

## **ITEM**

<b>Application Reference</b>	DC/090964
<b>Location:</b>	18-37 High Street Stockport SK1 1EG
<b>PROPOSAL:</b>	Partial demolition/conversion of existing buildings, the creation of a residential development (Use Class C3) comprising 45 units, landscaping, highway works and other associated infrastructure
<b>Type Of Application:</b>	Full
<b>Registration Date:</b>	29/01/24
<b>Expiry Date:</b>	11/07/24
<b>Case Officer:</b>	Chris Smyton
<b>Applicant:</b>	Britannia Stockport Ltd
<b>Agent:</b>	Miss Louisa Fielden, AshtonHale

## **COMMITTEE STATUS**

Departure from the development plan - Planning & Highways Regulations Committee determination

## **DESCRIPTION OF DEVELOPMENT**

The application seeks permission for the partial demolition/conversion of existing buildings, the creation of a residential development (Use Class C3) comprising 45 units (37 x 1-bed and 8 x 2-bed), landscaping, highway works and other associated infrastructure.

As shown on the submitted Demolition Plans, the single storey later addition and the significantly altered two storey building on the end are proposed to be removed. The lean-to at the rear, which was also a modern addition, is also removed.

The new development retains the appearance of the demolished buildings but the footprint is set backwards from the rear boundary to increase the garden space, and set inwards from the pavement to add relief to the front elevation. The topography dictates that these are two buildings with separate entrances linked by the courtyard garden at the rear which slopes to match.

Both buildings extend to 4 storeys. The 'bookend' to the southern block is proposed to be the same height as the existing building, and will have a projecting gable to complement the adjacent building in its form. The central building is double pitched to reduce the overall height, and also has front facing roof gables similar to Grosvenor House opposite.

Red brick in subtly different tones is proposed as the wall finish on each block, to match the existing context and character of Stockport. The new building's windows are sized, shaped and spaced the same as an adjacent building to match the context. The current frames will be replaced to a more industrial style, with black timber frames to return/continue the historical character to both the existing and new buildings. The roof material is proposed as slate tiles. Rooflights are to be fitted flush with the roof profile.

A residents' garden is provided to the rear. Landscaping will help to maintain privacy from the school playground it backs onto.

Due to the sustainable and accessible location of the site the development will be car-free, as such there will be no vehicular access into it. As part of the proposed development the applicant is proposing to amend existing parking restrictions in front of the site to provide a loading bay and a disabled parking space. Cycle parking is provided for 45 spaces.

An Economic viability appraisal has been submitted with the application. This shows that if an affordable housing and/ or children's play/ formal recreation contribution were sought commensurate with the Council's adopted policies and guidance, or the number of units was decreased, the development would not proceed as the viability of the scheme would not allow it. This appraisal can be viewed as a document by searching for the application (using its reference number) on the Council's Planning application database: [Find planning applications - Stockport Council](#)

## **SITE AND SURROUNDINGS**

The application site consists of 19-37 High Street. It consists of 3 separate buildings of contrasting character: to the north, an imposing two and half storey Victorian commercial building set at the back of pavement; a central recessed 2 storey element of modern construction with office accommodation set above ground level parking; and a modest two storey gable fronted building to the south, of Victorian construction but much altered.

The application site lies in Stockport Town Centre, within the Town Centre Gateway (TCG2.1). It is also located within the St Peters Conservation Area, close to its boundary with the Hillgate Conservation Area, and adjacent to locally listed buildings that include the former Industrial School, Mansion House Chambers and St Joseph's School.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires

applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan includes:-

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

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') issued on 19th December 2023 (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6th March 2014 and revised most recently 5 September 2023.

#### Saved policies of the SUDP Review

- L1.2 – Children's Play
- EP1.7 - Development and Flood Risk
- MW1.5 – Control of Waste from Development
- HC1.3 Special Control of Development in Conservation Areas

#### Core Strategy Policies

- CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGE
- CS2: HOUSING PROVISION
- CS3: MIX OF HOUSING
- CS4: DISTRIBUTION OF HOUSING
- CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- CS9: TRANSPORT AND DEVELOPMENT
- CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK
- SD-1: Creating Sustainable Communities
- SD-3: Delivering the Energy Opportunities Plans - New Development
- SD-6: Adapting to the Impacts of Climate Change
- H-1: Design of Residential Development
- H-2: Housing Phasing
- H-3: Affordable Housing
- SIE-1: Quality Places

- SIE-2: Provision of Recreation and Amenity Open Space in New Developments
- SIE-3: Protecting, Safeguarding and Enhancing the Environment
- T-1: Transport and Development
- T-2: Parking in Developments
- T-3: Safety and Capacity on the Highway Network

## **Supplementary Planning Guidance**

Supplementary Planning Guidance (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.

- 'Recreational Open Space and Commuted Payments' SPD (adopted July 2006),
- 'Transport & Highways in Residential Areas' SPD (adopted September 2006),
- 'The Design of Residential Development' SPD (adopted December 2007),
- 'Sustainable Transport' SPD (adopted December 2007) and
- 'Sustainable Design and Construction' SPD (adopted November 2010).

## **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 the 19th December 2023 replaced the previous NPPF (originally issued 2012 & revised July 2018, February 2019, July 2021 and September 2023). 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".

The relevant paragraphs in this case are as follows:

Introduction - Paras 1, 2

Chapter 2: Achieving Sustainable Development – Paras 7, 8, 11

Chapter 4: Decision-Making – Paras 38, 47

Chapter 5: Delivering a sufficient supply of homes: 60, 63, 64, 66

Chapter 9: Promoting Sustainable Transport – Paras 114, 115, 116, 117

Chapter 11: Making Effective Use of Land – Paras 123, 124, 127, 128

Chapter 12: Achieving Well-Designed and Beautiful Places – Paras 131, 135, 137, 139

Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change – Paras 157-159, 162, 164, 175

Chapter 16: Conserving and Enhancing the Historic Environment – Paras 200 – 209, 212

Para 224 “*The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication*”.

Para.225 “*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.

### **PLANNING HISTORY**

- Reference: J/30521, Type: XHS, Address: Clarkes Diy, High Street, Stockport., Decision: GTD, Decision Date: 03-APR-84, Proposal: Change of use of premises to DIY shop. (retrospective).
- Reference: DC/047797, Type: MMA, Address: High Street, Stockport, SK1 1EG, Decision: GTD, Decision Date: 05-MAR-12, Proposal: Minor material amendments to DC030014 including:-, , (1) Revised parking layout; (2) Re-positioning of bin stores; (3) Revised window, door and elevational treatments.
- Reference: J/74806, Type: FUL, Address: 19-37 High Street, Stockport, SK1 1EG, Decision: REF, Decision Date: 17-APR-00, Proposal: Erection of fence

to enclose car park

- Reference: DC/002831, Type: FUL, Address: Probation Office, 19 High Street, Stockport, Cheshire, SK1 1EG, Decision: GTD, Decision Date: 16-MAR-01, Proposal: Erection of fence to enclose car park (re-submission).
- Reference: J/28246, Type: XHS, Address: 19/37 High Street, Stockport., Decision: GTD, Decision Date: 26-MAY-83, Proposal: Use of premises for the probation after care and community services including partial demolition and re-building.
- Reference: J/10370, Type: XHS, Address: Rear Of St. Joseph's School, High Street, Stockport., Decision: GTD, Decision Date: 06-DEC-77, Proposal: Renewal of planning permission.

### **NEIGHBOURS VIEWS**

The owner/occupiers of neighbouring properties have been notified by letter and the proposal has been advertised by site and press notices. The consultation period has expired. No representations have been received.

### **CONSULTEE RESPONSES**

**Conservation Officer:** No objections. 19-37 High Street is located within the St Peters Conservation Area, close to its boundary with the Hillgate Conservation Area, and adjacent to locally listed buildings that include the former Industrial School, Mansion House Chambers and St Joseph's School. Further information on these designated and non-designated heritage assets is available from :

St Peters (2005) - Stockport Council  
Hillgate (1992) - Stockport Council  
Stockport Historic Environment Database  
Stockport Historic Environment Database  
Stockport Historic Environment Database

The application has previously been subject to an application for pre-application advice and given the submitted proposals are broadly similar, the advice provided at that stage remains relevant :

*In accordance with NPPF requirements the Greater Manchester Historic Environment Record should be consulted. It is noted that the site contains below ground archaeological interest – see entry MGM16388 (site of Mr Worsley's House) and below ground archaeological investigation may be required in conjunction with the development of the site. GMAAS can advise on the scope and extent of the works likely to be required.*

*A heritage assessment will be required to inform the design of the proposed development in order to achieve an appropriate response to the architectural, historic and archaeological interest of the conservation area, the existing buildings and surrounding townscape, including the setting of heritage assets and assess the impact of the proposed interventions. The assessment should aim to ensure any harmful impact upon the historic environment is minimised through critical examination and identify ways in which the proposals could offer enhancement opportunities. The use of traditional high quality external materials, reflecting the special qualities of the conservation area, will be important in ensuring the development fits comfortably within its context : a materials schedule comprising natural roof slates, timber windows/doors, bricks of an appropriate colour and texture, stone dressings, painted metal rainwater goods, etc should be specified on proposed drawings submitted as part of any future application.*

*19-37 High Street consists of 3 separate buildings of contrasting character : to the north, an imposing two and half storey Victorian commercial building set at the back of pavement; a central recessed 2 storey element of modern construction with office accommodation set above ground level parking; and a modest two storey gable fronted building to the south, of Victorian construction but much altered.*

*There is no objection from a historic building conservation perspective to the principle of converting the existing building (located to the north) to form apartments and it is acknowledged that adaption to provide a viable new use may represent the key to ensuring its long term preservation. It is recognised that removal of the rear lean-to is likely to be required to facilitate its conversion to residential use and a specification for the repair and restoration of the exposed original external wall should be prepared and submitted with a future planning application. Careful consideration will be required in the selection of external materials, the specification of architectural detailing such as windows and doors, and the treatment of the basement/ ground floor elevations and entrances.*

*The central block is of no architectural or historic interest and there would be no objection to its demolition subject to its replacement a suitably designed new building that enhances the special character and appearance of the conservation area.*

*The southern gable fronted building provides a 'bookend' to the plot; whilst its original architectural and historic interest has been somewhat compromised, the current proposal envisages its demolition and its replacement will require justification through the process of heritage assessment and careful consideration of design matters (form, scale, materials, detailing, etc).*

*The proposed new building elements facing High Street, of four storeys but reflecting the scale and external appearance of the existing block, have potential to enhance the townscape of the historic core, introducing a stronger sense of enclosure and continuity to High Street. The visual impact*

*of the proposed development upon views from different vantage points across the town centre should be explored and tested. The introduction of a potentially blank elevation facing south-east in views along High Street and facing the former Industrial School will require further consideration and some articulation may be required to soften any harmful visual impact. Careful consideration to the selection of external materials and the specification of architectural details will be critical to the success of the proposals. Roofscape is a key townscape element of the town centre's historic core and, given attic accommodation is proposed to all three blocks, the roof design will need to accommodate traditional pitched slate roof coverings and avoid over reliance upon the provision of rooflights on external roof slopes – for example, it is recommended that rooflights are introduced within the inner pitched roofs of the central block and the size/number of publicly visible rooflights is minimised.*

*Whilst the rear elevations of the existing and proposed new blocks are unlikely to be directly visible from public vantage points, they will directly overlook land serving St Joseph's School and Church and therefore every effort should be made to maintain consistency of architectural quality and expression throughout the scheme, with careful attention paid to the detailed design of site boundaries.*

I have no objections to the principle of the proposed development on the basis of the submitted plans. The proposal has potential to enhance the special character and appearance of the St Peters Conservation Area and wider townscape of the historic core, introducing a stronger sense of enclosure and continuity to High Street, but I would recommend the imposition of planning conditions to ensure the use of appropriate external materials and architectural detailing in order to avoid any undue harm to the significance and setting of the heritage assets listed above.

