

<b>Application Reference</b>	<b>DC/085262</b>
<b>Location:</b>	1 Wellington Road South Stockport SK4 1AA
<b>PROPOSAL:</b>	Redevelopment of existing building, including partial demolition, to create a mixed-use commercial and residential scheme comprising of 14 apartments.  This application is to serve as an updated submission of the previously approved and now lapsed application DC/068530.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	04.12.2022
<b>Expiry Date:</b>	05.03.23
<b>Case Officer:</b>	Daniel Hewitt
<b>Applicant:</b>	Stockport Vikings Luxury Properties
<b>Agent:</b>	Buju Architects

## **DELEGATION/COMMITTEE STATUS**

The application constitutes a departure from the development plan as no commuted sums are currently proposed to fund children's play and formal recreation provision and maintenance due to viability reasons. The application can therefore only be approved by the borough wide Planning and Highways Regulation Committee after being first considered by the Central Area Committee.

## **DESCRIPTION OF DEVELOPMENT**

This application seeks planning permission for the change of use, partial demolition and the extension of a vacant four-storey building, formerly used as a nightclub and retail unit, to create a mixed-use commercial and residential development scheme comprising 14 apartments (9 one-bed apartments and 5 two bed apartments) and two lower ground floor retail units (57m<sup>2</sup> and 88m<sup>2</sup>). The two commercial units will be located on the ground floor of the building fronting Mersey Square and Talbot Street. The apartments will occupy the 3/4 floors above the commercial units, with access to these gained from Daw Bank. Cycle and bin stores will be provided within the ground floor of the building accessed from Daw Bank. No car parking is proposed and servicing will be from the street.

In terms of physical changes to the building, the rear facing wings of the building (facing Mersey Square) would be demolished to make way for a five storey modern extension whilst the remaining fabric of the building would be retained and renovated, including the addition of new windows and the removal of render on the building's primary Wellington Road South (A6) frontage to reveal the original brickwork.

Access to the building is currently gained from Wellington Road South and Daw Bank/Talbot Street/Mersey Square. The proposed development would limit access into the building from Daw Bank/Talbot Street/Mersey Square only.

The development is best understood by referring to the submitted plans appended to this report.

## **SITE AND SURROUNDINGS**

The application property comprises a split level detached building adjacent to Mersey Square and the bus station. It is built into the side of Wellington Bridge which carries Wellington Road South (A6). From Wellington Road South it appears two storeys in scale with a hipped roof. From Talbot Street and Daw Bank the full height of the building is revealed rising to 4 storeys with a two storey rear outrigger and external staircase to the first floor of the 4 storey element. The building's appearance comprises a slate roof with brick and rendered elevations (on its lower half and to the Wellington Road South elevation). The building has been vacant for some time and its former use as a night club ceased over 10 years ago. The former ground floor retail unit facing Talbot Street also ceased trading and this too is now vacant.

Land around the site is hard surfaced with a deep pavement facing Mersey Square and Talbot Street runs adjacent to the building continuing under Wellington Bridge which will become a one-way route out of the Interchange (currently under development).

The application site lies within the St. Peter's Conservation Area and the building was 'locally listed' in 1997. The building is described in the Stockport Historic Environment Database as follows:

*Public house recorded in 1830 which was probably constructed soon after the completion of Wellington Bridge in 1824.*

### **HISTORIC ASSET DESCRIPTION**

*Public House of brick which rises from Mersey Square with the principal front of two storeys to Wellington Bridge. This is symmetrical, stuccoed, with a central arched painted stone doorway with the sides treated as pilasters, quoins and a hipped roof. Side elevations of four storeys have windows with stone sills beneath flat heads of gauged brick. The left hand elevation to Mersey Square has a loading door at first floor level and arched cellar openings. The other side to Daw Bank has a central doorway with an arched entrance and a stone string course. Attached range to the rear with tie plates may have been a coach house or other ancillary accommodation.*

*The building is recorded as having operated as two separate establishments on the two different levels. It had a coach house and there were stables within an arch of the bridge. Infilled arched openings to the bridge on the Daw Bank side may relate to use by the pub.*

The site is adjacent to and affects the setting of the following listed buildings and structures:

- Wellington Bridge (Grade II)
- Plaza Cinema (Grade II\*)
- Steps adjacent to Plaza Cinema (Grade II)
- Wellington Mill (Grade II)

The application site is located in an Air Quality Management Area (AQMA) and is subject to noise from passing road and air traffic. It is also identified as an 'office frontage' in the Stockport Unitary Development Plan (SUDP).

