

# Heatons and Reddish Area Committee

9<sup>th</sup> September 2024

## DEVELOPMENT APPLICATIONS

### Report of the Deputy Chief Executive and Chief Planning Officer

**ITEM 1**

DC/091778

**SITE ADDRESS**

Land and Buildings at Stanbank Street and Reuben Street Stockport SK4 1PX

**PROPOSAL**

Demolition of Existing Buildings and Structures and Erection of 9 Dwellings (use class C3) with associated car parking and landscaping

**INFORMATION**

These applications need to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Development and Control has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

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## **ITEM 1**

<b>Application Reference</b>	DC/091778
<b>Location:</b>	Land and Buildings at Stanbank Street and Reuben Street Stockport SK4 1PX
<b>PROPOSAL:</b>	Demolition of Existing Buildings and Structures and Erection of 9 Dwellings (use class C3) with associated car parking and landscaping
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	24.04.2024
<b>Expiry Date:</b>	20240619
<b>Case Officer:</b>	Paula Fitzgerald
<b>Applicant:</b>	Views
<b>Agent:</b>	Paul Butler Associates

### **DELEGATION/COMMITTEE STATUS**

Should Area Committee be minded accept the officer recommendation to grant permission, then it will be necessary for the application to be referred to the Planning and Highway Regulation Committee for determination as a Departure from the Development Plan.

### **DESCRIPTION OF DEVELOPMENT**

This application seeks full planning permission for demolition of existing buildings and structures and erection of 9 x 3 bedroomed terraced houses (use class C3) with associated car parking and landscaping.

The re-development comprises a terrace row of 9 dwellings fronting Stanbank Street. The properties would be set back from the street with front gardens and one car parking space per dwelling. Gardens would be provided to the rear with each property having secure storage for 1 bike. Bin storage is also located at the rear of the site with a shared storage area to the rear of Plots 1 and 2, and private storage in the rear garden of Plot 9.

The properties would be three-storey with a dual pitched gabled roof to the front elevation and will be two-storeys to the rear. Internally they would comprise a living / kitchen / dining space and WC on the ground floor, two bedrooms and a family bathroom on the first floor, and a further bedroom with ensuite to the second floor.

The dwellings would be of 'red' brick construction with 'grey' tiled roofs with contemporary elements provided through large window openings, the gable roof form and brick variation / detailing. The end elevations of the terrace block would feature blind windows to provide articulation.

The application is supported by the following documents:

Planning Statement.  
Highway Technical Note  
Energy Statement  
Crime Impact Statement  
Noise Impact Statement  
Phase 1 Desk Study (Contaminated land)  
Daytime Bat Survey

Extended Phase 1 Habitat Survey (Preliminary Ecological Appraisal)  
Assessment of Biodiversity - Biodiversity Net Gain (BNG)  
Drainage Design  
Drawing AT.23.11881.101 R.01 'Softworks and Planting'  
Evidence illustrating the lack of demand (Lancashire Properties letter dated 1<sup>st</sup> July 2024 and wtgunson letter dated 2<sup>nd</sup> July 2024).

N.B. Details of design and appearance are best appreciated by reference to the submitted plans appended to this report.

## **SITE AND SURROUNDINGS**

The rectangular shaped site (0.12 hectares) comprises vacant, previously developed brownfield land that was formerly used in use as a car repair garage. The site is located at the junction of Reuben St and Stanbank Street and bounded to the east by a commercial storage / service yard, and to the south by the rear of residential properties which front Manchester Road and a car park accessed off Reuben Street. On the north side of Stanbank Street are terrace properties which front Morton Street and Reuben Street.

The site is bounded by tall stone and brick boundary walls, which demarcate the site boundary and sit back of pavement to Stanbank Street and Reuben Street. There is a gated vehicular access / egress within the Reuben Street boundary wall. The site accommodates two single-storey buildings which are generally of brick construction with corrugated sheet roofing. The space between the buildings is tarmacked and there are no trees or vegetation within the site.

The surrounding area is predominantly residential in nature, comprising of Victorian and interwar housing, as well as later infill development which includes some apartment development. Towards the north of the site are commercial / industrial related uses forming part of Bankfield Trading Estate. Approximately 60m to the west of the site is the Former Ropeworks Development which is currently under construction and involves the provision of 34 residential dwellings on this former employment site. The site lies within a highly sustainable location with convenient access to local shops and amenities along Manchester Road, and Stockport Town Centre to the south.

The site which lies within an 'Employment Area' as identified on the Proposals Map of the Stockport Unitary Development Plan has no nature conservation designations, legal or otherwise, there are no trees on the site or immediately adjacent to it and the site is not within an Air Quality Management Area. The site is within Flood Zone 1 and therefore has a low risk of fluvial flooding with less than 1 in 1,000 annual probability of flooding where all forms of development are considered acceptable.