**Drainage Engineer:** No objections. A FRA and Drainage Strategy have been submitted. If the application is granted a condition is required to ensure the detailed drainage design is in accordance/compliance with these documents.

**Environmental Health (Air Quality):** No objections.

**Environmental Health (Contaminated Land):** No objections.

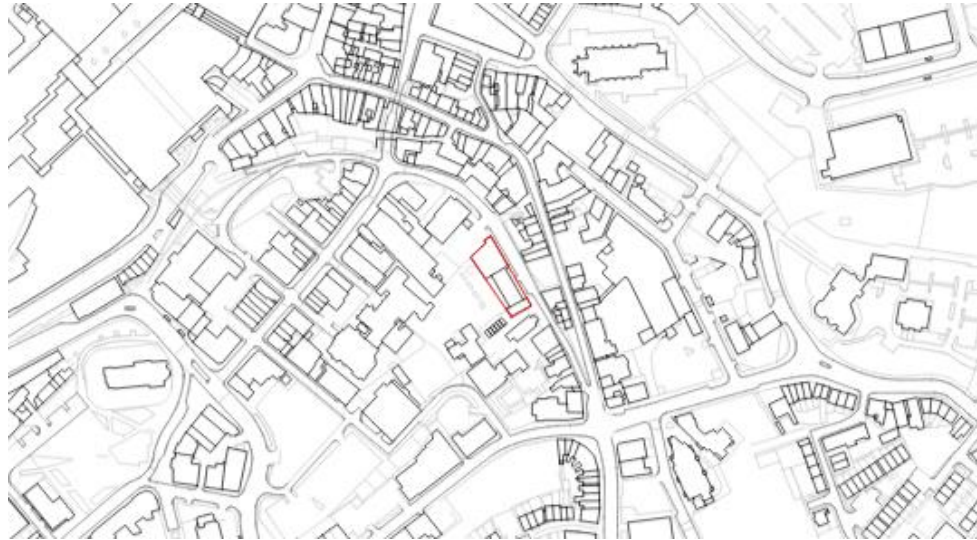
**Environmental Health (Public Protection):**

The proposal has been assessed in relation to impact upon the environmental quality of life to:



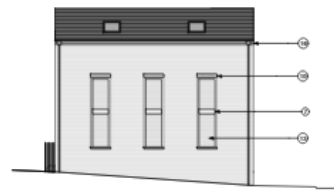
- EXISTING sensitive receptors, in proximity to the proposed development
- NEW sensitive receptors, introduced at this location

### SITE LOCATION



### PROPOSAL

- MATERIAL KEY**
1. BRICK SLATED ROOF, TILED
  2. CONCRETE/STONER BLOCKWORK
  3. NEW TYPICAL FRAMEWORK WINDOWS IN EXISTING WINDOW OPENINGS
  4. EXISTING FRAMEWORK WINDOWS IN NEW WINDOW OPENINGS
  5. UNGLAZED RED FACING BRICK WITH FILLER BRICK (APPLYING TO MATCH EXISTING BUILDINGS)
  6. UNGLAZED FACING RED BRICK
  7. PRECAST CONCRETE LINTEL
  8. PRECAST CONCRETE SILL
  9. PRECAST CONCRETE COPING
  10. BRICK THROUGH WINDOW HEAD
  11. ALUMINIUM FRAMEWORK GLAZED FRONT DECK WITH PRECAST CONCRETE BALCONY
  12. ALUMINIUM FRAMEWORK GLAZED FRONT DECK IN EXISTING OPENING
  13. UNGLAZED RED FACING BRICK WITH FILLER BRICK
  14. METAL LAMINATE
  15. METAL FORMWORK IN EXISTING
  16. EXISTING BRICK TO FINISH



PROPOSED ELEVATIONS  
1:100 @ A1

0 2 4 6 10 M

Project Name	Client
Project Address	Architect
Project Reference	Scale
Project Date	Sheet No.



## PROPOSED DEVELOPMENT - IMPACT UPON EXISTING RECEPTORS

### CONSTRUCTION PHASE

- CEMP – Condition Recommended

The scale of the development is such that is considered likely to negatively impact sensitive receptors. A Construction Environmental Management Plan is recommended.

- Construction Hours - Informative

An informative relating to acceptable working hours for 'noise generative works' is recommended, for the protection of noise sensitive receptors in the vicinity of the site.

- Pile Foundation Method Statement - Informative

Should piling be required as part of the construction phase, an informative is provided to inform the process.

### RECOMMENDED CONDITION – DEMOLITION AND/OR CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) shall be submitted for assessment by the LPA:

The CEMP shall address the environmental impact in respect of air quality

and noise on existing residents during the demolition and/or construction phase. There shall be no burning of materials on site during construction and the CEMP shall be implemented throughout the demolition and construction phase of the development.

The CEMP shall show mitigation measures in respect of:

- **Noise Mitigation Measures**

Noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic route. Comply with BS 5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1: Noise and Part 2: Vibration

- **Dust Management**

For the prevention of dust emissions beyond the site boundary, a scheme detailing all dust suppression measures and the methods to monitor emissions of dust arising from the development. The demolition / construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the demolition / construction phase.

### **Pile Foundation Method Statement**

In the event that the foundations of any building require **piling**, a method statement shall be submitted to and approved in writing by the local planning authority detailing the type of piling to be used, potential noise and vibration levels at the nearest noise sensitive locations in accordance with British Standard 5228 - Part 4:1992 Noise control on construction and open sites — Part 4: Code of practice for noise and vibration control applicable to piling operations. The method statement shall include the following details:

1. Details of the method of piling
2. Days / hours of work
3. Duration of the pile driving operations (expected starting date and completion date)
4. Mitigation measures to be undertaken in order to safeguard the amenity of adjacent residents.
5. Prior notification to the occupiers of potentially affected properties
6. Responsible person contact (e.g. site manager / office)

### **Concrete Power Floating**

Should **Concrete Power Floating** (polishing large surface wet concrete floors) be required as part of the development, the applicant shall submit a method statement, to be approved by the LPA. All floor floating operations shall be undertaken using best practicable means to reduce the impact of noise and vibration upon sensitive properties. The **Concrete Power Floating** work shall be undertaken in accordance with the approved method statement. The method statement shall include the following details:

1. Details of the method of floor floating
2. Days / hours of work
3. Duration of the floor floating operations (expected starting date and completion date)
4. Prior notification to the occupiers of potentially affected properties
5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

## NOISE IMPACT UPON NEW SENSITIVE RECEPTORS INTRODUCED AT THIS LOCATION

### TRANSPORTATION NOISE IMPACT UPON RESIDENTIAL DEVELOPMENT

Road & Rail <http://extrium.co.uk/noiseviewer.html>

The proposal site is NOT located within a daytime or night-time DEFRA Road or Rail noise mapped area.

#### Aviation Noise & Agent of Change Principle

[Environmental Management | Manchester Airport](#)

The agent of change principle applies to new noise sensitive developments where there is the potential for aviation activities to have a significant adverse effect. This could include development in the immediate vicinity of an airport, or the final approach and departure routes of an operational runway, and locations that experience regular low altitude overflight by general aviation aircraft, where this activity could subject residents or occupiers to significant noise, air quality issues and/or vibration impacts. The need for and type of mitigation will depend on a variety of factors including the nature of the aviation activity, location and normal environmental conditions in that context. Local planning authorities could consider the use of planning conditions or obligations to require the provision of appropriate mitigation measures in the new development. Planning Practice Guidance – Noise –gov.uk, Paragraph: 012 Reference ID: 30-012-20190722, Revision date: 22 07 2019

Aircraft noise contour maps are used as a planning tool in the assessment of aviation noise impact. The application site is located within the 2019 Manchester International Airport, Aircraft Noise Contour areas:

Daytime 57 - 60 dB LAeq, 16 hr

Night-time 54 - 57 dB LAeq, 8 hr

The 2019 summer (mid-June to mid-September) average mode daytime LAeq,16-hour (07:00-23:00) noise contours published by Manchester Airport, as shown on the policies map, will be used for the purposes of planning application decision making until the number of air transport movements is equal or greater than that for 2019.

Stockport UDP, Review (May 2006), EP1.10 AIRCRAFT NOISE , the council will control new development in areas affected by aircraft noise:

**Residential Development**

(iii) in areas subject to:

- day-time noise levels between 57 and 66 Leq OR
- night-time levels between 48 and 60 Leq

planning permission for new dwellings will be granted subject to other planning policies and to conditions (where appropriate) to ensure an adequate level of protection against noise in dwellings.

*[Note: in parts (i), (ii) and (iii) day-time is regarded as 0700 to 2300 and night-time as 2300 to 0700]*

The policy only addresses the internal noise climate, and does not address aircraft noise impact upon external private amenity (garden areas).

Whilst it is possible (given sufficient mitigation) to acoustically insulate the interior of buildings; it is difficult to provide any mitigation against aircraft noise in garden areas.

**REPORTS SUBMITTED IN SUPPORT OF THE APPLICATION**

**NOISE IMPACT ASSESSMENT (NIA)**

An acoustic report has been submitted in support of the application:

Jameson Acoustics, Probation Centre Stockport Noise Impact Assessment Report. 8 January 2024, 22110-RP-1-R1

**PROPOSED DEVELOPMENT**

Redevelopment of Stockport Probation Centre on High Street in Stockport. The development will seek the part demolish of the building to make way for a new-build extension, creating create 45nr new dwellings.

**BASELINE NOISE MEASUREMENTS**

The site is subject to noise from road traffic, aircraft flyovers and the operation of a nearby brewery, public house (outdoor seating area) and a school playground.

