthening the Service Centre Hierarchy’
- Policy AS-1 ‘The Vitality and Viability of Stockport’s Service Centres’
- Policy T-1 ‘Transport and Development’
- Policy T-3 ‘Safety and Capacity on the Highway Network’

### **Supplementary Planning Guidance**

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

- Sustainable Transport’ 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) on 20<sup>th</sup> 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”.

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

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

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

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

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

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

*For decision-taking this means:*

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

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

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

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

*Para.12 “... where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

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

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

*Para.126 “The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

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

## **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**

DC/082155 – Removal of external ATM, Night Safe and all existing signage for closure of retail bank. Reinstatement of glazed panel where ATM is removed and brickwork where night safe is removed.

## **NEIGHBOURS' VIEWS**

Letters were sent to the occupiers of neighbouring properties and a site notice was erected to the front of the site. No representations have been received.

## **CONSULTEE RESPONSES**

**Highways Officer** – The proposal does not constitute an increase in floor area and retains the same use class. As such, it is not judged likely to result in a level of increased traffic which would have a severe impact on the operation of the local highway network.

Servicing requirements may differ from those of the former bank following sub-division and as such, the applicant should provide details of the proposed methodology for servicing of proposed units including waste and refuse storage and collection.

Cycle storage should be provided on site as a part of the renovation to support the use of sustainable transport modes. Details should be submitted for a cycle store capable holding 2 cycles.

**Conservation Officer** – The site is located in the immediate setting of Bramhall Methodist Church which is a non-designated heritage asset. No objection subject to conditional control of design and materials of external construction and an informative advising the applicant of the need for separate consent for advertisements at the site.

## **ANALYSIS**

### **Principle of Development**

Paragraph 86 of the National Planning Policy Framework states that planning 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. Allowing the division of the unit is considered inline with the approach required by the Framework.

Whilst somewhat outdated as they pre-date the introduction of the highly flexible Use Class E and the revocation of Use Class A (1 September 2020), saved UDP Policies TSG2.1 and PSD2.1 and Core Strategy DPD Policies CS6 and AS-1 support the principle of retail uses in this location which would fall under Use Class E.

In light of the above, it is considered that the development is acceptable in principle.

## Design

Policy SIE-1 (Quality Places) stipulates the following:

*'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.'*

Paragraph 126 of the National Planning Policy Framework states:

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

Paragraph 130 states:

*'Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*

The proposed alterations are considered to modernise the appearance of the application property whilst also appearing sympathetic to it. A specification of the exterior materials proposed has not been provide, as such it is considered that these should be agreed at a later stage, by condition to ensure that they are appropriate.

In light of the above, it is considered that the development would accord with the visual amenity aims of local and national design policy.

### Residential Amenity

Policy SIE-1 of the Core Strategy DPD indicates, amongst other things, the importance of the provision, maintenance and enhancement (where suitable) of satisfactory levels of privacy and amenity for future, existing and neighbouring users and residents.

The site is located in a busy District Centre with heavy through-traffic and near to bars, pubs and restaurants. Whilst a division of the existing unit is proposed, a change in use class is not proposed. In light of its context and proposed use, it is not considered that noise generated by the proposed development would have a significantly greater impact upon neighbours than the existing lawful use of the site. As such, it is considered to accord with the amenity aims of Policy SIE-1.

### Highways

Core Policy CS9 of Core Strategy DPD seeks to ensure that development is located in sustainable locations. The site is located in a District Centre with good public transport links and as such is considered to be supported by this policy.

Policy T-2 of the Core Strategy DPD states the following:

*'Developers will need to demonstrate that developments will avoid resulting in inappropriate on-street parking that has a detrimental impact upon the safety of the highway, and that they also avoid impacting negatively upon the availability of public car-parking.'*

Policy T-3 states the following:

*'Development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues.'*

Paragraph 111 of the NPPF states:

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

Parking is available adjacent to the premises at Bramhall Precinct and in accordance with the Highways Officer's comments, given the proposal does not increase floor area, it is not judged likely to result in any increase in traffic of a level which would have a severe impact upon the operation of the local highway network.

The applicant has indicated that waste bins associated with the former bank were located to the rear of the site along with those associated with shops within the Bramhall Precinct. A service road to the rear was also used by the former bank on

the site and the shops within the precinct. To ensure waste bins continue to be stored to the rear following the division of the unit and vehicles associated with the servicing of the premises continue to use the road to rear rather than parking to the front of the site and potentially causing obstruction, it is considered that details of a methodology for servicing of the propose units including waste and refuse storage and collection should be submitted to and agreed by the local planning authority prior to the first use of the site.

The Highways Officer has requested details of cycle parking to be submitted in accordance with local policy aims of encouraging use of sustainable transport modes. It is considered that such details should be secured by condition.

### Summary

The development proposed is considered acceptable in principle, would not unduly impact upon visual or residential amenity nor highway safety. As such, it is considered acceptable subject to appropriate planning conditions.

### **RECOMMENDATION**

Grant