## **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**

- TCG2.1 Central Shopping Area
- HC1.3 Special control of development in conservation areas
- HC1.4 New uses for buildings in conservation areas
- MW1.5 Control of waste from development
- EP1.10 Aircraft noise
- HP1.5 Living over the shop
- PSD2.2 Service uses in the Town Centre, District and Large Local Centres
- PSD2.3 Use of upper floors in Shopping Centres

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

- SIE-1 Quality Places
- SIE-2 Provision of Recreation and Amenity Open Space in New Development
- SIE-3 Protecting Safeguarding and Enhancing the Environment
- CS2 Housing Provision
- CS3 Mix of Housing
- CS4 Distribution of Housing
- CS5 Access to Services
- CS6 Safeguarding and Strengthening the Service Centre Hierarchy
- AS1 The Vitality and Viability of Stockport's Service Centres
- CS9 'Transport and Development
- T-1 Transport and Development
- T-2 Parking in Developments
- T-3 Safety and Capacity on the Highway Network
- H-1 Design of Residential Development
- H-2 Housing Phasing
- H-3 Affordable Housing
- CS11 Stockport Town Centre
- SD3 Delivering the Energy Opportunities Plans – New Development

## Supplementary Planning Guidance

Supplementary Planning Guidance (Saved SPG's & SPD's) 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. The following are considered relevant:

- Design of Residential Development SPD
- Open Space Provision and Commuted Payments SPD
- Town Centre Housing SPD
- Sustainable Transport SPD

## National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Ministry of Housing, Communities and Local Government (MHCLG) in July 2021 replaced the previous versions of the NPPF. 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

Planning Application No: DC/068530

Address: 1 WELLINGTON ROAD SOUTH, STOCKPORT, SK4 1AA

App Type: Full Planning Permission

Proposal: Redevelopment of existing building, including partial demolition, to create a mixed-use commercial (A1 or A2) and residential scheme comprising 14 apartments.

Final Decision: Grant

Decision Date: 11/09/2018

NOTE: THIS PLANNING PERMISSION EXPIRED UNIMPLEMENTED

Planning Application No: DC/061476

Address: THE ARCHES, 1 WELLINGTON ROAD SOUTH, STOCKPORT, SK4 1AA

App Type: Full Planning Permission

Proposal: Change of use from vacant nightclub and retail unit (Sui Generis) to a 20 ensuite bedroom licensed HMO (Sui Generis), alterations to elevations and erection of a single storey extension.

Final Decision: Grant

Decision Date: 29/07/2016

NOTE: THIS PLANNING PERMISSION EXPIRED UNIMPLEMENTED

Planning Application No: DC/058692

Address: THE ARCHES, 1 WELLINGTON ROAD SOUTH, STOCKPORT, SK4 1AA

App Type: Full Planning Permission

Proposal: Change of use from vacant nightclub and retail unit (Sui Generis) to 11 residential units (C3) with associated external alterations

Final Decision: Grant

Decision Date: 26/05/2016

NOTE: THIS PLANNING PERMISSION EXPIRED UNIMPLEMENTED

## **NEIGHBOUR'S VIEWS**

Neighbour notification letters were sent on 06 December 2022.

Site notices were posted immediately adjacent to the site on 06 December 2022.

A notice was published in the Stockport Express on 14 December 2022.

No comments or representations have been received.

## **CONSULTEE RESPONSES**

### **SMBC Heritage Conservation**

There is no evidence that the current application has taken on board the conservation advice provided at pre-app stage i.e. the importance of re-considering the design of the proposed external alterations to the retained historic building to ensure consistency with the previous approved scheme. In order to justify the overall impact of the new development in the context of the various heritage assets involved (including locally and statutory listed buildings together with the St Peters Conservation Area) it is important that the specification for the repair and

refurbishment of the original building receives careful consideration to ensure that its special architectural and historic interest is preserved and enhanced. This could however be achieved through the imposition of restrictive conditions to ensure important detailed design matters such as the design of windows, doors, the new shopfront on the retained building and external materials, including the finished appearance of the original brickwork/masonry on the front elevation following render removal, deliver a sensitive restoration of the building. I therefore have no objection subject to the imposition of conditions.