To evaluate the sites suitability for residential development, an environmental survey was completed:

- Environmental sound level measurements from 13:00 hours on Wednesday 29 November 2023 to 12:00 hours on Monday 4 December 2023 at 3nr on-site positions

### **SOUND LEVEL CRITERIA**

Noise impact has been assessed in accordance with:

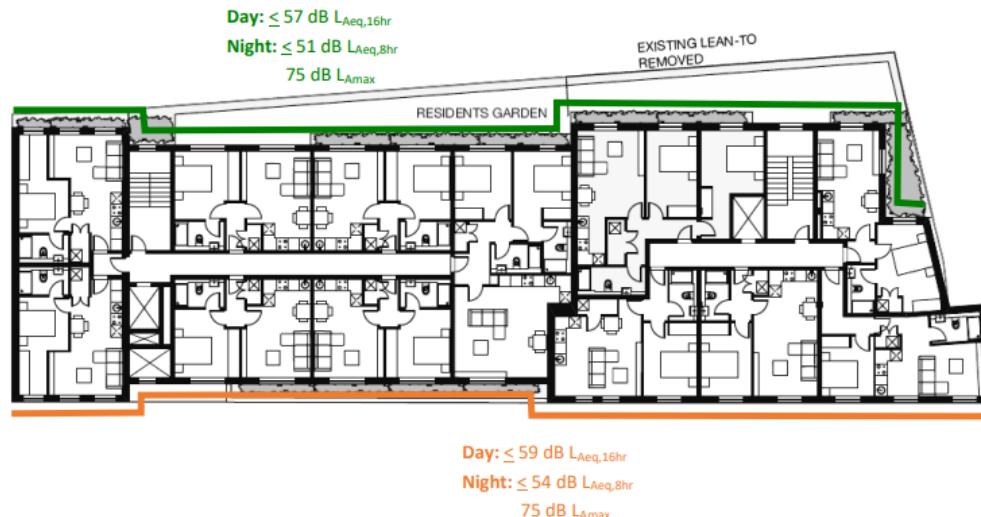
- BS 8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings
- WHO 1999, '*Guidelines for Community Noise*' 45 dB LAmax for bedrooms – to avoid sleep disturbance, for single sound events.

### **RESIDENTIAL DEVELOPMENT INTERNAL SOUND CRITERIA – BUILD ENVELOPE SOUND MITIGATION SCHEME**

Referring to BS 8233, the effectiveness of walls and roofs as a sound insulator are reduced by weaknesses in the build envelope (e.g. ventilation openings, thin glazing and doorways), especially when windows are opened

The weakest part of a brick and block facade are normally the windows and any trickle ventilators, therefore the specification of insulated glazing units and sound attenuated trickle ventilators, as a means of reducing noise exposure to occupants inside a building from external sound sources, is required to be assessed and determined.

From the collation of representative noise level data for the site and taking into account the internal noise design criteria, the consultant has recommended a noise insulation scheme: acoustic mitigated window specification and ventilation strategy.



The report recommends noise mitigation measures at section 7, designed to achieve BS 8233: 2014 and WHO guidelines; to ensure that future occupants are not adversely affected by external noise sources.

### GLAZED UNITS/WINDOW SPECIFICATION

Element	Minimum Sound Reduction, $R$ (dB) at Octave Band Centre Frequency (Hz)							Min. $R_w + C_{tr}$ (dB)
	63	125	250	500	1k	2k	4k	
Windows to All Habitable Rooms, e.g. 8.8 [lam.] / 16 / 6 mm	22	23	29	34	38	40	40	33

The prospective window supplier would need to demonstrate compliance with the performance figures above in each octave band, not just the overall  $R_w + C_{tr}$  figure.

### EH COMMENT - Window Assembly

Window performance requirements apply to the completed window assembly (frame and seals) and not just the glazing.

**VENTILATION STRATEGY** (dB  $D_{n,e,w}$  acoustic attenuation performance of trickle vents) or MVHR –

Section 7.2.3 provides the developer with two ventilation strategy options:

- (b) trickle ventilators, typically installed in the head of window frames with air drawn through via constant mechanical extract ventilation fans (MEV) in bathrooms, or
- (c) whole-dwelling mechanical MVHR heat recovery systems, which remove the need for trickle ventilators in window frames.

If option (b) is chosen, trickle ventilators in facades (typically in the head of window frames) to habitable rooms will need to be suitably acoustically rated to maintain the acoustic integrity of the complete façade. To achieve

this, an acoustically-attenuated in-wall passive ventilator would be required, achieving the minimum performance stipulated below.

Element	Minimum Element Level Difference, $D_{n,e}$ (dB) at Octave Band Centre Frequency (Hz)							Min. $D_{n,e,w} + C_{tr}$ (dB)
	63	125	250	500	1k	2k	4k	
Acoustic In-Wall Ventilator to All Habitable Rooms, e.g. Greenwood MA3051	40	46	45	50	55	60	60	51

The above assumes a single vent per room. If more than one vent is proposed, the above specification figures would increase by +3 dB for 2 vents, +5dB for 3 vents, +6dB for 4 vents.

For option (b) or (c), noise generated by the operation of the mechanical ventilation system will need to be designed to achieve a noise rating level of NR 25 in bedrooms at night and NR 30 in living rooms during the day.

### EH COMMENT – Mechanical Ventilation self-generated noise

Background ventilation will be met through mechanical ventilation, rather than natural ventilation openings in the façade (e.g. trickle ventilators). Mechanical ventilation systems, including both continuous and intermittent mechanical ventilation and should be designed and installed to minimise noise. Self-generated noise levels shall not exceed BS8233:2014 internal sound criteria (duplicated at section 1.5 to 1.7 Noise of Approved Document F, Ventilation Volume 1:Dwellings) the average A-weighted sound pressure level for a ventilator operating under normal conditions and not at boost rates should not exceed both of the following:

- a. 30dB LAeq,T\* for noise-sensitive rooms (e.g. bedrooms and living rooms) when a continuous mechanical ventilation system is running on its minimum low rate.
- b. 45dB LAeq,T\* in less noise-sensitive rooms (e.g. kitchens and bathrooms) when a continuous operation system is running at the minimum high rate or an intermittent operation system is running.

### EXTERNAL WALLS & ROOF

External walls should provide a minimum sound insulation of 50dB Rw.

To combat aircraft noise, provisions should be made to double board the ceilings to top floor apartments. The full build-up should comprise outer tiles with a mineral wool insulated cold-space roof void and 2 layers of 12.5 mm dense plasterboard (e.g. SoundBloc). With this build-up, the estimated sound reduction performance used in the assessment is as follows. The sound reduction offered by the brick external walls is presented also.



Element	Estimated Sound Reduction, R (dB) at Octave Band Centre Frequency (Hz)						
	63	125	250	500	1k	2k	4k
Roof: Tiles, insulated cavity, 2 x SoundBloc ceilings	24	33	38	45	50	55	55
Walls: Brick, insulated cavity, 2 x Wallboard	35	40	45	50	55	60	60

## EXTERNAL SOUND CRITERIA AMENITY AREAS

WHO, 1999 – guideline values for outdoor living areas, the critical health effect:

- moderate annoyance, daytime and evening 50dB LAeq,16h
- serious annoyance, daytime and evening 55dB LAeq,16hr

Whilst BS8233:2014, acknowledges that for traditional external areas that are used for amenity space:

- a 50 dB LAeq, T, is desirable,
- however an upper guideline value of 55 dB LAeq,T is acceptable in noisier environments.

BS8233:2014 further recognises that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network.

At section 8 – outdoor living space –

*On this scheme, there will be a shared garden on the west elevation of the building. Free-field noise levels on this side of the site have been measured to be 57 dB LAeq,16hr. This is, however, at upper floor levels with full line of sight to the school playground.*

*With a solid fence/wall at a height of at least 1.5 metres along the western site boundary to the school, noise levels in the garden are expected to fall below 55 dB LAeq,16hr, which would align with the BS 8233 guidance*

## OVERHEATING MITIGATION

Referenced is the Institute of Acoustics and Association of Noise Consultants (2020) Acoustics Ventilation and Overheating (AVO):

Residential Design Guide – which concerns overheating and provision of adequate ventilation.

This service cannot assess the adequacy of ventilation or overheating mitigation, this is a matter for building control colleagues.

Good development design, needs to ensure that noise mitigation, overheating and ventilation are successfully reconciled to create quality living environments. Post planning approval, if the development fails to achieve building regulation approval for overheating mitigation and ventilation; previously approved planning details, will require reassessment. Resulting in additional project expenditure and delays.

Ventilation is addressed in BS 8233:2014 Section 7.7.2, Table 4 (Indoor ambient noise levels for dwellings) NOTE 5: If relying on closed windows to meet the guide values, there needs to be an appropriate alternative ventilation that does not compromise the façade insulation or the resulting noise level. If applicable, any room should have adequate ventilation (e.g. trickle ventilators should be open) during assessment.

Therefore, this service is ensuring that where it has been deemed necessary, alternative acoustically mitigated ventilation is provided to habitable rooms.

#### **EH ASSESSMENT – NIA**

This service accepts the methodology, conclusion and recommendations detailed in: Jameson Acoustics, Probation Centre Stockport Noise Impact Assessment Report. 8 January 2024, 22110-RP-1-R1

#### **RECOMMENDED CONDITION – DEVELOPMENT IN ACCORDANCE TO NIA**

In accordance with the acoustic report, the following conditions are necessary in order for this application to be approved:

The noise insulation scheme: window specification and ventilation strategy, detailed in the acoustic report:

Jameson Acoustics, Probation Centre Stockport Noise Impact Assessment Report. 8 January 2024, 22110-RP-1-R1

- shall be implemented in full prior to the occupation of each unit
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.

## REASON

**Reason:** to ensure that the impact upon the environmental quality of life to:

- EXISTING sensitive receptors, in proximity to the proposed development
- NEW sensitive receptors, introduced at this location

**Accords** with the National Planning Policy Framework, December 2023

- AMENITY: *para. 135 (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*
- NOISE: *para. 180 (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of .... noise pollution ....*
- POLLUTION: *para. 191 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
  - *NOISE: para 191 (a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life*
- AGENT OF CHANGE: *para. 193 decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*

## ENVIRONMENTAL QUALITY INFORMATIVES

For the protection of community amenity, these informative comments are designed to assist developers to prevent, minimise and control noise and dust, arising from the construction and operational phases of the proposed development.

**CONSTRUCTION & DEMOLITION SITES** - working hours for 'noise generative works'

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 boundary**

Please view the [guidance notes for contractors \(PDF 300kb\)](#) for more information.

**GMAAS:** The application site does not contain any designated heritage assets, although it does lie within the St Peter's Conservation Area.

Whilst a Heritage Statement has not been submitted with the application, heritage considerations are referenced in the Design & Access Statement, which also includes 'as existing' measured survey plans and elevation drawings of the buildings, providing a record of those elements that are proposed for demolition. The Conservation Team at Stockport Council is best placed to comment on any potential impact of development to the historic character of the Conservation Area, although GMAAS is not seeking any further investigation of the extant buildings prior to demolition.

The Design & Access Statement submitted with the application makes no reference to archaeology or the potential for the development to impact on archaeological remains. Having reviewed all our records, however, I'm satisfied that any impact to the area's archaeological resource will be negligible, and no further investigation is warranted.

