

ITEM 3

Application Reference	DC/089342
Location:	The Pyramid Kings Valley Yew Street Heaton Mersey Stockport SK4 2JU
PROPOSAL:	Change of use of existing office building to Buffet Restaurant, Banquet Halls and storage with ancillary offices
Type Of Application:	Full Application
Registration Date:	07.09.2023
Expiry Date:	20231207
Case Officer:	Jeni Regan
Applicant:	RN Manchester Limited
Agent:	NK Architects

DELEGATION/COMMITTEE STATUS

Planning and Highways Regulation Committee – Development of in excess of 5,000 square metres of floorspace. The application is being presented to the Heaton and Reddish Area Committee for comment and recommendation only.

The application is also referred to Central Area Committee on Thursday 31st October 2024, due to site location close to the Area Committee boundary, for comment and recommendation only.

DESCRIPTION OF DEVELOPMENT

Members should note that amendments contained within The Town and Country Planning Act (Use Classes) (Amendment) (England) Regulations 2020, allow a permitted change between an office use and a food and drink use, as both of these uses now fall under Class E (Commercial, Business and Service). The former B1 office use has now been merged into Class E(g), and Food and Drink uses are now classified as a Class E (b) use. Therefore, planning permission is no longer required to change a building in office use to a restaurant/banqueting facility.

However, in this case, an investigation into the historic planning permissions for the Kings Valley Pyramid building discovered a condition that restricted the future use of the building. This condition stated that the buildings shall not be used for any purpose other than purposes in Classes B1, B2 or B8 of the 1987 Town and Country Planning Act (Use Classes) (Amendment) (England) Regulations. Further research concluded that the historic planning conditions does limit the wider permitted changes of use brought in by The Town and Country Planning Act (Use Classes) (Amendment) (England) Regulations 2020. On this basis, the historic condition preventing the premises being used for any other purpose than B1, B2 or B8 referred to in the condition or permission would prevent a permitted change to a different purpose within Class E. On this basis, it was confirmed that planning permission would be required in this case.

Therefore, on this basis, planning permission is now sought through this application for the change of use of this existing office building to create a new buffet restaurant and banqueting facility for The Royal Nawaab Group. The proposals also include the provision of office space for the business and storage areas on the upper floors of the building.

The layout and use of the building would be as follows:

Ground Floor

Buffet Restaurant for 360 covers with a theatre kitchen, buffet counter, private VIP dining rooms, buffet reception and waiting area, back kitchen including cold stores and freezers; the main entrance for the banquet halls on the floors above; a feature staircase connecting the ground to the first-floor banquet hall waiting area.

First Floor

Large banquet hall for 680 covers with large banquet reception area, bride room, prayer rooms and servery kitchen.

Second Floor

Creation of a medium sized banquet hall with a seating capacity of 300 seats and a small banquet hall with a seating capacity of 150 seats; both these halls have their own reception areas, brides rooms and banquet servery kitchens.

Third Floor

Mainly used as storage for large items of furniture, including banquet tables, chairs, and stage sets (for Asian weddings) etc.

Fourth Floor

Consist of administration offices - it is the intention of the applicant to have their main administrative offices for all their restaurants in this building.

On the basis of the above, the maximum capacity of the proposed use would be 1,490 covers, with approximately 150 staff on site at full capacity. As outlined above, 407 car parking spaces are existing at the site with 20 disabled accessible spaces close to the main front entrance. The proposals include the provision of 20 covered bicycle spaces available for both staff and customers and a dedicated area for the parking of 5 motorcycles. The proposed operational hours would be 17:00 to 23:00 on weekdays and 13:00 to 23:00 on weekends.

This application does not include any elevational alterations to the existing building or the existing site layout. However, Members should note that planning permission was Granted under application DC/090818 on the 8th March 2024 for a new feature entrance canopy to the front entrance on the western elevation of the Pyramid building.

To provide some background information on the applicant, The Royal Nawaab group was established in Bradford 35 year ago and now have 11 restaurants in the UK and Europe, including their flagship branch in the Hoover Building in London.

SITE AND SURROUNDINGS

The application site is the Stockport Pyramid, which is a commercial office building on the edge of the Town Centre and MDC area of Stockport. The pyramid was built in 1992 and was meant to be part of a wider development scheme to construct multiple pyramids in the Kings Valley area. However, these were never constructed.

The pyramid was occupied by the Co-operative Bank between 1995 and 2018 and has been vacant since that time.