### **Historic England**

Opted not to provide advice in this instance and instead referred us to our own specialist conservation and archaeological advisers.

### **Greater Manchester Archaeological Advisory Service (GMAAS)**

*Comments made on previous application relevant to this application:*

1 Wellington Road South, Stockport, Greater Manchester is a substantial four-storey property dating from circa 1824-1826 and is locally-listed by Stockport Metropolitan Borough Council. It was built as an inn adjoining the Wellington Bridge, which also dates from this time and is nationally-listed at Grade II. The site also stands within St Peter's Conservation Area, and within the setting of four other listed buildings. At some point a three storey extension was added to the rear of the building.

The application is accompanied by a Heritage Impact Assessment (HIA) produced by Gary Miller Historic Building Consultancy. GMAAS broadly concur with the assessment of the buildings significance and the impact of the proposal on the heritage assets. The building represents a classic example of the "...split-level townscape created following the construction of the Wellington Bridge." The exterior analysis provided in the HIA suggests that the structure of the building contains a number of construction phases perhaps reflecting the buildings adaptation to the requirements of multiple occupancies and functions.

In 2005 GMAAS carried out an enhancement of the Sites and Monuments Record for Stockport which means that the entries for Stockport in the Greater Manchester Historic Environment Record are amongst the most comprehensive and detailed. Late 18th and late 17th century maps of Stockport brought to light during the enhancement programme suggest that there were buildings on the site prior to the construction of Wellington Bridge.

Consequently GMAAS recommend that a phased programme of archaeological work is implemented. This would involve-

- A Historic England Level 3 Archaeological Building survey is undertaken on the property prior to any work commencing. The survey should contain a strong element of historical research.
- A Watching Brief during redevelopment and demolition works to record any areas inaccessible during the building survey which were identified as significant to the development and function of the building.
- An Archaeological Watching Brief during groundworks associated with the construction of the new extension. This Watching brief would be informed by the historical research carried out during the building survey.

The programme of archaeological work would be provided in accordance with a Written Scheme of Investigation (WSI) that would be submitted to the Local Planning

Authority and their archaeological advisors, GMAAS for their approval and could be secured as a condition of planning permission.

The resulting record would advance understanding of the significance of any heritage assets that are affected as a result of the Project, in a manner that is proportionate to their importance and impact. Any recovered evidence would be made publically available through reporting and an archive commensurate to the findings.

GMAAS recommend a condition to secure the submission, approval and implementation of a suitable WSI.

The programme of work should be undertaken by a suitably qualified and experienced archaeological contractor, funded by the applicant. GMAAS will advise on the archaeology programme and monitor its implementation of the work on behalf of Stockport MBC.

### **SMBC Highway Engineer**

With respect to the principle of the development, the proposal should not result in a material increase in vehicle movements on the local highway and the site is highly accessible, being located within Stockport Town Centre, adjacent to the site of the proposed new bus interchange and within reasonable walking distance of Stockport Railway Station, a primary school and various shops and services. As such, I would have no objection to the principle of locating either residential or commercial uses in this location.

With respect to parking, although no parking is, or can be provided within the site, as the site is highly accessible, the building has historically been used for commercial use, the conversion of the building to residential use has already been accepted and 14 apartments and 2 small commercial units are unlikely to generate a parking demand which is materially different to that of the consented schemes, I would consider a recommendation of refusal on the grounds of lack of parking would be hard to justify. As there is no short-stay parking facilities in the vicinity of the site, however, I would not recommend that the commercial units are occupied by uses which generated demand for short-stay parking (I note that the specific use is not specified in the submission documents but, I assume, Use Class E is being sought). As such, I would recommend that the use of the commercial units is limited so as to prevent them from being occupied by a crèche, day nursery, day centre, medical facility or hot-food takeaway. The applicant should note that occupiers of the development may not be eligible for a resident's car parking permit.