**Highway Engineer:**

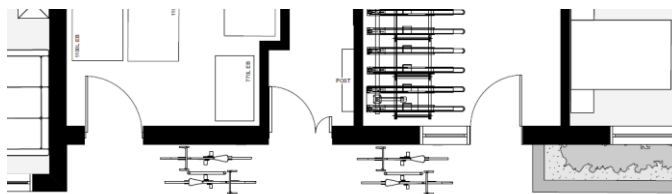
**Final Comments**

I write with reference to the revised drawings submitted on the 19<sup>th</sup> July, which have been submitted with the aim of addressing the issue raised following my consultation response of the 18<sup>th</sup> July 2024 in respect to the height of one of the cycle stores. After examining the drawings, I would make the following comments:

- 1) The proposals relating to the provision of cycle stores in the rear yard area have been further revised, with two 6-space cycle stores proposed to be provided opposite the rear entrance to the converted

block and 3 single-cycle stores located adjacent to Plot 10. Two of the single-cycle stores would be larger stores (measuring 2.6m by 1m) which would enable them to accommodate a wider range of cycles, including many types of non-standard cycle. These three stores, together with the two internal stores (with 12 and 18 spaces) would provide a total of 45 long-stay cycle parking spaces, which is in line with the adopted parking standards.

- 2) Only floor layouts of the external stores have been provided and the applicant has not provided full details of their overall form or how they will be constructed, nor details of the type of stands that will be provided within them, other than to outline that the individual stores will take the form of timber stores of approx. 1.5m in height. I can confirm, however, that I consider the layout of the larger stores generally acceptable, as well as the form of the individual stores. Full details of the stores, including details of their construction (solid roofs and walls should be provided), the type of doors and locks, lighting to be provided, other security features and rainwater drainage will also need to be agreed but this can be agreed by condition.
- 3) The revised scheme still only incorporates a single Sheffield stand for visitors, as opposed to the 2 that were originally proposed. As previously advised and as shown on the drawing below, it would be possible to provide a second stand between the main door to the new block and the door to the cycle store in that block. As such, I consider the provision of 2 visitor cycle stands could be dealt with by condition.

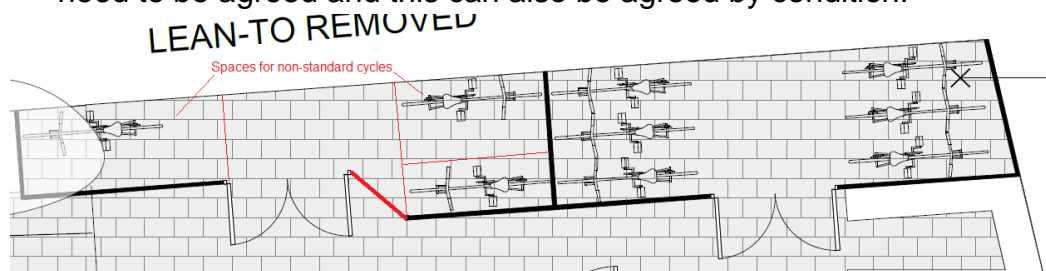


To conclude, I consider the revised proposals generally acceptable. I do, however, consider a second visitor cycle stand should be provided. The provision of this, as well as the need to agree details of the cycle stores can be dealt with by condition. As previously advised, I will provide a list of recommended conditions in due course. As also previously advised, the provision of the disabled parking spaces and loading bay will require the existing Traffic Regulation Order to be amended and the cost of this will

need to be funded by the applicant (collected via a S106 Agreement) and I would also recommend that the S106 agreement includes a clawback which requires the applicant to fund EV charging points in the vicinity of the site in the event that the viability of the scheme changes.

I write with reference to the revised drawings submitted on the 18<sup>th</sup> July, which have been submitted with the aim of addressing the issue in respect to the cycle parking I raised in my comments of the 17<sup>th</sup> July. After examining the drawings, I would make the following comments:

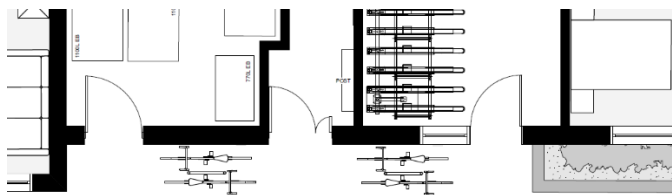
- 4) The scheme now includes proposals to provide 3 cycle stores in the rear yard area, which would be able to accommodate a total of 15 cycles. This, together with the two internal stores (with 12 and 18 spaces) would provide a total of 45 long-stay cycle parking spaces, which is in line with the adopted parking standards.
- 5) Only floor layouts of the external stores have been provided and the applicant has not provided any details of their overall form or how they will be constructed, nor details of the type of stands that will be provided within them. I can confirm, however, that I consider the layout of the stores generally acceptable. One of the stores, however, will prove a little tight to use and, in order to address this, and provide 2 spaces for non-standard cycles, I would recommend that one of the front walls is amended slightly, as per the plan below. This amendment could potentially be dealt with by condition. Full details of the stores, including details of their construction (solid roofs and walls should be provided), the type of doors and locks, lighting to be provided, other security features and rainwater drainage will also need to be agreed and this can also be agreed by condition.



- 6) The revised plans also show that the cycle store in the converted block has been enlarged so it would be able to accommodate the two-tier cycle rack that is proposed. I therefore consider that this issue has been addressed.
- 7) The revised scheme does not show proposals to provide any cycle spaces for non-standard cycles (as previously advised LTN 1/20

advises 5% of cycle spaces should be suitable for non-standard cycles). As outlined above, a minor amendment to one of the external stores would allow 2 such spaces to be provided, which would address the issue. I consider this could be dealt with by condition.

- 8) The revised scheme still only incorporates a single Sheffield stand for visitors, as opposed to the 2 that were originally proposed. As shown on the drawing below, it would be possible to provide a second stand between the main door to the new block and the door to the cycle store in that block. As such, I consider the provision of 2 visitor cycle stands could be dealt with by condition.

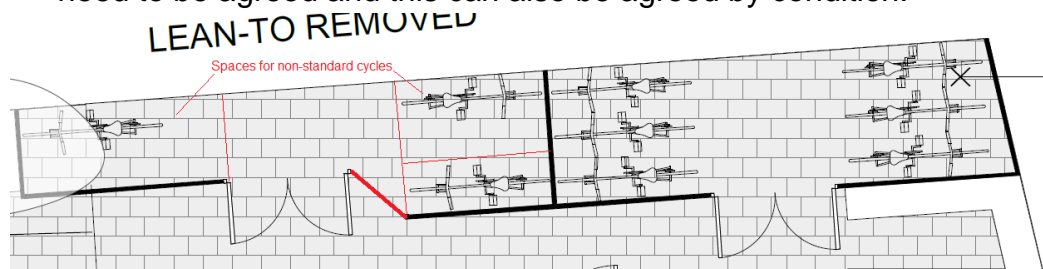


To conclude, I consider the proposals to provide external cycle stores and amend the cycle store in the converted building have addressed the key issues I previously raised in respect to cycle parking. I do, however, consider a minor amendment is required to one of the external cycle stores and a second visitor cycle stand should be provided. These matters, as well as the need to agree full details of the cycle parking, however, can be dealt with by condition. As such, I can confirm that I would raise no objection to the revised scheme based on these revised drawings. I will provide a list of recommended conditions in due course. This will include conditions requiring a construction management plan, provision of cycle parking, footway reconstruction and accessibility improvements, the implementation of travel plan measures and works to amend the highway abutting the site so as to provide disabled parking spaces and a servicing layby. As previously advised, the provision of the disabled parking spaces and loading bay will require the existing Traffic Regulation Order to be amended and the cost of this will need to be funded by the applicant (collected via a S106 Agreement) and I would also recommend that the S106 agreement includes a clawback which requires the applicant to fund EV charging points in the vicinity of the site in the event that the viability of the scheme changes.

**Comments 18<sup>th</sup> July 2024**

I write with reference to the revised drawings submitted on the 18<sup>th</sup> July, which have been submitted with the aim of addressing the issue in respect to the cycle parking I raised in my comments of the 17<sup>th</sup> July. After examining the drawings, I would make the following comments:

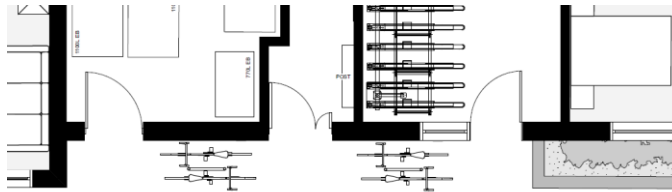
- 1) The scheme now includes proposals to provide 3 cycle stores in the rear yard area, which would be able to accommodate a total of 15 cycles. This, together with the two internal stores (with 12 and 18 spaces) would provide a total of 45 long-stay cycle parking spaces, which is in line with the adopted parking standards.
- 2) Only floor layouts of the external stores have been provided and the applicant has not provided any details of their overall form or how they will be constructed, nor details of the type of stands that will be provided within them. I can confirm, however, that I consider the layout of the stores generally acceptable. One of the stores, however, will prove a little tight to use and, in order to address this, and provide 2 spaces for non-standard cycles, I would recommend that one of the front walls is amended slightly, as per the plan below. This amendment could potentially be dealt with by condition. Full details of the stores, including details of their construction (solid roofs and walls should be provided), the type of doors and locks, lighting to be provided, other security features and rainwater drainage will also need to be agreed and this can also be agreed by condition.



- 3) The revised plans also show that the cycle store in the converted block has been enlarged so it would be able to accommodate the two-tier cycle rack that is proposed. I therefore consider that this issue has been addressed.
- 4) The revised scheme does not show proposals to provide any cycle spaces for non-standard cycles (as previously advised LTN 1/20 advises 5% of cycle spaces should be suitable for non-standard cycles). As outlined above, a minor amendment to one of the external stores would allow 2 such spaces to be provided, which would address the issue. I consider this could be dealt with by condition.



- 5) The revised scheme still only incorporates a single Sheffield stand for visitors, as opposed to the 2 that were originally proposed. As shown on the drawing below, it would be possible to provide a second stand between the main door to the new block and the door to the cycle store in that block. As such, I consider the provision of 2 visitor cycle stands could be dealt with by condition.



To conclude, I consider the proposals to provide external cycle stores and amend the cycle store in the converted building have addressed the key issues I previously raised in respect to cycle parking. I do, however, consider a minor amendment is required to one of the external cycle stores and a second visitor cycle stand should be provided. These matters, as well as the need to agree full details of the cycle parking, however, can be dealt with by condition. As such, I can confirm that I would raise no objection to the revised scheme based on these revised drawings. I will provide a list of recommended conditions in due course. This will include conditions requiring a construction management plan, provision of cycle parking, footway reconstruction and accessibility improvements, the implementation of travel plan measures and works to amend the highway abutting the site so as to provide disabled parking spaces and a servicing layby. As previously advised, the provision of the disabled parking spaces and loading bay will require the existing Traffic Regulation Order to be amended and the cost of this will need to be funded by the applicant (collected via a S106 Agreement) and I would also recommend that the S106 agreement includes a clawback which requires the applicant to fund EV charging points in the vicinity of the site in the event that the viability of the scheme changes.