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. Case law (R. Cummins v Camden LBC 2001) has established that for a proposal to be in accordance with the Development Plan it is not necessary for it to accord with each and every policy, rather it should conform to the plan as a whole. Other material considerations include the National Planning Policy Framework ('the Framework') and associated Planning Practice Guidance ('the Guidance'), as well as Supplementary Planning Guidance documents.

## **The Development Plan includes-**

Policies set out in the Stockport Unitary Development Plan Review adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &

Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17<sup>th</sup> March 2011.

## **Saved Policies of The SUDP Review**

EP1.7: DEVELOPMENT AND FLOOD RISK

L1.1: LAND FOR ACTIVE RECREATION

L1.2: CHILDREN'S PLAY

E3.1: PROTECTION OF EMPLOYMENT AREAS

MW1.5: CONTROL OF WASTE FROM DEVELOPMENT

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

Objective 2 'Housing' states that the CS will achieve the housing policy goal by: ensuring a mix of housing is provided in order to achieve sustainable mixed communities; maximising urban area's potential by increasing its population through housing development; and, focusing new housing development in locations accessible to services and on previously developed land to assist regeneration.

CS1: OVERARCHING PRINCIPLES: SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGE

SD-1: Creating Sustainable Communities

SD-3: Delivering the Energy Opportunities Plans – New Development

SD-6: Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3: MIX OF HOUSING

CS4: DISTRIBUTION OF HOUSING

H-1: Design of Residential Development

H-2: Housing Phasing

CS7: ACCOMMODATING ECONOMIC DEVELOPMENT

AED3: Employment Development in Employment Areas

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-2: Provision of Recreation and Amenity Open Space in New Developments

SIE-3: Protecting, Safeguarding, and Enhancing the Environment.

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

T-1: Transport and Development

T-2: Parking in Developments

T-3: Safety and Capacity on the Highway Network

## **Supplementary Planning Documents and 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.

'Open Space Provision and Commuted Payments' (2019), 'The Design of Residential Development' (2007), 'Transport & Highways in Residential Areas' (2006), 'Sustainable Transport' (2007), 'Sustainable Design and Construction' (2012), Adopted Parking Standards (Appendix 9).

### **Strategic Housing Land Availability Assessment – 1<sup>st</sup> April 2023 (SHLAA).**

*“SHLAA forms the basis for understanding the capacity of the borough's existing urban areas to accommodate new housing development. The NPPF requires Local Authorities to prepare an Annual Position Statement setting out the 5-year housing land supply position with a base date of 1 April. Stockport currently has 3.78 years of housing land supply, which is less than the minimum 5-year requirement set out in the NPPF assessed against the most up-to-date local housing need assessment and based on the recent government consultation, with a 20% buffer applied”.*

### **Stockport Council Housing Delivery Test: Action Plan August 2023**

#### ***'Brownfield First' Strategy***

*The increasing pressure to release Greenfield and Green Belt land for new housing development in Stockport is well documented. In response to this, the Council has adopted a Brownfield First approach which seeks to identify all brownfield land across the borough and, through proactive intervention, work with land and building owners to unblock site delivery where sites are deemed to have stalled. The Council is concentrating resource to ensure that all options are explored on these sites. The approach includes the preparation of master plans and planning briefs to offer more certainty to developers. The Council will also explore the potential to utilise its Compulsory Purchase Order (CPO) powers and to undertake development back to back with a preferred developer. In this way, the Council is seeking to ensure that any required release of Greenfield and Green Belt land is kept to an absolute minimum.*

*This is an ongoing action and is being progressed by the Council's Strategic Housing Team, with support from Regeneration Officers and Planning Officers”.*

### **Stockport Climate Action Now (Stockport Can)**

The Council declared a climate emergency in March 2019 and agreed the ambition to become carbon neutral by 2038.

As well as large-scale improvements in health and wellbeing around the world, bold climate action can deliver economic benefits in terms of new jobs, economic savings, and market opportunities.

Subsequently, in December 2020 the Council adopted the Stockport CAN Climate Change Strategy, it sets out the initial actions that Stockport Council will take to make a difference on climate change over the next five years as it begins the journey

to net-zero 2038. This document is read alongside current planning policies and is being used to inform work in developing a new local plan.

## **National Planning Policy Framework**

A revised National Planning Policy Framework (NPPF) published by the Secretary of State for Levelling Up, Housing and Communities on 19<sup>th</sup> December 2023 replaced the previous revised/updated NPPFs. 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 is central government planning policy that should be taken into account in dealing with applications. It 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.