With respect to cycle parking, the scheme includes proposals to provide two cycle stores within the ground floor of the building; a 2-cycle store for the retail units and a 16-cycle store for the apartments. This level of parking would accord with the adopted parking standards and I consider the use of Broxap's Easi-Riser cycle rack acceptable. I would also recommend a small amount of cycle parking for visitors / customers is provided outside the building. This could be provided in the form of Sheffield stands erected in an agreed position on the highway. This matter, as well as other matters of detail, can be dealt with by condition.

Although no car parking is proposed to be provided within the site, some occupiers of the apartments may nevertheless own a car and park it on street or in a nearby public car park. These may be electric cars and, as such, there is likely to be a demand for occupiers to charge electric vehicles. Whilst there are a number of charging points located in the vicinity of the site, I understand that these are well used and may not

accommodate increased demand. As such, and having regard to the national and local policy and guidance on the provision of EV charging, I consider that further provision is required in the area to meet the demand of the development. I would therefore recommend that any approval granted is subject to a condition which requires the applicant to fund the provision of additional public EV charging points in the area so as to ensure the additional demand is met. These could be provided on street or in nearby public car parks subject to the agreement of the Council.

Regarding servicing, as occurs at present, the apartments and retail units will need to be serviced from street. Servicing is unlikely to be materially greater than the existing uses and the Bus Interchange scheme includes proposals to amend the service road to the east of the building to allow vehicles to turn right at the northern end of the service road to enable this road to be used for servicing. That said, unless servicing is carefully managed, servicing takes place at appropriate times and service vehicles are parked in appropriate locations, servicing has the potential of affecting the operation of the local highway network or affecting access to the Bus Interchange when open. As such, as with the previous schemes, I would recommend that any approval granted is subject to a condition requiring the submission and implementation of a servicing method statement which is designed to ensure the development will be serviced in a safe and practical manner.

With respect to bin storage, 2 refuse stores are proposed to be provided within the ground floor of the building, accessed from an access door on Daw Bank. The residential bin store would be able to accommodate 3 no. 1100l Eurobins and 2 no. 770l bins and the retail bin store would be able to accommodate 3 no. 1100l Eurobins. This should be sufficient to meet demand and, as such, I would consider the stores acceptable.

With respect to other matters of detail, I note that:

- 1) Access doors are shown to be open into the building or be recessed
- 2) Access doors will be clear of the United Utilities equipment cabinet on Mersey Square
- 3) Rainwater pipes have been incorporated into the building so that they do not project out into the highway
- 4) The balconies proposed as part of the previous scheme have been removed
- 5) Windows / doors will be clear of an existing street lighting column (although the column may need to be removed during construction)

These are all considered acceptable. Matters of detail can be agreed at detailed design stage / by condition.

As with previous schemes and having regard to paragraph 5.30, 'Post development footway reinstatement' of the Sustainable Transport SPD, I would recommend that any approval is subject to the requirement to reconstruct the existing footways / areas of public realm abutting the site following completion of the development, with such works being carried out in accordance with the Council's Town Centre Palette (and tying into the works that will be undertaken as part of the Bus Interchange scheme). The requirement to do this could be secured by condition.

Finally, conversion and extension of the building could have an adverse impact on the highway network, as well as local businesses and residents. As such, I consider that there is a need for a method of construction to be agreed that ensures that the development is constructed in a safe and practical manner with minimal impact on the highway network. I therefore recommend that any approval granted is also subject to

a condition requiring the submission, approval and implementation of a construction method statement.

To conclude, as with the previous application for a similar development at this site, I would raise no objection to this application, subject to conditions.

### **Transport for Greater Manchester**

The quantum of development falls below TfGM's threshold for a highway impact review. Additionally, there is no transport information submitted for review as part of the application.

In terms of other comments, there are limited details submitted in respect of access and servicing arrangements. The application form confirms that existing access arrangements will remain unchanged for the building use, with no on-site car parking proposed to serve the site. It is anticipated that servicing will take place on street.

The Design and Access Statement confirms that 16 cycle parking spaces will be provided. The spaces should be covered, lockable and suitable for overnight accommodation, and made secure through the use of measures such as CCTV and lighting.

TfGM would refer to the LHA to confirm whether the quantum of development triggers the requirement for a Travel Plan. If not, TfGM would recommend that a Travel Pack is produced for future users of the site which could include useful details of the nearest public transport services, journey planning etc. Additionally, incentives could be offered to encourage the use of alternative modes of travel to the private car such as concessionary bus fares, discounted cycles, journey planning etc.