#### **Comments 17<sup>th</sup> July 2024**

I write with reference to the revised drawings submitted on the 17<sup>th</sup> July. I note that these include revised floor plans and elevations. After examining the drawings, I would make the following comments:

I note that various amendments have been made to the scheme. These include:

- 1) The bin store in the new build block has been amended and is now shown to be accessed directly from the footway on High Street.
- 2) The cycle store in the new build block has been amended / reduced in size and is now shown to be accessed directly from the footway on High Street. It is now shown to accommodate 12 cycles, rather than 27.
- 3) The entrance to the new build block has been amended.
- 4) The cycle store in the converted block has been relocated, reduced in size and is now shown to be accessed directly from the path to the rear of the building. It is still shown to accommodate 18 cycles, but all spaces are now in two-tier racks.
- 5) A single Sheffield cycle stand is now shown to be provided to the front of the property.
- 6) The layout of the entrance to the converted block has been amended, with the location of the stairs and platform lift swapped around.
- 7) Various amendments have been made for M&E reasons, including the introduction of a smoke shafts and plant rooms. The lifts have been reduced in size.
- 8) A number of internal layouts of the apartments have been amended.
- 9) Some mezzanine accommodation has been removed.

I also note that the architect's site plan (A790\_P\_200) has been revised so it is consistent with the highways drawing 85100-CUR-XX-XX-DR-TP-75002-P01.

With respect to the amendments, many of these do not have any highway implications and, as such, I would raise no objection to them. The proposed number of cycle parking spaces to be provided in the internal stores has, however, been reduced from 45 (one space per dwelling) to 30. This is less than the minimum required number based on the Council's adopted parking standards (45 spaces are required) and, as such, the amended scheme does not comply with Policy T-1 'Transport and Development'. In addition, I note that the dimensions of the cycle store in the converted block are such that it would not be suitable for a two-tier cycle rack (the proposed Broxap Easi-riser cycle rack needs the store to be 3.744m deep but the proposed store would be 3.3m deep), the scheme no longer includes proposals to provide any cycle stands that could be used by non-standard cycles (LTN 1/20 advises 5% of cycle spaces should be suitable for non-standard bicycles and the previous store included 4 such spaces) and the number of stands for visitor has been halved (from 2 to 1), which I would not consider acceptable. As such, I do not consider the amendments acceptable in respect to cycle parking.

To conclude, whilst I consider many of the proposed amendments acceptable, I do not consider the amended scheme acceptable, as a whole as the amended scheme will have a level of cycle parking less than the minimum required based on the Council's parking standards and cycle parking that is sub-standard and will not meet current design standards. As such, based on the revised drawings I would be unable to support of the proposal, as is now proposed. I would therefore recommend that the applicant reverts back to the previously submitted scheme or further revises the scheme to address these issues.

#### **Comments 18<sup>th</sup> April 2024**

This application seeks permission for the partial demolition, conversion and an extension to an existing building on High Street (which formally housed the Probation Service) to create 45 apartments. As part of the scheme the existing car park and vehicular access which serves the site will be removed. Cycle parking is proposed to be provided in two cycle stores within the building and by one of the entrances into the building and two bin stores are also proposed to be provided within the building. No car parking or servicing area is proposed to be provided within the site but as part of the proposed development the applicant is proposing to amend existing parking restrictions in front of the site to provide a loading bay and a disabled parking space. After reviewing the submitted drawings and information, including a Transport Statement, I would make the following comments:

#### Traffic generation and impact on the highway network

A Transport Statement (TS) has been submitted in support of the application to review highway and transport issues relating to the development. This outlines that, based on an analysis of the TRICS database, if the existing building was to be reoccupied it would be expected to generate 11 two-way vehicle movements during the AM peak and 8 two-way vehicle movements during the PM peak. Again, based on an analysis of the TRICS database, the TS outlines the proposed apartments would be expected to generate 10 two-way vehicle movements during both the AM and PM peak periods. As such, it outlines that the development would result in a slight reduction in vehicle movements during the AM peak and only a minor increase in vehicle movements during the PM peak (one vehicle every 30 minutes). This, it outlines would have no material impact on the highway network. It also outlines that as no on-site parking is proposed to be provided, the development may actually generate fewer vehicle movements than outlined. After reviewing this analysis and interrogating the TRICS database myself, I concur that the proposal is

unlikely to generate a significantly different number of vehicle movements than the site's former use and that the traffic generation of the development should not have a material impact on the local highway network.

### Access

The site is currently served by two vehicular accesses on High Street and these will be removed as part of the proposals. Removal of the accesses will mean that the existing kerbed and dropped kerb accesses will no longer be required and therefore these should be removed as part of the scheme and new sections of footway (with a full height kerb) provided where these accesses are currently located. Closure of the accesses will also require amendments to existing parking restrictions. This is discussed below.

Pedestrian access into the building will be via two accesses. The existing building that will be converted (Block 1) will be stepped and, as such, a small wheelchair lift is proposed to be provided adjacent to the steps for use by disabled persons. Access to the extension (Block 2) will be level. Lifts are provided in both blocks to provide access to each floor and level access would be available between both blocks via the rear courtyard. I would consider such arrangements acceptable in respect to pedestrian access.

Access to the two cycle stores within the building will be via the entrances to the two blocks. As outlined above, access to extension (Block 2) will be level and double doors will be provided at both the main entrance and entrance to the cycle store to facilitate access into and out of the store for cycles. The cycle store in the converted building (Block 1) will be within the basement. The TS outlines that a cycle channel will be provided on the steps and a lift (large enough to accommodate cycles) would be provided to allow cycles to be taken into the basement store. Guidance, however, outlines that cycle channels are not inclusive, do not cater for non-standard cycles and are inaccessible to many people and, as such, I would not consider the provision of a cycle channel is a suitable for providing access to the cycle store. It should be possible, however, to enlarge the wheelchair lift so it is large enough to accommodate cycles and therefore I would recommend that the scheme is amended to incorporate a larger lift. A revised plan therefore needs to be submitted to address this issue.

### Parking

A maximum of 56 car parking spaces could be provided for the development based on the adopted parking standards. No car parking, however, is proposed to be provided for the (including disabled parking),

with the TS noting that developments with no or low car parking are in line with policy, are appropriate and justified having regard to the site's accessibility. To justify this, it outlines that the site is close to facilities and is well served by public transport and therefore occupiers would not require cars for day-to-day journeys and there is public car parking available in the area for any occupiers who did have a car. It also outlines that nearly 50% of households in the town centre do not own a car, smaller dwellings and dwellings within parking are less likely to be occupied by owners who have cars and other developments have been approved with a low level or no parking. Having regard to this, whilst it is unlikely that no occupiers would own a car, I would accept that car ownership is likely to be low and that there are on and off-street parking facilities in the area which occupiers could make use of if they did own a car. Whilst this may require occupiers to pay for their parking (notably during the day) and park a distance from their apartment, they would be aware of this when purchasing a dwelling and therefore, it could be argued, if this was an issue to them, they wouldn't choose to live in the development. As such and noting that there are parking restrictions in the area to manage parking, I would conclude that an objection on the grounds of parking provision could not be sustained, providing provision was made for disabled persons.

In respect to this, Policy T-1 'Transport and Development' of the Core Strategy DPD, outlines that parking for disabled badge holders must be provided in accordance with the Council's parking standards. These standards require a minimum of one disabled parking space for every 10 dwellings. As such, 4-5 spaces for disabled badge holders should be provided for the development. Where parking cannot be provided within a development, the Council has previously permitted development without on-site provision, subject to the developer funding the provision of additional disabled parking spaces within the vicinity of the site (e.g. by converting standard on-street parking spaces or standard spaces within car parks to disabled parking spaces). As outlined below, the applicant has tabled proposals to provide a disabled parking space on street as part of works to provide a loading bay. This and existing parking facilities in the area, however, may not meet demand and, as such, I consider a second disabled space should be provided to ensure that likely demand for disabled parking is catered for. As such, I would recommend that the scheme is revised to show the provision of two disabled parking spaces. In order that the provision of a second disabled space does not result in the loss of an additional parking space, I would recommend that the loading bay is moved slightly to the south so as to allow an additional space to be provided to the north of the loading bay, along the lines indicated on the drawing below. In addition, I note that the existing parking spaces are sub-standard in length.

As such, I would recommend that the angled spaces are extended further into the carriageway (while leaving a 3.25m running lane), as per the plan below.



Provision of the disabled parking spaces and loading bay will require the existing Traffic Regulation Order to be amended. The cost of this will need to be funded by the applicant and, as such, I recommend that any approval granted is subject to the applicant entering into a Section 106 Agreement relating to the payment of a financial contribution of £8000 to fund this.

Paragraph 110 of the National Planning Policy Framework outlines that development should be designed to enable charging of plug-in and other ultra-low emission vehicles. As no parking is proposed to be provided

within the development, it is not possible to provide EV charging points within the site. As outlined above, although the development is proposed to be a “car free” development, some occupiers are likely to own cars, although I accept that this is likely to be less than the average level of car ownership in the town centre. Some of these occupiers may own an electric vehicle and park it on street or in a nearby public car park (it should be noted that owners of zero emission vehicles can apply for a permit which has only a minimal charge to enable them to do this) and, as such, there is likely to be a demand for some occupiers to charge their electric car. In respect to this, the TS outlines that there are a number of EV charging points in the town centre, including on St. Petersgate and in Churchgate car park, and includes the results of a survey of EV charging points in and around the town centre (including in private car parks), which outline that during the time of the survey, a minimum of 14 were available for use. It does, however, outline that the applicant is willing to discuss with the Council regarding the provision of additional charging points. With respect to this, whilst I note the results of the survey, this was carried out on one day, includes charging points a distance from the site and some in private car parks and I am aware that charging points closer to the site are often in use. As such, I consider further provision is required in the area to meet the demand of the development. It would be possible to provide additional public EV charging points on street or in nearby public car parks and therefore I would conclude that this matter could be dealt with by condition. The applicant should note that they would have to pay all the cost of works associated with providing the charging points.

Finally, parking for 45 cycles is proposed to be provided within two cycle stores within the apartment building, with one store provided within the basement of the converted building (Block A) for 18 cycles and one store provided within the ground floor of the extension (Block B) for 27 cycles. 40 of the 45 spaces will be in two tier stands and 5 will make use of Sheffield stands. In addition, 2 Sheffield cycle stands are proposed to be provided by the entrance of Block B for use by visitors. This level of provision accords with the adopted parking standards and, subject to detail (e.g. agreeing the exact type and positioning of stands / racks), I would consider these proposals acceptable. Although the TS outlines that no specific provision has been made for non-standard bicycles, the stores should be suitable for many forms of non-standard cycle and therefore I would not object to the application on these grounds.

#### Servicing

As the development will not have a car park or other area of hardstanding within the site which could be used by service vehicles to service the development from within the site, all servicing will need to be carried out from the street. To enable this to take place, the applicant is proposing to remove an existing 8m long parking bay (with capacity for 1-2 cars) and replace it with a loading bay, which will extend across the site of the former access) and will be of sufficient size to accommodate a large refuse or other rigid service vehicle. A vehicle swept-path tracking diagram is included in the TS which demonstrates that service vehicles would be able to manoeuvre into and out of the loading bay. As this will result in the loss of 1-2 parking spaces, the applicant has tabled proposals to replace these with either a single disabled parking space or two standard spaces.