The site is comprised of the main pyramid building with associated car parking and landscaping surrounding it. It is an iconic building in Stockport located on the M60 frontage with the River Mersey running behind it.

As outlined in the submission, the building consists of a large ground floor, with a further 4 floors above. There is also a plant level at the top of the building with a louvred grill around this for ventilation. Due to the pyramid design of the building, the footprint of the floor area reduces as you travel up the building. The existing building stands approximately 35 metres from the external finished floor level to the pinnacle of the pyramid. There is a central atrium containing 2 feature glass lifts, which connects all the floor levels, and allows natural light to permeate into the centre of the building. The glass façade of the building has an internal reflective film applied to it to reduce solar heat gain.

The main vehicular access into the site is from the western boundary onto Yew Street. The building is served by an existing large 407 space car park with a dedicated service yard area to the side of the building along the northern site boundary. An additional pedestrian entrance is located on the southern boundary, also onto Yew Street.

The application site is allocated in the UDP as Employment Land, within the M60 Gateway area and in a Landscape Character Area (River Valley). The site is not within a Conservation Area or close to any designated listed buildings. The Brinksway Bridge is a locally listed non-designated heritage asset and is located to the south of the site on the River Mersey.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (“PCPA 2004”) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 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 adopted 17th March 2011.

Saved policies of the SUDP Review

<https://www.stockport.gov.uk/topic/current-planning-policies>

- LCR1.1a Landscape Character Areas (River Valleys – River Mersey)
- EP1.10 Aircraft Noise
- E3.1 Protection of Employment Areas
- TCG4 Stockport’s M60 Gateway

LDF Core Strategy/Development Management policies

<https://www.stockport.gov.uk/topic/current-planning-policies>

- CS6 Safeguarding and Strengthening the Service Centre Hierarchy
- AS-3 Main Town Centre Uses, Hot Food Take Aways and Prison Development Outside Existing Centres
- CS7 Accommodating Economic Development
- AED-1 Employment Development in the Town Centre and M60 Gateway
- AED-3 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
- CS9 Transport and development
- T-1 Transport and Development
- T-2 Parking in developments
- T-3 Safety and Capacity on the Highways Network

Supplementary Planning Guidance

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

<https://www.stockport.gov.uk/topic/current-planning-policies>

- Sustainable Transport (2007)

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 19th 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 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 6: Building a Strong, Competitive Economy – Paras 85, 87

Chapter 7: Ensuring the Vitality of Town Centres – Paras 90 - 95

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

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.

<https://www.gov.uk/government/collections/planning-practice-guidance>

RELEVANT PLANNING HISTORY

There are multiple historic applications that relate to signage, fencing, a satellite dish, additional storage cabins etc. However, the main applications of interest are as follows:

Reference: J/35479 Type: XHS Address: Ring Avenue Brinksway. Decision: GTD
Decision Date: 01-MAY-86 Proposal: Business Park (High Technology Development). (Outline)

Reference: J/41352 Type: XHS Address: Ring Ave. Brinksway Decision: GTD
Decision Date: 10-MAR-88 Proposal: Phase 1, Siting, Design and means of access. Business Park (High Tech Development) (Outline).

Reference: J/47671 Type: XHS Address: Ring Avenue Brinksway. Decision: GTD
Decision Date: 28-FEB-90 Proposal: Landscaping.

Reference: J/47672 Type: XHS Address: Business Park Phases 2 And 3 Ring Avenue Brinksway. Decision: GTD Decision Date: 08-MAR-90 Proposal: 1) Siting, 2) Design, 3) Means of access, 4) Landscaping and 5) External appearance...

Reference: J/47676 Type: XHS Address: Business Park Phase 1 At Ring Avenue Brinksway. Decision: GTD Decision Date: 28-FEB-90 Proposal: Additions and amendments to Reserved Matters Approval J41352

Reference: J/50172 Type: XHS Address: Land To The South Of Yew Street Stockport Decision: GTD Decision Date: 15-JUN-90 Proposal: Extension to business park (phase iv).

Reference: J/50173 Type: XHS Address: Land To The East Of Yew Street Stockport Decision: GTD Decision Date: 20-JUN-90 Proposal: Business park; phases 2 & 3 and external services building

Reference: DC/011390, Type: FUL, Address: Land Adjacent To Co-Operative Bank, Yew Street, Stockport, Decision: GTD, Decision Date: 13-APR-04, Proposal: Construction of additional Car parking spaces

Reference: DC/013917, Type: FUL, Address: The Co-Op Bank, The Pyramid Kings Valley, Yew Street, Stockport, Cheshire, SK4 2JU, Decision: GTD, Decision Date: 13-FEB-04, Proposal: Formation of a disabled access platform at the pedestrian access

NEIGHBOUR'S VIEWS

The owners/occupiers of 11 surrounding properties/businesses were notified in writing of the application and the application was advertised by way of display of notices on site and in the press.