### **SMBC Lead Local Flood Authority**

Requests that a detailed sustainable drainage scheme is submitted for review.

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

The results of the sound level measurements on site show that using a standard glazing and passive ventilation system, internal noise levels in the proposed dwellings will not achieve the standards recommended in relevant guidance. However, a high performance double glazing system in conjunction with a mechanical ventilation system will ensure that the BS.8233:2014 standards are met. This would be entirely in keeping with the NPPF and NPSE. Therefore should the mitigation proposed in the report be applied then this department would have no objections with the application.

### **SMBC Environmental Health (Contaminated Land)**

The proposed development site has not been identified as potentially contaminated however given its current disused nature and former commercial use, the developer should undertake an investigation in the area they propose to demolish and rebuild, to ensure it is safe for its intended sensitive residential receptor. This should be secured by planning conditions.

### **SMBC Environmental Health (Air Quality)**

The mitigation specified in the submitted air quality assessment report namely mechanical ventilation with the intake at roof level is acceptable and should be secured by planning condition.

### **SMBC Nature Conservation**

There is considered to be sufficient ecological information available to inform determination of the application. The works are considered to be of very low risk to roosting bats as no signs indicative of roosting bats were recorded and the building is considered to offer low-negligible potential to support a bat roost.

Conditions and precautionary informatives should be added to any approval in respect of:

- Bats – protected status informative
- Precautionary demolition and working measures outlined in bat report
- Nesting birds protected status
- Bat and bird roosting opportunities included during design development
- External lighting should be 'bat friendly'
- Re-survey required if development has not started by August 2024 to account for changes over time

### **Greater Manchester Police - Design for Security**

For developments of this size and nature we generally recommend that a CIS is submitted alongside the planning application, in order to show how crime has been considered for the proposal and the surrounding area.

The report should be completed by a suitably qualified security assessor, and identify, predict, evaluate and mitigate the site-specific crime and disorder effects of a development and should be produced by a professional individual/organisation independent of the design process. The CIS can then be submitted as part of the planning application, indicating that the proposed development has been designed to avoid/reduce the adverse effects of crime and disorder and enabling the planning process to run more smoothly

In this instance because five years have passed since the original application for the development the crime patterns and trends will have changed significantly and therefore our recommendations set out in the 2018 report will have changed as a result, so an updated report should be submitted to accompany this application.

### **ANALYSIS**

Firstly, it should be noted that three applications for the conversion of the building have been approved since 2016 and the current scheme is very similar to the scheme proposed under the most recent planning permission (ref: DC/068530). Given the relatively limited changes to the proposed development, the continuing undersupply of new homes in Stockport (currently calculated as a 3.2 year supply) and relatively limited changes to local and national planning policies the focus of the assessment is on changes to the development and policy framework since the last planning permission was granted and whether those changes justify reaching a different conclusion.

### **Principle of proposed residential use**

Whilst residential development is not listed as an acceptable use in SUDP Policy TCG2.1 and SUDP Policy PSD2.2 identifies the site's A6 frontage for office use only, Core Strategy Policy CS4 states that up to 50% of the overall housing provision in the plan period should be within the Central Housing Area and Town Centre and that up to 2000 dwellings should be provided in the TCG2 and TCG3 policy areas. Policies CS2 and CS3 also make clear that a balanced mix of new housing will be focused in accessible urban areas such as the Town Centre and identifies these areas as being most suitable for higher housing densities such as this. Policy CS4 emphasises the clear benefits of this strategy as follows:

*"New housing development will boost the Town Centre economy, making it a vibrant place to be during the day and in the evening. It will improve the built environment by regenerating vacant and under-used sites in and around the centre, and provide homes in a location readily accessible to jobs and services within Stockport and Manchester City Centre."*

As a more recent development plan document, the Core Strategy should take precedence where conflicts with the UDP arise. It should also be acknowledged that Stockport currently suffers from a significant housing undersupply and given the site's highly sustainable location the 'tilted balance' or strong presumption in favour of sustainable development set out in NPPF is engaged.

It is therefore considered that the principle of the proposed residential use of the upper floors is acceptable in planning policy terms.