I would consider such arrangements acceptable in principle and, having regard to the need for disabled parking to be provided for the development, I consider the option to provide disabled parking should be taken forward. As outlined above, however, it is considered that two disabled parking spaces should be provided rather than one space. As also outlined, a second space should be able to be provided without the loss of an additional space by moving the loading bay approx. 5m to the south. This would also have the benefit of the rear of refuse vehicles and other service vehicles being closer to the entrance of the building to reduce carry / wheeling distances. I therefore recommend that the scheme is amended to move the loading bay to the south, along the lines indicated on the drawing above. Revised vehicle swept-path tracking diagrams will also need to be submitted to demonstrate that the revised layout will be suitable. As also outlined above, provision of the loading bay and replacement parking bay and amendments to the existing parking restrictions will require the existing Traffic Regulation Order to be amended. The cost of this will need to be funded by the applicant and, as such, I recommend that any approval granted is subject to the applicant entering into a Section 106 Agreement relating to the payment of a financial contribution of £8000 to fund this.

With respect to bin storage and waste collection, two bin stores are proposed to be provided to serve the development. One in the basement of the existing building and one in the ground floor of the proposed extension. The submitted plans shows the two stores accommodating 10 bins. Both would be accessed via the main entrance to the proposed extension, with bins wheeled between the basement store and the street via a path to the rear of the building. The TS outlines that on-site management would coordinate waste collection and move bins to the collection point on bin day and refuse vehicles would make use of the loading bay. Based on my calculation, having regard to the size of the development and the Council's



standard frequency of refuse collection, storage for 10 bins should be sufficient and I would not object to bin collection taking place using the proposed on-street layby. The access route for bins through the building, however, does look quite tight in places and I note that the distance bins would need to be wheeled is much greater than the maximum recommended distance stated in BS5906:2005 'Waste management in buildings - Code of practice'. As such, I would recommend that the Council's Waste Officer is consulted on the application and the applicant is advised to check that the development will comply with all relevant regulations, including Building Regs. Finally, a dropped kerb will need to be provided to enable bins to be wheeled off the footway to the rear of the refuse vehicle. The provision of this can be dealt with by condition.

### Accessibility

The Transport Statement submitted in support of the application outlines that the site is located within reasonable walking distance of all parts of Stockport Town Centre, 2 primary schools, leisure facilities, shops, services and medical facilities. It also outlines that various other facilities including other schools and colleges, leisure facilities and places of employment are within a 2km walk of the site. The TS also outlines that various parts of the Borough are within reasonable cycling distance of the site, including Romiley, Heaton Moor and Cheadle and there are various cycle facilities in the local area. In addition, it outlines that the site has a Greater Manchester Accessibility Level of 8 (the highest level of accessibility), there are a number of bus stops within 400m of the site served by a range of bus services that provide access to various parts of the Borough, and that Stockport Train Station and Bus Interchange are within reasonable walking distance of the site. It therefore concludes that *"the site is highly accessible by sustainable modes of transport"*.

Whilst I agree with the general conclusions of the TS, I note that the crossing points to Dumvilles Brow steps and Cooper Brow do not benefit from dropped kerbs / tactile paving, nor does one of the access on High Street which could hamper pedestrian access (notably for those with disabilities, users of mobility scooters or people pushing prams or buggies). In addition, there is no wayfinding signage in the immediate area to direct cyclists to nearby cycle routes, which could result in occupiers and visitors not being aware of safe routes to take when cycling to / from the site. As such, I would recommend that any approval granted was subject to conditions which required the provision of dropped kerbs / tactile paving at these three locations and wayfinding signage in the area.

In addition, in accordance with paragraphs 5.30, 'Post development footway reinstatement' of the Sustainable Transport SPD and 3.4.5.1, 'Post development footway reinstatement', of the Transport and Highways in Residential Areas SPD, the footway fronting the site should be reconstructed as part of the development, with this work including the closure of the redundant accesses carried out in accordance with the Council's Town Centre palette of materials. The requirement to carry out this work can also be dealt with by condition.

#### Travel Plan

A formal Travel Plan would not normally be required to be produced and operated for a development of the size proposed. Measures, however, should be implemented for all developments to allow and encourage occupiers and their visitors to use sustainable modes of transport and to reduce the need for them to own a car (so as to minimise parking taking place on local streets and within local car parks). This is especially important for developments which do not have any on-site parking as this could lead to pressure on existing public car parking facilities and/or illegal parking. As such, I consider it is important that good quality cycle parking is provided and measures to allow and encourage occupiers and their visitors to use sustainable modes of transport are implemented, including providing occupiers with a Resident's Travel Pack, providing occupiers with (discounted) access to a car club, personalised travel planning, providing measures to allow home working (e.g. high speed broadband), provision of a travel information notice board within the building and promotion of travel awareness days/weeks. I note that the TS outlines that the developer is already planning to provide Resident's Travel Packs, which is noted and welcomed. The requirement to implement these measures could be secured by condition.

#### Construction

Construction of the apartments will obviously have highway implications (notably as a result of the constrained site) and is likely to require footway closures and hoardings and scaffolding within the public highway. Vehicle routing, contractor's parking, the location of welfare facilities and material storage and where vehicles will load and unload will also need to be determined and agreed. Due to the constraints of the site, it is likely that site offices and material storage will have to be off-site and there will be a need for the developer to partially close High Street. Although details of how the development would be constructed have not been provided, discussions have taken place in respect to the construction of a

development at a neighbouring site and it is envisaged that similar arrangements could be agreed for this site, although both developments would not be able to take place at the same time. Details of how the development will be constructed, however, could be agreed by means of a construction method statement, the requirement to do so could be secured by condition. I note the need for this has been acknowledged in the TS.

### Conclusion

The proposed apartment building would be located in an accessible location and the vehicle movements that would be generated by the development should not have a material impact on the local highway network. Cycle parking is proposed to be provided in accordance with the adopted parking standards and although no car parking is proposed to be provided within the site, parking demand is likely to be low and sufficient capacity should be available on street and in nearby car parks to meet any parking demand that is generated by the development. There will be a need for parking for disabled badge holders and EV charging to be provided in the vicinity of the site in lieu of providing this within the site. Whilst the applicant has tabled plans to provide an on street disabled parking space, I consider two spaces should be provided and therefore I would consider a revised plan is required to address this issue. The applicant has also tabled proposals to provide an on-street loading bay for use by service vehicles to service the development. Whilst I consider this acceptable in principle, I consider it should be relocated slightly to the south so as to provide room for a second disabled space and reduce carry / wheeling distances. The provision of the loading bay and disabled parking spaces and amendments to the existing parking restrictions will require the existing Traffic Regulation Order to be amended. The cost of this will need to be funded by the applicant and, as such, I recommend that any approval granted will need to be subject to the applicant entering into a Section 106 Agreement relating to the payment of a financial contribution of £8000 to fund this. With respect to matters of detail, I consider access to one of the cycle stores needs to be amended (replacing a cycle channel with a larger lift) and would recommend advise is sought from the Council's Waste Officer in respect to the bin carry distances. Finally, it is important that measures are put in place to minimise parking demand and to allow and encourage occupiers and their visitors to travel by sustainable modes of transport. As such, I recommend that any approval granted is subject to conditions relating to the implementation of travel plan measures and the provision of cycle parking, wayfinding signage and a small number of uncontrolled pedestrian crossings.

**Recommendation: No objection, subject to:**

1. **The receipt of a revised plans and additional vehicle tracking diagrams**
2. **Conditions (to follow)**
3. **The applicant entering into a Section 106 Agreement relating to the payment of a financial contribution of £8000 (with RPI indexation) prior to the commencement of development to fund amendments to the existing Traffic Regulation Order on High Street to allow a loading bay and disabled car parking to be provided and the amendment of the existing parking restrictions.**

## **Nature Development Officer:**

### **Site Context**

The site is located at 18-37 High Street in central Stockport. The application is for the partial demolition/conversion of existing buildings, the creation of a residential development (Use Class C3) comprising 45 units, landscaping, highway works and other associated infrastructure.

### **Legislative and Policy Framework**

#### **Nature Conservation Designations**

The site has no nature conservation designations, legal or otherwise as listed in Stockport's current Local Plan (e.g. Site of Biological Importance, Local Nature Reserve, Green Chain).

Part of 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.

The application area is within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ), although this type of development is not relevant to the designation.

#### **Existing Ecology Reports**

A Preliminary Roost Assessment to assess likelihood of bats being present in the existing building has been submitted by Arbtch Consulting Ltd (2023). The building was assessed as having negligible potential due to the excellent condition of the brickwork and roof structure (and no loft / roof void) and therefore the lack of any potential bat roost features. There were no limitations in terms of access to the exterior or interior.

Developments are expected to achieve measurable net gains and enhancements for biodiversity. The DEFRA Biodiversity Metric can be used to demonstrate delivery of biodiversity net gain (BNG). Measurable gains for biodiversity are required under the NPPF. The Environment

Act 2021 now requires all major developments (with some exemptions) to deliver a minimum of 10% BNG for applications submitted from February 12th 2024 onwards.

A Biodiversity Net Gain assessment report and statutory metric has been submitted with this application. The site itself lacks any natural habitats and therefore the baseline is 0 for all biodiversity units. The landscaping plans show the inclusion of hedgerows (both ornamental and native) and some ornamental shrub planting. Although of low overall biodiversity value the net gain is therefore 100%.

### **Legally Protected Species**

#### **Bats**

*Bats 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.*

Many buildings have the potential to support roosting bats. The proposed works will impact on the building structure including the roof area. A Preliminary Roost Assessment to assess likelihood of bats being present in the existing building has been submitted by Arbtech Consulting Ltd (2023). The building was assessed as having negligible potential due to the excellent condition of the brickwork and roof structure (and no loft / roof void) and therefore the lack of any potential bat roost features. There were no limitations in terms of access to the exterior or interior.

#### **Nesting Birds**

*The nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended).*

Trees and other vegetation on-site have the potential to support nesting birds.

#### **Hedgehog**

*Hedgehog populations are declining rapidly in the UK and are identified as a UKBAP Species and Species of Principle Importance under the*

*NERC Act 2006. Hedgehog are also protected from capture and killing under the Wildlife and Countryside Act 1981 Schedule 6.*

Habitats on site have the potential to support hedgehog.

### **LDF Core Strategy**

#### **Core Policy CS8 Safeguarding and Improving the Environment Green Infrastructure**

3.286

#### **Strategic and Local Open Space**

3.290

#### **Biodiversity and Nature Conservation**

3.296 3.297

### **DEVELOPMENT MANAGEMENT POLICY SIE-3**

#### **A) Protecting the Natural Environment**

##### **Protecting, Safeguarding and Enhancing the Environment**

3.345 3.346 3.347

3.366 3.367 3.369

#### **Recommendations:**

It is considered that sufficient ecological information is available to inform determination of the application. No evidence of potential for roosting bats was recorded. 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. 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 roosting 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.