5 representations have been received in response to the application from 4 different addresses (two of the representations are from the same address on behalf of a neighbouring business).

One of the 5 representations is from a local Stockport MP in support of the application. The remaining 3 are from members of the public / local businesses, with 3 in objection to the proposals and 1 in support.

The comments provided are summarised below :-

Objections

- Comments are on behalf of a local business, who have three office properties on Kings Reach Road in close proximity to The Pyramid.
- We are supportive of efforts to grow the local economy and appreciate the benefit to Stockport of having The Pyramid occupied after a lengthy period of vacancy. However, the proposed nature of the venue is out of keeping with the business park location and neighbouring tenants, and has significant implications for the existing businesses operating on Kings Reach.
- The total proposed capacity of the venue is circa 1500 patrons, plus employees with only a parking capacity of 407.
- Anticipate significant parking overspill onto Yew Street and Kings Reach Road, irrespective of the restrictions in place.
- Also seems likely that both customers and employees will try to access the carparks of existing businesses at busy times
- The sharp bend in Yew Street near the proposed premises already poses safety concerns, particularly in wet weather when one side of the road accumulates standing water.
- Road safety issues here will be exacerbated by high levels of traffic for large events. Large scale attendance of events at the Pyramid is highly likely to create congestion and safety concerns, by backing traffic up onto the Pyramid Roundabout.

- The proposed hours of operation, on an estate that currently sees negligible activity outside office hours, will create increased security risks, call-outs and costs for existing businesses.
- Grave objections about the impact on our locality.
- The transport report suggests that people attending the weddings would walk, cycle or use public transport. This is incorrect as 99% of people attending the banqueting will be from outside of the 5km range and will arrive by car. How will 1000 guests arriving at once be managed?
- The site is located at the junction of a major motorway junction and this will cause a back up of traffic.
- Cars attending a wedding will drive slowly into the venue to take video shoots so will cause chaos around a busy junction.
- Could impact on travellers going to the airport, as many people will use the motorway to get there.

Support

- Local resident writing to express support for this planning application.
- Believe this development will be a great addition to our town and bring many benefits to our community.
- Will bring back life to an empty building.
- The Stockport Pyramid is an iconic building that is one of the most recognisable in the North West. It has been empty for a number of years, which has been a shame. Development will breathe new life into this building and make it a destination for people from all over the region.
- The development will allow the public to see inside the building for the first time. Many residents have seen the Stockport Pyramid from the outside, but few have ever been inside. A restaurant there will give people the chance to see this amazing building from the inside and enjoy the delicious food and drink that it will have to offer.
- Believe this project will have a positive impact on Stockport

Stockport MP

- Whilst it is recognised that as an MP there is no authority in the planning process, I would like to state my support for the change of use of this building.
- The Pyramid is an iconic and well-known structure on the Stockport landscape, and it is a detriment that it has been vacant for several years.
- Would like to see it brought back to life to compliment Stockport's vibrant cultural offer.
- Most importantly, it would create around 200 jobs and the impact on the economy of Stockport would be advantageous.
- Owners have assured me that it is their intention to engage local businesses where possible together with considerable business rates.
- Applicant will also work closely with Stockport College to encourage training for young people in the catering industry as well as offering apprenticeships.
- Acknowledge the concerns raised by National Highways about the level of traffic generated by the proposed use.
- However, the vast majority of vehicular movements will not occur during peak hours and there are in excess of 400 parking spaces on site.
- Therefore, it is considered that the benefits far outweigh these concerns.

CONSULTEE RESPONSES

All consultation responses can be viewed in full on the online application file via the Council's public website.

However, for the purposes of this report, these are summarised below:

Planning Policy (Employment)

The Pyramid is a local landmark and is sited within Kings Reach Business Park, which is a designated Employment Area. Saved UDP Policy E3.1, Core Strategy policies Core Policy CS7 and DM Policy AED-3 and National policy at Paragraph 82 and Paragraph 120 of the NPPF are relevant in this case.

On the basis of the marketing evidence provided, the listed benefits and the introduction of a viable use into a large, prominent and under-utilised building, it is considered that this is capable of outweighing the harm caused from the loss of employment land for the proposed use is appropriate in principle.