### **Principle of proposed A1 shops and A2 Financial and professional services use**

The principle of the proposed introduction of two new Class E commercial uses at lower ground floor level is fully supported by the development plan. The new commercial units would make a positive contribution to the vitality and viability of the town centre, encourage the occupation of a vacant site and animate the street scene in Mersey Square. It is however considered necessary to impose a condition(s) to prevent them being used as a children's day care nursery due to the lack of suitable outdoor play space and food and drink uses for the sale of hot food due to the lack of potential for any significant kitchen ventilation/extraction devices on the building given its street facing prominence on all sides.

### **Impact on designated and non-designated heritage assets**

As mentioned above, the existing building is a locally listed (non-designated) heritage asset that is currently vacant and in a poor state of repair. The building has also been significantly altered over the years particularly to the rear facing Mersey Square where a series of unsympathetic alterations and outriggers detract from its significance. The proposed redevelopment, extension and reuse of the building, including the demolition of the rear outriggers, would enhance the asset's appearance, intrinsic interest and streetscene presence and is therefore welcomed in heritage terms.

The proposed development will also affect the setting series of statutory listed buildings and structures (designated heritage assets) as follows:

- Wellington Bridge (Grade II)
- Plaza Cinema (Grade II\*)
- Steps adjacent to Plaza Cinema (Grade II)

- Wellington Mill (Grade II)

The submitted Heritage Assessment considers the development's impact on these assets and concludes that overall, the setting of these assets would be enhanced by the development. The only exception to this otherwise positive impact would be the slight masking of part of the Plaza in certain viewpoints from Wellington Bridge owing to the greater scale and mass of the new-build extension, however, that impact is assessed as negligible.

Overall, the impact of the development on heritage assets is considered to be positive and therefore would enhance the character and appearance of the St Peter's Conservation Area in full accordance with national and local planning policy.

It should be noted that Historic England have no objection to the application and the Council's Conservation Officer is now supportive of the proposals subject to conditions controlling materials and detailed design matters such as window specifications, materials samples etc. It is also considered necessary in design quality terms to ensure the depth of the window and door reveals in the new build element are sufficient to achieve an appearance of depth in the elevations. Conditions are recommended accordingly.

## **Archaeology**

GMAAS (see above) believe the application site has the potential to contain remains of buildings on the site prior to the construction of Wellington Bridge and therefore recommend that a phased programme of archaeological work is undertaken based on a written scheme of investigation (WSI) including desktop research and a watching brief. A condition is therefore recommended in accordance with GMAAS' advice.

## **Design**

As noted above, the proposed development is considered to enhance the character and appearance of the St Peter's Conservation Area and the setting of listed buildings and structures in the vicinity of the application site. This has been achieved through the development of a sensitive design solution for the site, developed over time with input from the Council's planning and conservation officers.

The proposed renovation and reuse of the existing building, including the removal of the rear outriggers and alterations, will significantly enhance the appearance of the existing building that is currently vacant and in a poor state of repair. This will in turn significantly enhance the appearance of the wider Town Centre given the site's very prominent location. Windows would be replaced with many boarded up windows reinstated. Render on the front A6 elevation would be removed to reveal the original brickwork that would be repaired and repointed. The A6 timber entrance door would be refurbished/replaced as necessary and repairs would be made to the existing natural slate roof. Currently, the building's unsightly but very prominent and largely blank elevation has a negative impact on the character and appearance of Mersey Square with the building effectively turning its back on this strategically important area of public realm. The removal of the rear outrigger and projecting additions to be replaced with an outward facing and animated façade is a welcome improvement. A traditional shopfront would be provided on the existing building's lower ground floor level fronting

Talbot Street that would stand in stark contrast to the more modern shopfronts in the proposed new build extension to the rear. This juxtaposition is a deliberate intervention to ensure the new-build extension reads as a separate building to the locally listed asset and therefore the building's development is clearly understood and honestly delineated.

Despite this contrast, the proposed new build extension is considered to be a high quality and sympathetic contemporary design solution that should secure a viable future for the building into the future. The use of sympathetic materials, the vertical nature and rhythm of its openings and its sympathetic scale is considered to complement rather than detract from the existing buildings significance despite being deliberately distinct. The extension's curved façade following the boundaries of the application site at a 'back of pavement' position with regular windows and door openings on all sides ensures opportunities to animate this part of the town centre are optimised. In terms of facing materials, complementary red brick would predominate with feature detailing.