Para.11 is clear that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites or the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years.

Para.38 states that local planning authorities should approach decisions in a positive and creative way, making use of the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants. Decision-makers at all levels should seek to approve applications for sustainable development where possible.

Para.60 explains that in order to support the government's commitment to significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward for development where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including an appropriate mix of housing types for the local community.

Para.70 highlights that small to medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. Paragraph d) emphasises the importance of windfall sites and states that local authorities should support their development through giving great weight to the benefits of using suitable sites within existing settlements for homes.

Para.115 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.

Para.124 (c) explains that the planning system should specifically give substantial weight to the value of using suitable brownfield land within settlements for new homes and other identified needs. Further, sub-section (d) of this paragraph explains that planning should also promote and support the development of under-utilised

land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Para.126 notes that planning decisions need to reflect changes in the demand for land. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan...in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

Para.127 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. In particular they should support proposals to 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.

Para.128 sets out that the planning system should support development that makes efficient use of land, taking into account the following:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

### **Planning Practice Guidance**

The Planning Practice Guidance is a web-based resource which brings together planning guidance on assorted 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.

### **The National Design Guide**

The National Design Guide seeks to illustrate how well-designed places that are beautiful, healthy, greener, enduring, and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

### **RELEVANT PLANNING HISTORY**

DC/090064: Use of land and buildings for storage (use class B8) including alterations to existing buildings and boundary walls including creation of four

vehicular accesses from Stanbank Street, and erection of fencing, withdrawn 20.12.2023.

J/28350: New warehouse at ground floor level and offices at first floor level, refused 21.06.1983.

J/7276: Single-storey workshop, granted 10.11.1976.

J/7552: Brick garage, granted 07.12.1976.

N.B. Application Ref. DC/090064 is of particular interest, with objections raised by the Council's Environmental Health and Highways Consultees associated with the lack of compatibility with the surrounding residential area, in terms of activity and comings/goings, with nearby residential properties it is also noted that nine objections were also raised by neighbouring residents.

### **NEIGHBOUR'S VIEWS**

The owner/occupiers of neighbouring/surrounding properties have been notified and the application has been advertised by site and press notice as a Departure from the Development Plan. To date four representations expressing objection have been received raising the following concerns: -

Loss of access to garage.

Light pollution.

Loss of privacy.

Issues with on street parking for existing residents.

Overbearing impact of a 3-storey property.

3 storey dwellings are not part of the character of the area.

Stanbank St and Reuben St having original setts for the road which will be damaged by the increase of traffic from the proposed development.

The development is 'overdevelopment' and there is no designated amenity space.

Size, scale and design out of keeping with the immediate area.

No affordable housing provision.

A less dense, smaller development on the site would be more appropriate.

Pollution concerns from Dodgson Asphalt Company's operation which is in close proximity.

Existing boundary walls and future management.

### **CONSULTEE RESPONSES**

Planning Policy Officer: The 2022 Employment Land Review (ELR) includes a qualitative assessment of existing employment sites and Coronation Street/Reuben Street was found to be of 'moderate quality', scoring 29 out of 39, with key issues being its fragmented layout, poor quality stock along Reuben Street requiring significant investment and conflict with residential and retail uses which prohibit heavy industry and may cause noise/transport issues. Its main attributes include its strong location given motorway access and the well-established nature of the estates', access to local amenities and access to the strategic highways network.

The proposal is for the demolition of existing buildings and structures and associated land to provide 9 terraced residential units facing Stanbank Street. The land currently comprises largely vacant previously-developed land and dilapidated buildings that has been disused for 18 years, and which was formerly in use as a car repair garage.



The site is a designated Employment Area under Saved UDP Policy E3.1. As residential use is not supported in principle, this would represent a departure from the development plan.

National policy at Paragraph 124 promotes the development of underused previously-developed land and at Paragraph 126 local authorities are encouraged to support alternative uses on land allocated for employment where there is no reasonable prospect of the land coming forward for that use and where the proposed use would meet an unmet demand.

Evidence in the ELR highlights that the Employment Area, whilst being in a strong location is fragmented in its layout, has poor quality stock and conflicts exist with adjacent residential uses. The ELR uses assessment criteria in its advice for release of employment sites and this raises a number of questions relating to whether a higher quality employment offer could be attracted that suitably responds to market demand, the compatibility with the character of the surrounding area, whether operations of nearby existing employment uses would be restricted and whether loss of the site would achieve wider strategic policy objectives such as via resolving conflicts between compatible uses.

The agent has set out in the Planning Statement that Saved UDP Policy E3.1 is out-of-date when noting the presumption in favour of sustainable development in the NPPF, its provisions in Paragraph 124 and 126, and the Council's Housing Land Position Statement 2023 update. Furthermore, it is outlined that the policy encourages B1, B2 and B8 uses although none are considered feasible as:

A previous application for storage use was met with strong resistance from Environmental Health, Highways and objections from residents.