Planning Policy (Retail)

Paragraph 87 of the National Planning Policy Framework is clear in directing main town centre uses towards defined centres in the first instance. The site is over 300 metres outside Stockport town centre and should therefore be judged as an 'out of centre' location. Planning applications for main town centre uses that are neither in an existing centre nor in accordance with an up-to-date plan require a sequential test under Paragraph 87 of the NPPF. There is also a requirement for an impact assessment due to the proposed floorspace of over 2,500 sqm under Paragraph 90 of the NPPF.

The agent has put forward a retail statement which briefly outlines sequential test considerations. It is accepted that no alternative premises in the town centre could accommodate such a large floor area and consequently it would not be reasonable to seek further information in this regard. As such, the sequential test for the restaurant is met. The agent has also put forward a short summary of the retail impact issues and it is accepted that the scale of the proposed restaurant far exceeds any other restaurant businesses in Stockport town centre and therefore their business complete with banqueting rooms and regional catchment area would not be capable of competing with smaller establishments such as Nandos and KFC. As such, the impact test for the restaurant is met.

SMBC Highways

The matters of traffic generation, trip distribution and consequent highway impact have been extensively discussed between the applicant, the Local Planning Authority, TfGM and National Highways.

The site is accessed from Yew Street and is in close proximity of the M60 and junction 1. Noting that traffic generation for the proposed use will be significant and it being anticipated that the majority if not at least a high proportion would involve a trip via the motorway, it has been critical that the applicant satisfies National highways that development traffic would not unacceptably impact on the operation of the M60 and junction 1.

The Local Planning Authority and TfGM has also sought assurance that the impact on the surrounding local road network and the signal controlled junctions closest to the site can be accommodated in a safe manner and without causing operational difficulties or concern.

The accompanying Transport Assessment (TA), which has recently been revised, includes a comprehensive review of baseline traffic conditions, development trip generation, distribution and assignment on the network and an assessment of the impact of development traffic on the operation and safety of the network. The parameters for assessment, trip profiling, peak traffic and operational periods and modal splits have all been agreed between the concerned parties.

The conclusion in respect to development traffic generation and its highway impact that is reached within the assessment, which I am in agreement with, is that during the critical peak traffic periods the impact of development traffic on the nearby junctions and the M60 junction 1 would be acceptable and junctions would continue to operate within capacity and in a safe manner. It is reasonable to conclude that the imposition of development traffic on these junctions would not worsen any existing deficiencies or cause an unacceptable risk to the safety of users of the junction.

Whilst I have some reservations with the out of town location of the site and the quality of the connecting routes, I do have to balance that the proposal is for conversion of an existing building with a lawful use and not actually for new build development. There is a meaningful fallback position with a small daily demand for sustainable travel that needs to be factored into judgement and this leads me to conclude that robust travel planning and interventions in the form of a shuttle bus, coach parking, taxi arrangements and cycle parking are essential to ensure sustainable travel opportunities are given meaningful consideration and have a realistic chance of being chosen.

Careful thought needs to be given to the mechanism for ensuring that a shuttle/mini-bus service is introduced at the site, how this will be managed and operated, longevity, how bookings could be made, triggers for availability, marketing and promotion and how it would integrate with event management. A condition approach whereby an event management scheme (that incorporates shuttle/mini-bus service) needs to be prepared and submitted to and approved by the LPA before the use commences would prove acceptable.

The cumulative parking demand for the banquet halls and restaurant would be somewhere close to 400 spaces. I note that parking provision has been identified to this level and this gives me comfort that the supply should be adequate to meet the realistic demands of the site and avoid overspill parking. I note Traffic Regulation Orders on the nearby highway network manage and prohibit parking so it is unlikely that longer stay kerbside parking will arise and avoid any adverse impact on highway operation and safety.

Finally, whilst I note that a draft travel plan has been provided, this will also be a matter for conditional control and the expectation that the travel plan will be prepared and completed using the TfGM toolkit, a minimum requirement for commercially based travel plans. I note that the submission will need significant focus towards customer needs, event management, marketing, staff and visitor travel and welcome packs and measures to achieve targets and benefit for staff and customers.

In the event that a resolution is given for permission to be granted, a detailed list of conditions will be provided, summarised to include access layout, car parking layout,

electric vehicle charge facilities, cycle parking, event management/shuttle mini-bus scheme and travel planning.

National Highways

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Following a review of the applicant's updated Transport Assessment, we are now content that there will not be a severe impact to the SRN if this application is granted planning permission. We therefore recommend no objection.