Overall, the development is considered to be high quality design solution that will significantly enhance the appearance of the building and the wider Town Centre in full accordance with local and national planning policy. It is however considered necessary to impose a series of conditions requiring materials and detailed design elements to be submitted to and approved in writing by the local planning authority and implemented in full to ensure a positive outcome.

### **Residential amenity**

The nearest existing residential buildings are the flat above the Chestergate Tavern (No. 68 Chestergate); the apartments within the Grade II listed Wellington Mill and the relatively new apartments in the upper floors of Douro House following its recent conversion. All are of sufficient distance away to ensure compliance with the Council's adopted separation distances.

As regards the provision of private outdoor amenity space for residents, there is no useable, available space around the building given it is an 'island site' bound on all sides by highway. There are many other examples elsewhere within the Town Centre where conversion to residential use has been undertaken in order to bring a redundant building back into beneficial use, but where the building would not be able to provide amenity space for residents. The lack of amenity space in this case must be balanced against returning a long time vacant building back into productive use especially having regard to its locally listed status and its impact on designated heritage assets. These merits are considered to outweigh the requirement to provide the minimum requirement in terms of amenity space set out in the Council's SPD "Design of Residential Development" Supplementary Planning Document.

Noise, odour and air quality issues are considered below.

### **Access**

The application site is located in a highly accessible and sustainable Town Centre location being located immediately adjacent to the bus station and within comfortable walking distance of Stockport railway station. It is however an 'island' site being bound by public highway occupying a 'back of pavement' position on all sides leaving no scope for the provision of on-site car parking. It is therefore critical that adequate provision is made for secure cycle parking and

sustainable alternatives to the car to meet the needs of future residents and businesses and encourage sustainable transport choices in accordance with Policy T1. Conditions are therefore recommended in accordance with the Highway Engineer's advice.

## **Crime prevention**

Given the site's prominent and relatively vulnerable position with no defensible space around it, a detailed Crime Impact Statement (CIS) prepared by Greater Manchester Police was submitted in support of the previous application. The CIS highlights the positive security aspects of the proposals in terms of increased natural surveillance on all sides, the removal of the rear elements and redundant additions that serve as climbing aids; secure cycle storage; and building edges free of significant recesses that could serve as concealment aids and limit sight lines. The report goes on to make a series of detailed security recommendations such as:

- Access controlled doors included at basement level to create greater separation between commercial and residential elements
- A residential lobby included at basement level
- Post will be located within the newly formed secure residential lobby
- There is controlled access between the bin storage areas and residential areas
- The windows and doors specification will be in accordance with GMP recommendations
- Dusk 'til dawn lights will be installed on external doors
- CCTV will be installed

GMP's Design for Security team have commented stating that as the CIS is now over five years old it needs to be updated to reflect changing crime patterns and trends and is likely to result in changes to key recommendations. It is therefore considered necessary to impose a condition requiring the submission, written approval and implementation of a revised and refreshed CIS to achieve compliance with Core Strategy policy SIE-1.

## **Air Quality**

The application site lies in an Air Quality Management Area (AQMA) designated for exceedances of nitrogen dioxide (NO<sub>2</sub>) arising from road traffic along the A6 corridor. The applicant has therefore submitted an Air Quality Assessment that considers both the effect of elevated NO<sub>2</sub> levels and also particulate matter (PM<sub>10</sub>). It concluded that PM<sub>10</sub> exceedances would not occur around the application but NO<sub>2</sub> exceedances would occur albeit limited to the A6 facing western side of the development. Mitigation in the form of a mechanical ventilation system is therefore recommended for all A6 facing units. The assessment has been reviewed by the Council's Air Quality officer who agrees with its findings (see above). A condition is therefore recommended requiring details of a mechanical ventilation system to be submitted, approved in writing by the local planning authority and implemented in full prior to first occupation of the A6 facing units.

## **Noise**

A noise assessment has been submitted in support of the application based on survey of background noise levels outside the application site. The assessment found that road traffic was the predominant noise source in area. Noise from

passing air traffic was recorded as not noticeable above noise from road traffic. The assessment concluded that a standard glazing specification would fail to provide future residents with acceptable living conditions and therefore recommends high performance double glazing together with mechanical ventilation to ensure British Standard BS8233:2014 outcomes are achieved.