Office use is not suitable as it is a main town centre use and is outside of a town centre.

It is also noted by the agent that the site has been featured in the Council's SHLAA and that a number of sites in the local area that were previously in employment use have been approved for residential use. It should be noted that the inclusion of any site in the SHLAA assessment does not indicate that it will necessarily be allocated or successfully obtain permission for housing. Each application should be taken on its own merits irrespective of a site's inclusion or otherwise in relation to the SHLAA.

We do not agree that the policy is out-of-date, although it is recognised that full consideration of the proposal against all the listed factors in Saved UDP Policy E3.1, including job creation, is less relevant.

The agent confirms that the land and buildings have been vacant since 2006 and so it is not considered to be prudent to require evidence in respect of marketing to accompany Saved UDP Policy E3.1 in this case. The additional evidence provided by two local property agents further illustrates the lack of demand, as it is concluded that the site would require a significant level of investment due to its deliverability issues owing to there being no level access, buildings being in poor condition and the presence of asbestos, in addition to the site being too small to attract interest for modern commercial occupiers.

In respect of other factors posed by E3.1:

**The extent to which the area can continue to function as an Employment Area will be maintained or enhanced** – The evidence in the ELR, and the case set out in the Planning Statement, outlines that the Employment Area has become fragmented with much of the area south of the former Stockport Canal being lost to housing and this has diluted the overall function of the site as being suitable for employment uses, particularly as the site is already adjacent a number of terraced properties. As such, the proposal does not weaken the function of the Employment Area in isolation as it has already been eroded over time.

**Compatibility of the proposed use with use of adjacent land for employment purposes** – The proposed residential units will be more compatible with surrounding residential uses immediately to the north and to the east. The land has also been assessed as ‘developable’ in the SHLAA which will have taken compatibility issues into account.

In relation to the additional questions posed by advice in the ELR that are not covered by E3.1 above:

**Can a higher quality employment offer be attracted?** – The ELR asks whether the qualitative score of the site be feasibly improved to create a higher quality offer that responds to market demand. I judge that the information provided by the agent proves that the site is not attractive to the market and the ELR assessment of the site finds that significant investment would be required to resolve its issues which are compounded by its fragmented nature.

**Nearby employment operations restricted?** – It is not considered that the additional residential units would restrict employment operations in this part of the Employment Area, much of which is unsuitable for heavy industry and associated heavy duty lorries in any case due to tight residential streets and cobbled surfaces.

**Wider strategic policy objectives achieved?** – As noted by the agent, the proposed residential units would contribute to the Council achieving a 5 year supply of housing land.

As such, it can be concluded that the site is unlikely to be suitable for the market, that the prospects of future employment use are very limited and that the benefits of the proposal are sufficient to outweigh the loss of this part of the Employment Area. It is therefore judged that Saved UDP Policy E3.1 is met in principle.

Senior Highway Engineer: The proposed dwellings benefit from off street parking accessed onto Stanbank Street. It is accepted that the effective loss of on street parking resulting from the new drives is likely to result in vehicles parking elsewhere locally. The Transport Note submitted with the application includes a parking survey around the site and confirms that there is capacity for any vehicles displaced from Stanbank St. The site has good access to public transport and other services reducing potential reliance of residents on private motor vehicles. Each dwelling also requires electric vehicle charging facilities details of which may be secured by condition. It is a policy requirement that secure covered cycle storage be provided for each dwelling. Details are required and conditioned. Driveways are noted as resin bound; further details are required to demonstrate compliance with sustainable drainage policies in not impacting on the existing surface water network. Applicant should also note that no surface water is to discharge onto the highway. The exiting vehicular access onto Reuben St which will now be disused is to be infilled to finish flush with general footway level. Details required together with details for resurfacing footways to site frontages and of proposed vehicle crossing to access drives. Given

proximity of site to residential and commercial properties and restricted access/parking I recommend that a condition be applied requiring submission of details of demolition and construction methodology and how impact on neighbours and highway are mitigated. Pedestrian visibility splays 1m x 1m are required at each side of driveways where meeting back of footway within which nothing obstructs visibility above 600mm above footway. Recommendation no objection subject to conditions.

Nature Development Officer: 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). The application area is within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ); however, the type of development does not fall within the designation criteria.