Although we are making no formal recommendations for conditions, it is worth the Council discussing the following with the applicant: The provision of new road markings and signage to direct drivers to events at the site that may not know the area; and Effective Travel Planning to ensure that members of staff and customers are provided with the ability to travel by non-car modes.

Transport for Greater Manchester

Initial comments were received in relation to a request for further information in relation to collision investigations, trip generation, access arrangements, site accessibility (public transport, active travel etc), and travel planning.

Following the submission of additional information by the applicant's Transport Consultants, further comments requested clarification over matters such as the junction modelling, an event management plan, pedestrian links to local bus stops, the proposed shuttle bus from the train station and pedestrian routes within the application site.

Again, following the submission of additional information, it is now confirmed that the response presented is now considered to be acceptable. In relation to the modelling of the junction of Yew Street / Brinksway, TfGM agree with the conclusion that the impact will be minimal, as the results are well within the day to day variation and with the benefits that SCOOT provides over the modelled fixed time operation. It should be noted that the staging in the modelling is incorrect but as this has less capacity than there would be in reality, TfGM are willing to accept the shortcoming of the modelling.

In relation to the other matters raised, the information provided is noted and considered to be acceptable in this case. The matters of the event management plan and the proposed shuttle bus from the train station is referred back to the Council's highway officer for consideration.

Trans Pennine Trail and Sustrans

The Transport Statement indicates a potential capacity of 1,490 highlights the need for an improved sustainable transport offer, an increase in cycle parking provision and better cycle infrastructure. Long stay, secure, cycle parking should be provided for staff along with welfare facilities such as showers, changing rooms, lockers, etc.

EV parking should also be accommodated.

Queries about the proposed location of the shuttle bus parking.

This application gives an opportunity for the pavement along the north side of Yew Street to be upgraded to provide a safe sustainable route to access the site entrance. Otherwise, in its current form the sustainable routes connecting to the site are along busy carriageways and subways. Steep gradients aren't suitable in terms of accessibility and cyclists would have to share road space on busy roads.

Economy, Work and Skills

The planning application by Royal Nawaab to convert the Pyramid from office space to a Buffet Restaurant and Banqueting facility, provides the potential for a local economic boost with new job opportunities for Stockport, and the wider Greater Manchester City Region. The development has the potential to provide employment and skills opportunities for local people, including from Stockport's priority groups of unemployed people and those most economically disadvantaged in the labour market. This is both in terms of end user jobs, and other high skilled jobs during the construction conversion and fit out works. There will also be benefits for local suppliers and other businesses local to the area, such as those in the retail and hospitality sectors.

The Planning Application's Social Economic Impact Statement identifies a total of around 100 FTE and 100 part-time jobs on the site following occupancy. Any Planning Application to Stockport Council leading to in excess of 20 FTE new end user jobs, requires an Employment and Skills Agreement between the Developer and Stockport Council, and should cover both end user jobs and construction phase jobs. This is set out in the *Local Employment and Training Benefits Supplementary Planning Document (2012)* that supports Policy AED-5 in the Stockport Unitary Development Plan. This has been reflected in the inclusion of an Employment & Skills Framework by the Applicant.

Request the inclusion of a condition in relation to the submission of an Employment & Skills Method Statement & Plan (in consultation with the Council) to deliver local construction / fit out phase jobs and particularly end user jobs and skills.

Environmental Health (Noise and Odours)

This service has no objection to the proposal, in relation to impact upon the environmental quality of life to existing sensitive receptors, in proximity to the proposed development.

The applicant has submitted commercial kitchen Odour Risk Assessments to support the commercial kitchen odour mitigation scheme, which details the dispersion, proximity to receptors, size of kitchen, cooking type (odour and grease loading) of odours. As detailed in APS, Catering Services, 29th August 2023, Royal Nawaab Pyramid kitchen extract project, the proposed odour mitigation scheme for the commercial kitchen extract system, is in accordance with the requirements of the EMAQ guidance for the control of odour from commercial kitchen exhaust systems.

Recommended Conditions:

- The mitigation recommended in APS, Catering Services, 29th August 2023, Royal Nawaab Pyramid kitchen extract project GF, shall be implemented in full prior to first use of the development.
- The extraction equipment shall be installed, operated and maintained in accordance with the approved details and manufacturer's instructions at all times when any cooking activities are occurring.
- The commercial kitchen cooking processes shall cease to operate, if at any time, the filtration or extraction equipment ceases to function.

Environmental Health (Air Quality)

No objections to the proposed development.