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

##### **Nesting Birds**

No vegetation clearance or 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) such works commence and provided written confirmation that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on site.

##### **Biodiversity Enhancements**

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). The Landscape Plan submitted with the application indicates

tree planting, native hedgerow, ornamental hedgerow, ornamental shrubs / grasses and trellis with a variety of climbing plants.

- Bats and birds: As a minimum it would be expected that at least 2 bat or bird boxes will be provided per floor level (omitting the ground floor) in the proposed building. Bird and bat boxes should be integrated or made from woodcrete/woodstone, rather than timber, for greater longevity and to reduce the likelihood of disturbance.
- Tree planting within the grounds should be maximised. A total of 5 hornbeam trees (*carpinus betulus*) are proposed within the current landscape plans. It is expected that the number of trees should be increased and include some locally native tree species. This is especially important given the location of the site within the Local Nature Recovery Strategy.
- The proposed hedgerows and shrub / grasses will provide an acceptable level of wildlife benefits in the form of native and ornamental species bearing fruits, nuts, plants that provide nectar across the seasons and opportunities for shelter. It would be expected that the mix of trellis climbing plants will include at least one native climbing species.
- Hedgehogs: any close board boundary fencing should incorporate gaps (130m x 130mm) to maintain habitat connectivity for wildlife (e.g. hedgehogs).

#### **Ecology survey shelf-life**

The following can be used regarding ecological survey shelf-life. Ecological conditions can change over time. In the event that works have not commenced within 18 months of the 2023 survey (i.e. by January 2025) it is advised that update survey work is undertaken by a suitably experienced ecologist to ensure that the ecological impact assessment and protection measures are based on sufficiently up to date survey data and so that any required amendments to proposed mitigation can be identified and incorporated into the scheme. This can be secured by condition.

**Planning Policy Officer (Employment):** No representations received.

**Surveyor (Council appointed):** The viability information presented on behalf of the applicant is correctly stated, and the conclusions reached are accepted. The scheme cannot meet the S106 requirements for affordable housing and open space. In common with standard practice, we recommend a clawback arrangement to protect the Council's position.

**United Utilities:** No objections subject to condition.

**Waste Management Officer:** No objections.

## **ANALYSIS**

### **THE 'TILTED BALANCE'**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan (as a whole) unless material considerations indicate otherwise. At a national level, the National Planning Policy Framework (the 'Framework') is a material consideration which the Local Planning Authority (LPA) must have regard to.

Paragraph 11 of the Framework states that decisions should apply a presumption in favour of sustainable development. 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.

For applications involving the provision of housing, paragraph d) above makes it clear that in Stockport the policies which are most important for determining the application are out-of-date in situations where the LPA cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer where relevant, as set out in paragraph 77)

The application site is not classed in the Framework as an area or asset of particular importance, and criterion 11d)i is not relevant. However, as the application is for housing and the LPA currently has a 3.78 years housing land supply, paragraph 11d)ii is relevant. The policies which are most important for determining the application are out-of-date. This material consideration 'tilts' the balancing exercise



for this application, from being neutral to one where the application should be granted unless any adverse impacts of doing so would *significantly and demonstrably* outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Even though the tilted balance applies, in determining the application it is still necessary to consider and give weight to Development Plan policies as these will inform the balancing exercise required under paragraph 11d)ii. Due weight should be given to them according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

## **PRINCIPLE OF DEVELOPMENT**

The proposed conversion and extension of the building to accommodate 45 self contained residential apartments in this sustainable town centre location is acceptable in principle, given the significant undersupply of housing in Stockport. Policy TCG2.1 promotes new retail development and other service uses in this location, but it does not rule out residential development.

Notwithstanding this, it is necessary for the development to comply with the overall provisions of the Council's adopted development plan and SPD guidance, as well as the advice contained in the NPPF. The main planning issues for this development are discussed below.

## **DESIGN/ IMPACT ON THE AREA**

The design of any new development should respect its setting and surroundings. The scale, massing and height of the development should be consistent with Core Strategy policies CS8, H-1, SIE-1, SIE-3 and SIE-5. Further design advice can be found in Stockport Council's adopted SPD 'The Design of Residential Development'.

The site is located within the St Peters Conservation Area, close to its boundary with the Hillgate Conservation Area, and adjacent to locally listed buildings that include the former Industrial School, Mansion House Chambers and St Joseph's School.

Noting the sensitive location of the site, the views of the Conservation Officer with respect to design are important. These are outlined in the 'Consultee Responses' section, and no objections are raised. If granted, conditions would be imposed on the decision notice to ensure the use of appropriate external materials and architectural detailing. The proposal has the potential to enhance the special character and appearance of the St Peters Conservation Area and wider townscape of the historic core, introducing a stronger sense of enclosure and continuity to High Street.

Adequate cycle parking would be provided for 45 cycles, and bin stores are proposed to serve the development. A Waste Management company would wheel the bins from the bin stores to kerbside on collection days. The Council's Waste Management Officer has been consulted on these arrangements, and no objections are raised.

A Crime Impact Assessment has been submitted with the application, assessing the development against the principles of 'Crime Prevention Through Environmental Design' (CPTED) in order to reduce opportunities for crime and the fear of crime. The submitted scheme has been approved by Greater Manchester Police. The physical security specification outlined in the assessment would be a condition of planning approval.

## **RESIDENTIAL AMENITY**

Core Strategy Policy SIE-1 sets out that satisfactory privacy and amenity for future, existing and neighbouring users and residents should be taken into account in new developments. Policy H-1 requires that new residential development contributes to the creation of successful communities. Good standards of amenity, privacy and safety/security should be provided for the occupants of new housing, and good standards of amenity and privacy should be maintained for the occupants of existing housing.

The development complies with the Council's adopted privacy distances within 'The Design of Residential Development' SPD. Notwithstanding this, it is noted that the outlook from the rear basement and ground floor windows would be constrained. This is due a combination of the change in site levels, the rear boundary treatment and position of a bike store. Furthermore, the proposed residents' garden is limited in its extent and would measure 130sqm (less when the space taken up by the two bike stores is discounted) which is considerably below the private amenity space standard recommended for the proposed number and size of units in 'The Design of Residential Development' SPD. This would total 946sqm. This arrangement is not ideal, however the development is subject to viability constraints and it must be accepted that any reduction in unit numbers or insistence on more on-site private amenity space would mean the development would not proceed and the proposed housing would not be provided.

Paragraph 128 of the NPPF confirms that planning decisions should support development that makes efficient use of land. Paragraph 129 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. In these circumstances, when considering applications for housing,

authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site. It is also accepted that in this instance the site is constrained by its narrow and elongated shape. Furthermore, the nature of the buildings and the need to preserve the special character and appearance of St Peters Conservation Area and the wider townscape of the historic core, means balconies are unsuitable in this instance.

Despite the above issues, it is still considered that the resulting scheme would provide a satisfactory standard of amenity, privacy and safety/security for the occupants of the new housing. The conditions/ informatives requested by the Environmental Health Officer (Public Protection) would be imposed if the scheme is granted. All the dwellings will also comply with the Government's Nationally Described Space Standard.

## **HIGHWAY CONSIDERATIONS**

Core Strategy Policy CS9 states that the Council will require that development is in locations which are accessible by walking, cycling and public transport. It stresses that the Council will support development which reduces the need to travel by car, and that development will be required to consider the needs of the most vulnerable road users first.

Policy CS10 confirms that the Council and its partners will manage development and seek to implement strategies which ensure that no section of the community suffers unnecessary inequality as a result of their transport needs not being sustainably met.

Policies T-1 states that development will be focused in the Town Centre in particular and also other existing centres, as these locations are the most accessible and already contain a wide provision of services and amenities.

New development, notably that generating significant numbers of trips, will be required to be sustainably accessible by public transport, walking and cycling.

Planning applications for new development that may have significant or specific transport implications will be expected to be accompanied by a Transport Assessment or Transport Statement and Travel Plan/Travel Plan Statement, the form of which will be dependent on the scale and nature of the development and its transport implications.

Where additional transport infrastructure and/or public transport and other passenger transport services are required to make the site accessible, developers will be required to provide such infrastructure and/or services. Alternatively developer contributions may be sought towards the cost of new infrastructure and

improvements to public transport services. Contributions will take the form of Section 106 contributions and/or the Community Infrastructure Levy.

Minimum standards for cycle parking in new developments are set out in the Council's adopted parking standards. Developers will also be required to provide other associated infrastructure in developments to support cycling, which could include showers, changing and drying facilities, and lockers.

Minimum parking standards for disabled parking and for powered two-wheelers are set out in the Council's adopted parking standards.

Policy T-2 requires that developments provide car-parking in accordance with maximum parking standards for each type of land use as set out in the existing adopted parking standards. 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 confirms that development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues. Developments shall be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking and servicing facilities.

The Highway Engineer has assessed the application, and their detailed comments are included in the 'Consultee Responses' section. No objections are raised, subject to conditions and the payment of £8,000.00 (with RPI indexation) by the applicant prior to the commencement of development. This is to fund amendments to the existing Traffic Regulation Order on High Street to allow a loading bay and disabled car parking to be provided, and the amendment of the existing parking restrictions. The conditions would be imposed if the application is granted, and the payment would be secured through a legal agreement. The legal agreement would also include a clawback which requires the applicant to fund EV charging points in the vicinity of the site, in the event that the viability of the scheme improves (at an agreed point in time usually close to the completion of the development).

## **AFFORDABLE HOUSING**

Core Strategy policy H3 confirms that affordable housing is required on sites providing 15 dwellings (gross) or more and sites of 0.5 hectares or more. The proportion of affordable housing sought varies across the borough to take account of property prices and economic viability. Subject to viability, the Council will negotiate to achieve 5-15% affordable housing in this location.

The NPPF advises that where the need for affordable housing is identified, it is expected that this will be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities (para 64). Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership (para 66).

In this case the application has been supported by a viability assessment. This has been independently assessed by the Council's appointed Surveyor and a Costs Consultant, and it is accepted that the development cannot support the delivery of affordable housing. If planning permission is granted, this would be subject to a legal agreement in relation to clawback. Where it is demonstrated (at an agreed point in time usually close to the completion of the development) that the viability of the development has subsequently improved, the Council would then seek to secure off-site affordable housing commensurate with the Policy guidelines.

## **CHILDREN'S PLAY AND FORMAL RECREATION**

Saved UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE2 confirm that there is an undersupply of formal recreation and children's play facilities in the Borough. As such, applications for residential development are expected to make a contribution towards that undersupply. The NPPF confirms at para 102 that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.

The proposed redevelopment of this site gives rise to the need to make provision for children's play and formal recreation when the above policies are applied. Where it is not possible to secure the provision for children's play on site within the development, compliance with this policy is secured by a commuted sum payment which is then invested in a play facility within the catchment area of the application site. The application site is within the catchment area of children's play spaces at Hollywood Park (NEAP) and Heaton Norris Park (NEAP), with the Council's Play and Infrastructure Officer recommending that the play commuted sum is allocated to Hollywood Park.