A BNG assessment has been submitted with the application which demonstrates that a good level of biodiversity net gain will be achieved on the site. Total baseline Habitat Units = 0.06 Habitat Units. Total Post-Development Habitat Units = 0.12 Habitat Units. On-site Net Change in Habitat Units = +0.06 Hab Units = +100%

No objection subject to conditions on Landscape and Ecological Management Plan, Biodiversity Enhancement Plan (5 bird and 4 bat boxes), lighting, ecological shelf life, invasive non-native species, and nesting birds.

Environmental Health Officer (Noise): No objection to the proposed development subject to conditions (A Construction Environmental Management Plan, Development in accordance with Noise Impact Assessment recommendations).

Environmental Health Officer (Contaminated Land): I have reviewed the Earth Environmental Phase 1 GeoEnvironmental Desk Study Report dated February 2024, they report has identified there are potential onsite sources of contamination and they have recommended a Phase 2 intrusive investigation for soil and gas. No objection subject to conditional control.

Drainage Engineer (LLFA): The LLFA recommends that the application is acceptable in principle subject to a detailed design. The development shall be completed and maintained in full accordance with the approved details.

Arboricultural Officer: A detailed landscaping scheme need to be further considered/drawn up as part of any planning application submitted which clearly shows enhancements of the site and surrounding environment to improve the local biodiversity and amenity of the area especially along the highway frontage.

United Utilities: No objection subject to the detail of the drainage strategy being conditioned.

Design for Security: No objection subject to conditional control.

## **ANALYSIS**

### **Tilted Balance**

The NPPF outlines that decisions should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan; or where there are no relevant development plan policies, or the policies which are most important for determining

the application are out-of-date (where the LPA cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in para.77 of the NPPF).

In respect to the presumption in favour of sustainable development it is noted that Stockport is in a position of significant housing undersupply (3.78 years) against the minimum requirement of 5 years +20% buffer as set out in the NPPF. Accordingly, the policies which are most important for determining the application are out-of-date which '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.

#### Loss of Employment Land - aims and objectives of Policy E3.1.

At the outset it is noted that the site lies within a designated 'Employment Area' as identified on the Proposals Map of the Stockport Unitary Development Plan, and consequently under the provisions of Policy E3.1 residential redevelopment in land use terms would represent a departure from the Development Plan. Nonetheless the Employment Land Review identifies the site to be of 'moderate quality', with key issues being its fragmented layout, poor quality stock along Reuben Street requiring significant investment and conflict with residential and retail uses which prohibit heavy industry and may cause noise/transport issues.

In addition, the NPPF at para 124 outlines that substantial weight should be given to the value of using suitable brownfield land within settlements for new homes and planning should also promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

Moreover, the NPPF at para 126 notes that planning decisions need to reflect changes in the demand for land. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan...in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

Furthermore, the applicant's agent assertions that (i) a previous application (Ref. DC/090064) for storage use which would align with its employment use designation was met with strong resistance from Environmental Health, Highways and objections from residents; and that (ii) office use is unsuitable as a main town centre use outside of a town centre is accepted as a reasonable argument which should be apportioned appropriate weight in favour of the principle of residential re-development.

It is also noted that whilst the site has been featured in the Council's SHLAA this does not indicate that it will necessarily be allocated or successfully obtain permission for housing, nonetheless each application should be taken on its individual merits.

The agent confirms that the land and buildings have been vacant since 2006 and accordingly it is not considered reasonable to insist on marketing evidence in this instance, nevertheless evidence provided by two local property agents further illustrates the lack of demand, as it is concluded that the site would require a significant level of investment due to its deliverability issues owing to there being no

level access, buildings being in poor condition and the presence of asbestos, in addition to the site being too small to attract interest for modern commercial occupiers.

Overall, it is considered that the site is unlikely to be suitable for the market, that the prospects of future employment use are very limited and that the benefits of the proposal are sufficient to outweigh the loss of this part of the Employment Area and accordingly it is considered that that residential redevelopment of the site wouldn't undermine the aims and objectives of Policy E3.1.

### Provision of Housing

The NPPF puts additional emphasis upon the government's objective to "significantly boost the supply of housing", rather than simply having land allocated for housing development. The NPPF outlines that decisions should promote an effective use of land in meeting the need for homes where strategic policies should make as much use as possible of previously-developed land and indicates that decisions should promote and support the development of under-utilised land, especially if this would help to meet identified needs for housing where land supply is constrained.

Moreover, the NPPF recognises that small and medium sized sites can make an important contribution to meeting housing requirements and are often built out quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes.