Healthy Planning

Welcome the commitment to bring this vacant landmark building back into use. While the number of jobs created is below the number lost when the office use ceased, the creation of those jobs is welcome.

Encourage Royal Nawaab to commit to supporting the Greater Manchester Good Employment Charter and to paying the Real Living Wage to maximise their positive social impact.

The proposed provision of covered cycle parking is welcomed by Public Health since promoting active travel (which includes sufficient infrastructure for active travel modes) contributes to management of good public health in the Borough, especially healthy weight. In Stockport 42.3% of adults and 86.4% of 15 year olds are not physically active enough to maintain their health in the medium to long term (as measured against the Chief Medical Officer for England guidance). In addition, an appropriately designed built environment can contribute to reducing social exclusion, as well as offering cycle and pedestrian routes for commuters, shoppers and recreational users.

A warming climate has serious implications for health (The impacts of Climate Change on Health), with extreme weather events associated with warmer summers and cooler, wetter winters expected to cause direct increases in mortality, as well as acting to promote mosquito-borne pathogens, heighten food scarcity and reduce the opportunities for outdoor recreation and physical activity, with impacts for mental as well as cardiovascular health. The Stockport Pyramid, which was designed in 1987, scores poorly for energy efficiency (Currently rated E on its CEPC) due to a combination of a design that creates substantial solar gain in summer and heat loss in winter, in combination with life-expired heating and cooling plant. Given the age and low efficiency of existing plant, high energy costs are expected, and the business should consider the business case for replacing this plant prior to occupying the building.

GM Fire

No comments received for the application.

ANALYSIS

Policy Principle / Loss of Employment Use

The application site is located within the Kings Reach Business Park, which is a designated Employment Area. The proposals include the change of use of the building to a Class E food and drink use, and as such, the loss of an employment use must be assessed.

In terms of National Policy, Paragraph 81 of the NPPF notes that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 82 requires planning policies to be flexible enough to accommodate needs not anticipated in the plan and enable a rapid response to changes in economic circumstances. Paragraph 120 states that planning policies and decisions should promote and support the development of under-utilised land and buildings.

Policy E3.1 Protection of Employment Areas states that in Employment Areas on the Proposals Map, development involving B1, B2 and B8 will be permitted provided that development on land close to residential areas will not have detrimentally effect living conditions. Alternative uses, considered on their merits and taking into account other factors such as the extent to which the Employment Area can continue to function as intended, include (i) sui generis commercial uses that generate job opportunities and (ii) complementary commercial and leisure uses, such as food and drink outlets of a modest scale. Proposals such as retailing are deemed unacceptable in Employment Areas.

Core Strategy Policy CS7 Accommodating Economic Development states that other uses beyond office, industrial and warehousing uses constitute economic development. As such the Council will ensure that where proposals provide employment opportunities or contribute positively to the economy...they are assessed accordingly. They will be encouraged in those areas where other employment uses are expected to develop. Other employment uses which are not B- use class development and which are regarded as 'main town centre uses', such as retail and leisure will be subject to sequential testing.

DM Policy AED-3 Employment Development in Employment Areas states that the Council will protect employment areas for employment generating uses. Within these areas the Council will have regard to the requirement for flexibility for employment generating uses beyond the traditional employment uses of B1. B2 and B8.

The 2022 Employment Land Review (ELR) includes a qualitative assessment of existing employment sites and Kings Reach Business Park was found to be of 'good quality', scoring 33 out of 39, with key issues being the proximity to local amenities and facilities and its limited public transport accessibility. Its main attributes include its 'excellent location with good quality accommodation', access to the motorway network, and 'excellent' infrastructure with little need for investment.

The conclusions of the ELR with regard to existing employment sites highlight that these have a relatively large proportion of non-traditional employment uses that, whilst generating employment, do not specifically fall within a B or E use class. It is noted that these uses can make an important contribution to the economy although can lead to an ad-hoc and unplanned character, reducing

both the level of employment land that can be used for traditional employment purposes and the market attractiveness of these sites. As such, the ELR recommends that some degree of policy flexibility to enable non-traditional uses in employment areas is appropriate in cases where it is shown that the benefits to the local economy are capable of outweighing the harm.

Saved UDP Policy E3.1 lists alternative uses such as complementary commercial and leisure uses which could include 'food and drink outlets of a modest scale...that can provide a service to local firms or people working in the area'. The proposed restaurant at 6,697 sqm could not be described as modest, although it is recognised that the Pyramid building is unique in the Borough with its size and character. National policy at Paragraph 82 on the need to be flexible to accommodate unanticipated needs and changes in economic circumstances, and Paragraph 120 on the support for use of underutilised land and buildings are more up-to-date and offer further support and so this is judged to be acceptable in principle.