Other than for significant major developments where there is space to make provision for formal recreation on site, this element of the contribution is almost always made by a commuted sum payment and then invested in existing facilities across the Borough having regard to the projects contained on the Formal Sport Priority List.

For this development, the commuted sum required to ensure compliance with the policy position in respect of children's play would equate to £58,310.00 and for formal recreation the commuted sum would be £88,298.00.

Notwithstanding the above, as mentioned previously within this report the viability of the development means that a S106 contribution relating to children's play and formal recreation cannot be made and the development would not proceed if it had to be paid. The application fails to accord with the above policy position, and it is a departure from the development plan. If planning permission is granted, this would be subject to a legal agreement in relation to clawback. Where it is demonstrated (at an agreed point in time usually close to the completion of the development) that the viability of the development has subsequently improved, the Council would then seek to secure children's play and formal recreation contributions commensurate with the Policy guidelines.

## **LOSS OF EMPLOYMENT**

The part-demolition and part-conversion of the existing buildings would entail the loss of an employment site. Core Strategy Policy AED-6 'Employment Sites Outside Protected Employment Areas' states that 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 that the site is no longer viable as an employment use;
- b. the proposal will not adversely affect the operations of neighbouring premises;
- c. the loss of employment land would not lead to significantly longer journey to work patterns; and
- d. the development does not conflict with other policies.

This matter is addressed in the applicant's supporting Planning Statement that outlines:

*"The site was marketed for sale from October 2022 and the marketing agent (Cushman & Wakefield) prepared marketing particulars. These clearly identify the site as existing office accommodation and suggest that the building could be retained in this use or redeveloped for alternative uses given the context of the site.*

*Cushman & Wakefield received one enquiry who was clear in their intention to use the space for employment use, whilst there was in excess of 20 enquiries who were looking at it from a non-employment perspective. The enquiry for employment use did not materialise into an offer. The reasons for this are unknown however the building is clearly quite dated, in comparison to more modern and fit-for-purpose office space elsewhere in Stockport, including (for example) Stockport Exchange and*

*the emerging Town Centre West. The marketing of the site for the continuance of employment use and lack of interest and offers led to the conclusion that the space is no longer viable as an employment use.*

*The residential use of the site would not adversely affect the operations of neighbouring premises. Indeed...the adjacent school is supportive of the proposed development, and it would also complement the adjacent residential development. The change of use of the site would no impact journey to work patterns given the availability of office space elsewhere in the Town Centre and the fact that the previous occupier has already relocated.*

*Compliance with the remainder of the Development Plan policies is discussed later in this Statement, however it is concluded that no conflicts arise. As such, the proposed change of use of the site would comply with Policy AED-6.*

*It is also important to distinguish that whilst the site does comprise an existing employment site, it is not allocated for such uses. Paragraph 127 [of the NPPF] states that Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. It goes on to state:*

*In particular, they should support proposals to:*

*a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework;*

*...Stockport is in a position of significant under-supply of housing and the proposal would help to address the shortfall in a highly sustainable location, adding to the vitality of this area of Stockport Town Centre at an exciting point of its regeneration. As such, it is considered that the loss of the employment use of this site is justified and should be supported”.*

Compliance with Policy AED-6 is accepted, and it is probable that if this development does not proceed then the building will remain empty as it is no longer viable for employment purposes.

## **DRAINAGE**

Core Strategy Policy SIE-3 outlines that when managing flood risk, all development will be expected to comply with the approach set out in national policy. Where planning permission is required, areas of hard-standing or other surfaces, should be of a permeable construction or drain to an alternative form of SuDS.

Policy SD-6 requires development to be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. In particular, all development will be required to incorporate Sustainable Drainage Systems (SuDS) so as to manage the run-off of water from the site. Development on greenfield (not previously developed) sites will be required, as a minimum, to ensure that the rate of run-off is not increased.

Saved UDP Review Policy EP1.7 states that the Council will not permit development, including the raising of land, where it would:

- (i) be at risk from flooding;
- (ii) increase the risk of flooding elsewhere;
- (iii) hinder future access to watercourses for maintenance purposes;
- (iv) cause loss of the natural floodplain;
- (v) result in extensive culverting;
- (vi) affect the integrity of existing flood defences; or
- (vii) significantly increase surface water run-off

unless the applicant can demonstrate that satisfactory and sustainable measures will be implemented to overcome the adverse effects. All development which is likely to have an impact on drainage patterns should incorporate, as far as is practicable, sustainable drainage systems taking account of current Government advice

The site is located in Flood Zone 1 with a low probability of flooding.

A FRA and Drainage Strategy have been submitted. These have been accepted by the LLFA. If the application is granted, a condition would be imposed requiring the detailed drainage design to be in accordance/compliance with these documents. United Utilities has also raised no objections to the application, subject to conditions.

## **GROUND CONTAMINATION/ AIR QUALITY**

Core Strategy Policy SIE-3 confirms that new housing will not be permitted where existing pollution levels are unacceptable and where there is no reasonable prospect that it can be satisfactorily reduced through specific measures.

The Environmental Health team has raised no objections to the development. The conditions requested by the Environmental Health Officer (Contaminated Land) would be imposed if the scheme is granted.

## **SUSTAINABILITY AND ENERGY**



Core Strategy Policy CS1 seeks to ensure that all development meets an appropriate recognised sustainable design and construction method 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 meeting the Borough's carbon footprint reduction by achieving carbon management standards.

Policy CS8 outlines that development must be designed to meet a high standard of sustainability and pay high regard to the local environment.

Policy SD-3 requires applications to include an Energy Statement showing how carbon reductions will be achieved.

Policy SD-6 states that development should be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. 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 requires proposals to consider the need to deliver low carbon housing.

An Energy Statement has been submitted with the application that complies with Policy SD-3. Members should note, however, that new Building Regulations requirements include changes to 'Part L' focussing on greater fabric performance, lower energy demand and a move away from fossil fuels (gas and oil boilers) to electric heating systems. The carbon reductions achieved through the new Building Regulation standards, that the development would need to comply with if constructed, are now higher than those required by Policy SD-3.

## **ECOLOGY**

Core Strategy Policy CS8 states that development will be expected to make a positive contribution to the protection and enhancement of the borough's natural environment, biodiversity and geodiversity. Sites, areas, networks and individual features of identified ecological, biological, geological or other environmental benefit or value will be safeguarded.

Policy SIE-3 outlines that Planning applications should identify mitigation measures that keep disturbance to a minimum and provide alternative habitats to sustain at least the current level of population as well as setting out a long-term management plan for the site.

The Nature Development Officer has confirmed that sufficient ecological information has been submitted to enable determination of this application, and no objections are

raised. The conditions/ informatives requested by the Nature Development Officer would be imposed if the scheme is granted.

## SUMMARY

Members are well versed with the housing land supply position and the implications this has in respect of the presumption in favour of development. In short, where there is a shortfall against the required five-year supply, the Framework deems the policies which are most important for determining planning applications to be out-of-date, with the consequence that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The negative and positive impacts of the application have been considered against the development plan and the Framework in the preceding paragraphs, and are summarised below.

Negative Impacts	Positive Impacts
There will be no affordable housing or children’s play/ formal recreation contribution as the viability of the scheme does not allow it.	The development will provide 45 housing units on a sustainable brownfield site, in a period of prolonged significant under-supply
The outlook from the rear basement and ground floor windows would be constrained due to the change in site levels and rear boundary treatment. Furthermore, the proposed residents’ garden is limited in its extent and below the private amenity space standard recommended in ‘The Design of Residential Development’ SPD’.	The Conservation Officer has confirmed that the development has the potential to enhance the special character and appearance of the St Peters Conservation Area and wider townscape of the historic core, introducing a stronger sense of enclosure and continuity to High Street.
	Economic benefits, including the creation of construction jobs and spending by future residents on goods and services in the Town Centre.
	The productive use of a site that is no longer viable for employment use.

The phrase 'significantly and demonstrably' in paragraph 11 of the NPPF is crucial in coming to a view on this tilted balance. The fact that a proposal causes harm does not by default mean that permission should be refused. Rather, if Committee is to refuse the application it will be necessary to demonstrate that any harm arising from the proposal is so great that it 'significantly and demonstrably' outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Applying the tilted assessment it is not considered that the harm arising from the proposal 'significantly and demonstrably' outweigh the benefits. If an affordable housing and/ or children's play/ formal recreation contribution were sought, or the number of units was decreased, the development would not proceed as the viability of the scheme would not allow it. If planning permission is granted this would be subject to a legal agreement in relation to clawback. Where it is demonstrated (at an agreed point in time usually close to the completion of the development) that the viability of the development has subsequently improved, the Council would then seek to secure affordable housing and children's play and formal recreation contributions commensurate with the Policy guidelines. Furthermore, it is considered that the development would provide a satisfactory standard of amenity, privacy and safety/security for the occupants of the new housing. The development will also lead to economic benefits through the creation of construction jobs, and spending by future residents on goods and services in the Town Centre, and the productive use of a site that is no longer viable for employment use.

Under these circumstances, and with such a significant under-supply of housing in the Borough, the provision of 45 dwellings in a development that has the potential to enhance the special character and appearance of the St Peters Conservation Area and wider townscape of the historic core, is considered to outweigh the negative impacts. As such the presumption is favour of development should be applied, and planning permission should be granted for the development.

### **RECOMMENDATION**

Grant, subject to completion of the necessary S106 Agreement. A site visit should be undertaken by the Visiting Team prior to the Planning and Highways Regulation Committee.

If the application is approved, the decision will need to be deferred and delegated to Officers to enable completion of the legal agreement.

## **CENTRAL STOCKPORT AREA COMMITTEE (01/08/24)**

The Planning Officer introduced the application and advised Members that there were no further updates to report.

Members sought clarification from the Planning Officer as to the disabled access design of the scheme. The Planning Officer advised that the proposal included a platform lift to the existing block for disabled access, the new build block has step free level access, whilst both blocks have lifts to all floors.

The applicants' agent was available to answer questions. Members enquired as to what level of disabled access the apartments were being designed. The agent advised that they would meet the Building Regulations Part M requirement, but had not been able to be designed to higher levels of access due to the physical constraints of the site and the practical constraints of the building being in a Conservation Area.

Members sought clarification from the agent as to whether any financial contribution was being made to the adjacent primary school. The applicants' agent advised that this did not form part of the current application, although separate private discussions between the applicant and the school may possibly take place outside of the planning process.

Members debated the application, noting that the proposal did relate to a Town Centre brownfield site. The case for viability, the proposed 'clawback mechanism' and the resulting absence of any affordable housing and recreational open space contribution was acknowledged. Notwithstanding this, comments were made that a similar approach has been and will likely be repeated on residential sites across the Town Centre and an understanding is needed of the wider impact this has in terms of the general lack of infrastructure / open space and play area provision.

Committee agreed that the application be referred to the Planning & Highways Regulation Committee with a recommendation to grant planning permission. This was subject to a site visit being carried out by the Visiting Team (as per the recommendation of the Case Officer in their planning report).