Policy CS2 states that a wide choice of quality homes will be provided to meet the requirements of existing and future Stockport households. Policy H2 states that the delivery and supply of new housing will be monitored and managed to ensure that provision is in line with the local trajectory, the local previously developed land target is being applied and a continuous 5-year deliverable supply of housing is maintained, and notes that the local previously developed land target is at least 90%. This applies from 2011 onwards when there is a five-year deliverable supply. Policy CS4 directs new housing towards three spatial priority areas (the town centre, district, and large local centres, and finally, other accessible locations)

In situations of housing undersupply Policy CS4 allows Policy H-2 to come into effect bringing housing development on sites, which meet the Council's accessibility criteria. For the purposes of applying Policy H-2, the current minimum accessibility score (AS) is set at 'zero'. To summarize taking into account the under delivery of housing within the Borough the contribution to overall housing supply carries significant weight and in accordance with the tilted balance, the redevelopment accords with Policies CS4 and H2 and aligns with aims and objectives of the Council's Housing Delivery Test Action Plan 2023 which advocates a 'brownfield first' approach and assists in reducing pressure for development within the Green Belt.

Policy CS3 states that all new housing should contribute to the provision of an appropriate borough-wide mix of housing; and sites in the most central locations are the most suitable for higher density development. The scheme will provide 9 x 3 bedroomed terraced houses, which would be attractive to a range of potential occupiers and provide a source of more affordable accommodation, and as such the development will also help towards meeting local demand for housing and providing variety to the housing tenure available.

For reasons outlined above the proposed redevelopment would accord with Core Strategy Objective 2 'Housing', policies CS2, CS3, CS4, and H2; and the provisions of the NPPF.

### Land Contamination

The Council's Environmental Health Officer having reviewed the Phase 1 Report and noting that there are identified potential onsite sources of contamination requiring a Phase 2 intrusive investigation for soil and gas raises no objection subject to conditional control and accordingly the proposed redevelopment accords with the provisions of policy CS8.

### Sustainable Drainage

Policy SD-6 requires a 50% reduction in existing surface water runoff and incorporation of Sustainable Drainage Systems (SuDS) to manage the run-off water from the site through the incorporation of permeable surfaces and SuDS and it is noted that the Council's Drainage Engineer remains satisfied that the submitted Drainage Strategy is acceptable in principle in accordance with the provisions of policies EP1.7 and SD-6.

### Living Conditions, Amenity, Design, Character & Appearance

Policy SIE-1 sets out that development should be designed with high regard to the built or natural environment in which it is sited; and sets out that the provision, maintenance, and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents should be taken into account.

Policy H-1 requires that the design and build standards of new residential development should be high quality, inclusive, sustainable and contribute to the creation of successful communities. Proposals should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale, and appearance, and should consider the need to deliver low carbon housing. Good standards of amenity, privacy, safety/security, and open space 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 Design of Residential Development' SPD's overall purpose is to achieve high quality design in residential development; the document has three broad aims: 1. promote high quality inclusive design; 2. ensure efficient use of resources; 3. Endorse developments that make a positive contribution to the townscape and landscape character of the local area. The SPD outlines that despite their small scale; 'infill' developments can have a significant effect upon the appearance of an established street, although much depends upon the character of the area and the sensitivity of the design. Moreover, guidance states that rigid adherence to the standards can stifle creativity and result in uniformity of development. The Council therefore encourages imaginative design solutions and in doing so may accept the need for a flexible approach between new dwellings, where relaxation of standards will be judged on a case-by-case basis. Whilst standards should be taken into consideration as, an aid to judgement weight should be given to the fact that the proposal lies within an established residential area where the prevailing high density and building form drive how the site should be best developed.

The terrace of 9 houses would align Stanbank Street being set back behind front driveways / gardens. To the north of the site on the opposite side of Stanbank Street are terraced properties on Reuben Street and Morton Street. These properties are aligned so that it is the end gable which faces towards the site. The gables are either blank or with windows to non-habitable room windows. The proposed dwellings would be situated approximately 17m from these houses which complies with the 15m separation distance set out in the Design of Residential Development SPD (required by a habitable room on a three-storey dwelling and a blank gable).

To the south of the site is a two-storey apartment development on Manchester Road. The rear of the proposed terrace block will be positioned approximately 24.5m from this development. This is broadly in line with the 25m separation distance set out by the Design of Residential Development SPD; and, taking account of the surrounding context and separation distances which exist between other properties in the area, this is considered appropriate. Due to the good level of separation distances achieved the amenity of existing residents is safeguarded and there will be no adverse impacts in terms of overlooking, loss of privacy, overshadowing, overbearing, loss of light etc. More generally the redevelopment of the site, which is currently vacant and unattractive, with a high quality designed residential development will enhance the general amenity of the area.