Core Strategy policies Core Policy CS7 and DM Policy AED-3 are similarly welcoming towards uses beyond the former Class B1, B2 and B8 in Employment Areas. Evidence in the ELR points towards the need for flexibility to allow non-traditional employment uses, and it is felt that this is particularly important on this site given that the site is judged to be of good quality and the Pyramid building has been vacant for an extended period of time. The benefits to the economy from the proposed restaurant are estimated by the agent of 100 full-time vacancies and 100 part-time vacancies, the use of local companies during construction, and the multi-use nature of the banquet halls for events and conferencing. It has been found from Impey surveyors that the building was advertised as containing 86,056 sq ft for lease as offices and so with a conversion to square metres and using an assumption of 1 job per 12 sqm, 7,994.9 sqm would yield 666 jobs. Whilst this figure does not compare favourably with the expected jobs from the restaurant, the evidence in the ELR from the commercial land market suggest that post-pandemic hybrid working is set to continue, that occupiers continue to seek high quality, greener stock, and that town and city centres will be the preferred locations for the office market going forward, and so this suggests that the market has shifted for the foreseeable future.

The agent has outlined that the building has been actively marketed for rent over the 5 year period it has been vacant and that there has been very little interest in the building being leased as offices. Detailed evidence of marketing has been provided with the application to show that every effort has been made to market the building for an employment use. As such, it is judged that the loss of employment land for the proposed use is appropriate in principle.

Therefore, it is considered that the listed benefits and the introduction of a viable use into a large, prominent and under-utilised building are capable of outweighing the harm caused from the loss of employment land. The application is considered to be in compliance with the Policies E3.1, Policy CS7 and Policy AED-3 of the Development Plan and the NPPF.

Policy Principle / Retail Use

The site is over 300 metres outside Stockport town centre and should therefore be judged as an 'out of centre' location. The proposals include the change of use

of the building to a Class E town centre use, and as such, the impact of this on the nearby Town Centre, District and Local Centres must be assessed.

In terms of National Policy, Paragraph 87 sets out the parameters for a sequential test for applications that are main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Furthermore, it states that main town centre uses should be located in town centres then edge-of-centre and then out-of-centre. Paragraph 90 sets out that an impact assessment is only required when assessing applications for retail and leisure development outside town centres which are not in accordance with an up-to-date plan and where the development is over a proportionate, locally set floorspace threshold. If this is not set then the default threshold is 2500 sqm of gross floorspace.

In the glossary of the NPPF, the following are of relevance:

- Town centre – ‘...including the primary shopping area and areas predominantly occupied by town centre uses within or adjacent to the primary shopping area...’ Edge of centre – ‘For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area’.
- Main town centre uses – ‘Retail development...; leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants...); offices; and arts, culture and tourism development (including theatres, museums , galleries and concert halls, hotels and conference facilities).’

Core Policy CS6 Safeguarding and Strengthening the Service Centre Hierarchy states that additional main town centre uses with a focus on A1 use will be provided within the identified centres of the hierarchy which includes ‘Stockport Town Centre’ at the top, followed by District Centres and then Local Centres.

Development Management Policy AS-3 Main Town Centre Uses, Hot Food Takeaways and Prison Development Outside Existing Centres states that in terms of PPS4 Policy EC3.1.d, an assessment addressing the impacts in PPS4 Policy EC16.1 will be required for planning applications for A1 use exceeding 200 sq m net floorspace at out-of-centre locations and edge-of-centre locations in relation to the District and Local Centres.

Paragraph 87 of the National Planning Policy Framework is clear in directing main town centre uses towards defined centres in the first instance. The site is over 300 metres outside Stockport town centre and should therefore be judged as an ‘out of centre’ location. The existing last known use is offices (Class E(g)(i)) and the proposed use is a restaurant (Class E(b)), both of which are in the same use class and are recognised as a main town centre uses in the NPPF glossary. Planning applications for main town centre uses that are neither in an existing centre nor in accordance with an up-to-date plan require a sequential test under Paragraph 87 of the NPPF. It has already been established above that the site is designated as an Employment Area.