The Council's Environmental Health Officer has reviewed the noise assessment and raises no objection subject to the imposition of conditions securing the outcomes outlined above. Conditions are recommended accordingly.

### **Ecology**

A bat survey of the existing building was submitted in support of the application. All species of bat are European protected species. No evidence of bat activity or evidence of nesting birds was found. The Council's ecologist has reviewed the assessment and supports its findings but makes a series of recommendations requiring the imposition of conditions of informatives relating to biodiversity enhancements etc. Conditions and informatives are recommended accordingly.

### **Carbon reduction**

Recent changes to the Building Regulations that would apply to this development require levels of carbon reduction that surpass the requirements of Core Strategy SD-3 and therefore no further action is considered necessary in this case.

### **Sustainable Drainage**

A detailed sustainable drainage strategy for the site is yet to be submitted so a condition is recommended requiring one to be submitted, approved and implemented prior to development above ground level (excluding demolition) in accordance with policy SD-6 and the comments of the Council's Drainage Engineer.

### **Contaminated land**

Given the former use of the site there is potential for contaminated land to pose risks to human health and wider environment. It is therefore considered necessary to impose conditions requiring further investigation and remediation/mitigation where necessary. Conditions are recommended accordingly.

### **Planning obligations**

The number of new homes proposed falls below the threshold for affordable housing provision in the Town Centre as set out in policy Core Strategy policy H-3 so none is sought in this instance.

Core Strategy policy SIE-2 does however require contributions to the provision and maintenance of formal recreation and children's play facilities where none is provided on site. For this development this equates to a commuted sum of £43,344.50. A contribution was secured on the previous planning permission but the applicant in this case has submitted a viability assessment arguing that the development would now be unviable if this contribution was paid. That assessment has been scrutinised by a chartered surveyor who has concluded that:

*"The developer is intending to progress a scheme with above average risks attached and a longer-term approach has been adopted in respect of envisaged returns. We conclude that the delivery of Section 106 Planning obligations would*

*not be a reasonable or realistic proposition. The significant physical, social and economic outcomes that would be facilitated by the project would consequently not be achieved if the obligations were applied. In addition to regenerating a property that is obsolete and detracts from the locality, the opportunity to increase housing supply may otherwise be lost, hence we agree with the Applicant's conclusions.*

*We recommend a clawback mechanism, with the development being subject to review once the first apartment is occupied, with the cost of the further Appraisal being born by the Applicant.”*

It is therefore recommended that planning permission only be granted if a Section 106 agreement is entered into requiring a further review of viability following occupation of the first apartment to ensure contributions are made should the viability position / market conditions change over time. This is considered to be particularly relevant in this case given the level of development activity in the immediate area including the Interchange development and Weir Mill.

## **RECOMMENDATION**

Grant planning permission subject to:

- conditions; and
- a Section 106 agreement requiring a commuted sum contribution of up to £44,344.50 to be paid should a later financial viability assessment demonstrate that the development would be viable following occupation of the first new home within the development.

## **UPDATE FROM CENTRAL AREA COMMITTEE – 22 JUNE 2023**

The planning officer verbally introduced the application.

Cllr Carrigan asked the planning officer to clarify the position on planning obligations in this case. The officer explained the policy basis for public open space contributions, the viability issues and the proposed 'clawback' legal agreement.

Cllr Wynne then stated that the building has been in a derelict condition for a long time. He asked the planning officer why he thought that despite previous planning permissions no development has come forward. The planning officer stated that the site is a prominent and challenging 'island' site given it's surrounded by roads on all sides. He suggested that members may want to ask the applicant that question and that it is open to members to impose a shorter time limit on the commencement of development but that this was a blunt tool and not considered reasonable in this case, particularly in the current financial climate. He then stated that a more effective remedy to address the maintenance and appearance of the building could be using enforcement powers.

The agent then briefly spoke in favour of the application stating that design of the development has been improved since the last planning permission. He stated that the client is wanting to start the development as soon as possible and would welcome the removal of pre-commencement conditions where possible.

Members then resolved to support the officer recommendation and referred the application to the Planning and Highways Regulation Committee on that basis.