It is noted that the site to the east comprises storage use. This is a low-level activity and apparently operates without detriment to the amenity of neighbouring. The application is supported by a Noise Impact Assessment which has measured noise levels in the vicinity of the site. Based on these measured noise levels the report confirms that a standard thermal double glazing will be sufficient to control internal noise levels across the development. Environmental Health Officer raises no objection to the proposed development subject to conditions (A Construction Environmental Management Plan, Development in accordance with Noise Impact Assessment recommendations). Overall, the proposed scheme would not have a detrimental impact on the amenity of existing residents or future occupants of the scheme, and as such accords with the provisions of policies H-1 and SIE-3.

Each plot would benefit from a rear garden measuring between 32 – 60 m<sup>2</sup> (with six of the properties having gardens of 44 m<sup>2</sup>). Whilst these areas fall slightly below the guidance figure of 50 m<sup>2</sup> advocated within the Design of Residential Development SPD, the garden sizes proposed are in keeping with the general context and the size of gardens to other properties in the area. Importantly the gardens would have space for hard and soft landscaping and provide sufficient space for drying washing, relaxing outdoors, children's play etc. Additionally, it is also noted that the site is in walking distance of public open spaces including South Reddish Village Park and Whitehill Playing Fields to the north, and Reddish Vale Country Park to the east. Nonetheless, given that garden sizes are less than ideal should permission be forthcoming then it would be appropriate to impose a condition withdrawing permitted development rights for extensions, alterations, and outbuildings.

The overall design approach is sympathetic in terms of siting, scale, massing, design, roofline, and materials and would be broadly in keeping with the character and appearance of the immediate surroundings were terrace properties are a common feature. The density of development at 75 dph strikes the correct balance between the need to safeguard amenity and local character and the efficient use of land in accordance with the provisions of Policy CS3. The layout and form of development represents a considered response to its context, reflecting the surrounding built form and urban grain and would avoid any undue impact on the amenity of neighbouring properties, which overlook the site, and for future occupiers

by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy. Overall, the proposal accords with the provisions of Policies CS8, SIE-1 and H-1 and guidelines set out in the Design of Residential Development SPD. Bin storage would be accommodated in accordance with the provisions of Policy MW1.5.

### Crime and Security Matters

The application is supported by a Crime Impact Statement (CIS) prepared by Greater Manchester Police Design for Security. The CIS recognises a series of positive benefits associated with the scheme at section 3.2. The report also advises on a number of recommendations to enhance security relating to doors & access controls, windows, glazing, lighting, CCTV and landscaping. These measures will be incorporated into the scheme where feasible. On the basis that the recommendations of the CIS are complied with the application will therefore be considered consistent with requirements of the NPPF relating to safety and reduction of crime.

### Highways, Accessibility, Parking and Servicing

Policy CS9 states that the Council will require development to be located in areas, which are accessible. Development should consider the needs of the most vulnerable users first, using a hierarchy, which puts pedestrians first. Policy T-1 states that new developments should maintain and enhance the connectivity, accessibility, convenience, safety, and aesthetic attractiveness of the walking and cycling networks and other public rights of way for all users. The layout of new developments and their links to the surrounding walking network should take account of design features, which discourage crime and antisocial behaviour. The policy refers to the Council's adopted parking standards, including cycle and disabled parking standards. Policy T-2 requires that developments provide car parking in line with the maximum parking standards for the proposed land use, as per the adopted parking standards. Policy T-3 notes 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 are required to be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking, and servicing facilities.

The site is in a sustainable and accessible location with access to a wide range of shops, amenities and services with Stockport Town Centre also being nearby. The site also benefits from excellent public transport links, including frequent bus services and proximity to Stockport Railway Station.

The terrace of 9 houses would benefit from off street parking accessed onto Stanbank Street where it is accepted that the effective loss of on street parking resulting from the new drives is likely to result in vehicles parking elsewhere locally. The Transport Note submitted with the application includes a parking survey around the site and confirms that there is capacity for any vehicles displaced from Stanbank Street. In terms of car parking provision and highways matters para.115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is a high policy test, and it is not considered that the development would be associated with severe adverse highway impacts to justify refusing planning permission.

The site has good access to public transport and other services reducing potential reliance of residents on private motor vehicles. Each dwelling also requires electric



vehicle charging facilities and secure covered cycle storage details of which may be secured by condition.

Overall, for the reasons outlined above the Council's Senior Highway Engineer remains satisfied with the means of access, off-street parking, and servicing arrangements subject to conditional control requiring cycle storage, electric vehicle charging provision, full details of driveway/parking surfacing in accordance with the provisions of policies MW1.5, SIE-1, SD-6, CS9, CS10, T-1, T-2, T-3 and, the Sustainable Transport SPD.

### Energy/ Carbon Emissions

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. Policy SD3 requires development to demonstrate how it will assist in reducing carbon emissions through its construction and occupation through the submission and approval of an energy statement. Members may however be aware that new Building Regulations came into force on 15th June 2022 which include changes to 'Part L' of the Regulations focussing on greater fabric performance, lower energy demand, and a move away from fossil fuels (gas and oil boilers) to electric heating systems. The changes should cut carbon dioxide (CO<sub>2</sub>) emissions from new homes by around 31%. The carbon reductions required through the new Building Regulation standards, that the development would need to comply with if constructed, are now higher than those required by the current Core Strategy Policy SD-3. Whilst this makes the need to submit an energy statement in this instance redundant the applicant's agent has indicated that the redevelopment will incorporate the installation of energy efficient heating systems and appliances which will minimise carbon emissions and an Energy Statement has been submitted as part of the application.

### Open Space and Commuted Sum Payments

Policy L1.1 confirms that the Council will seek to achieve an overall minimum standard for the Borough of 2.4 hectares per thousand population for active recreation. Provision of land for formal sports is below the desired level. Within this standard, 0.7 hectares per thousand population should be available within easy access of homes for children's play. The Council will seek to achieve and maintain these standards; however, calculations will also be made in response to particular proposals. Policy L1.2 confirms that in considering development proposals the Council will take account of children's play needs and will require where appropriate the provision of suitable and accessible space and facilities to meet these needs.

Policy SIE2 confirms that development is expected to take a positive role in providing recreation and amenity open space to meet the needs of its users/occupants. In those parts of the Borough with a deficiency in recreation and amenity open space, small new residential developments will be required to contribute towards the provision of open space for formal and casual recreation and children's play in locations which are accessible to future occupiers.

The requirement to make provision and maintenance of recreation and amenity open space and facilities in a timely manner to meet the needs generated by the development under the provisions of Policy SIE-2 can be satisfied through a commuted sum (£53,856) to satisfy a population capacity of 36 people can be secured through a planning obligation under Section 106 of the Town & Country

Planning Act 1990 (as amended) and in compliance with Regulation 122 of the CIL Regulations.

### Affordable Housing

Notwithstanding the provisions of Policy H-3, there is no requirement for affordable housing given that the NPPF states that the provision of affordable housing should not be sought for residential developments that do not comprise major developments (10 residential units).

### Ecology and Biodiversity

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. Development that is designed and landscaped to a high standard and which makes a positive contribution to a sustainable, attractive, safe, and accessible built and natural environment will be given positive consideration. Policy SIE-3 confirms that, inter alia, development proposals affecting trees, woodland and other vegetation which make a positive contribution to amenity should make provision for the retention of the vegetation unless there is justification for felling, topping, or lopping to enable the development to take place.

The application is supported by an Extended Phase One Habitat Survey (Preliminary Ecological Appraisal). The report concludes that there is no evidence of protected species on the site, which could be affected by development and the submitted bat survey concludes that buildings have negligible potential to supporting roosting bats. The Council's Nature Development Officer has raised no objection, noting that the submitted Biodiversity Net Gain Assessment demonstrates that a good level of biodiversity net gain will be achieved on the site and raises no objection subject to conditions on Landscape and Ecological Management Plan, Biodiversity Enhancement Plan (5 bird and 4 bat boxes), lighting, ecological shelf life, invasive non-native species and nesting birds. Overall, the proposal accords with the provisions of policies CS8 and SIE-3 in respect of ecology implications.

### Summary - 'Sustainable Development/Planning Balance'

Given the persistent under delivery of housing para.11(d) of the NPPF ('the tilted balance') is engaged.

The purpose of the planning system is to contribute to the achievement of sustainable development, which is multi-faceted, encompasses three overarching objectives - economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways. Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should consider local circumstances, to reflect the character, needs and opportunities of each area.

Economic benefits consist of supporting the efficient use of a previously developed accessible site and contributing to the local economy. Social benefits are associated with the contribution to boosting the supply of housing when Stockport currently remains in a position of continued and significant under supply. Environmental benefits include enhancing the environment using underused site in a highly sustainable and accessible location and involving the installation of energy efficient

heating systems and appliances which would minimise carbon emissions. Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should consider local circumstances, to reflect the character, needs and opportunities of each area.

Overall, the provision of a housing will make a valuable contribution to the overall supply of housing at a time of continued and significant under supply where there is a requirement to identify sites for new housing development should be considered. When the range of considerations are weighed in the overall planning balance there are no adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

The proposal amounts to Sustainable Development in accordance with the Development Plan; where Section 38(6) requires that the grant of permission subject to conditions be deferred and delegated to secure a commuted sum (£53,856) through a planning obligation under S106 in compliance with Regulation 122 of the CIL Regulations and to satisfy the requirements of Policy SIE-2.

### **RECOMMENDATION**

Defer & delegate the grant of planning permission.