The agent has put forward a retail statement which briefly outlines sequential test considerations. Even though this did not include a full sequential and impact assessment as is usually required, it is judged in this case that the level of detail is proportionate in line with PPG Paragraph 11, noting that the historical use of the building as offices, albeit 5-6 years ago, was also a main town centre use. It

is accepted that no alternative premises in the town centre could accommodate such a large floor area and consequently it was considered that it would not be reasonable to seek further information in this regard. As such, on the basis of the information that was submitted, it is considered that the sequential test for the restaurant is met.

The proposed restaurant would total 6,697 sqm in Gross Internal Area and is a leisure use and therefore the requirement for an impact assessment is required under Paragraph 90 of the NPPF. The default threshold of 2500 sqm of gross floorspace applies as the local threshold under Policy AS_3 relates to A1 use only.

The agent has put forward a short summary of the retail impact issues, and it is accepted that the scale of the proposed restaurant far exceeds any other restaurant businesses in Stockport town centre. Therefore, their business complete with banqueting rooms and regional catchment area would not be capable of competing with smaller establishments in the Town Centre such as Nandos and KFC.

The PPG notes at Paragraph 15 that impact should be assessed on a like-like for basis in respect of that particular sector and this is not possible with the proposed use on such a scale. As such, it is considered that in this case, the impact test for the restaurant is met.

Overall, having regard to all of the above matters and the robust appraisal of retail policy matters, it is considered that the proposed development is in accordance with the sequential approach and retail impact policy tests.

Therefore, it is considered that the principle of the development is acceptable and in accordance with relevant development plan policies and the tests of the NPPF, subject to the further assessment of the following matters: access, traffic generation, parking and highway safety, noise and odours, and residential amenity. These will be discussed in more detail below.

Socio Economic Benefits

Paragraph 8 of the NPPF states that achieving sustainable development means that the planning system has three overarching objectives, an economic objective, a social objective and an environmental objective. In terms of the economic objective, it outlines the need to help build a strong, responsive and competitive economy, and in terms of the social objective, it outlines the need to support strong, vibrant and healthy communities, by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

The application is accompanied by a Socio Economic Impact statement, which highlights the benefits that the proposals would bring to the site, the surrounding area, and the wider Borough and its residents as a whole, and are important in the consideration of the proposals.

The statement outlines that the proposals will not only bring this iconic building back into an active use, but would have a positive impact on the local economy. It is expected that the development once operational, would provide 100 full-time jobs and a further 100 part-time jobs. In terms of the significant internal

renovation works that would be required to bring this building back into use, the applicant has confirmed that this could be in the region of £4 million. It has been confirmed that the applicant has already engaged local businesses for this work, including Stockport based business APS, who have designed and would be installing the commercial extraction system and the M&E engineers are also a local firm. Other refurbishment jobs that would be involved would include interior designers, the architect, the electrical contractor, air conditioning and refrigeration contractor. The proposed new goods lift would also be installed and maintained by a local contractor.

Some of these roles would not just be for the renovation works and period, the instruction of these local companies would be retained to continuous maintenance, such as the APS, for the maintenance of the commercial extraction systems. Therefore, the economic benefits from the proposed new use extend beyond the work created during the construction. The has confirmed that they would also be hiring local window cleaning firms, local laundry services, and all furniture (bespoke and off-the-shelf) would be made or supplied by local companies. Therefore, it is stipulated that the extended benefit from the proposed new use to local ancillary businesses would be substantial.

As the main use of the site is for a wedding venue, the applicant has highlighted that some of their wedding guests come from all over UK and even abroad. In these cases, the wedding guests would usually stay in local hotels, and use local retail outlets and other services within the Town Centre. For their other sites in the Country, the applicant has made arrangements with local hotels, where they can offer a discounted rate for such quests, that wish to stay the night. The applicant has stated an intention to have a similar agreement set up for the application venue, for any visitors who intend to stay the night after or before a function they will be attending.

In terms of educational and training benefits, the applicant has confirmed that they intend to provide inhouse training for Food Hygiene, and other such short courses associated with the catering industry. In their first restaurant in Bradford, they offered these courses to the local college. The client intends to set up a similar model at the proposed new venue, with an arrangement with local further education institutions, where their students can benefit from such courses. The Royal Nawaab group also intend to offer apprenticeships, associated with the catering industry.

Therefore, it is considered that the proposal would deliver multiple socio economic benefits in accordance with the development plan and Paragraph 8 of the NPPF.

Access, Traffic Generation, Parking and Highway Safety

The proposal is for the change of use of an office building into a restaurant and banquet facility, with a maximum capacity of 1,490 covers, and approximately 200 staff to be employed and up to 150 staff likely to be on site when the use is operating at full capacity. Externally there would be about 400 car parking bays with 20 of these being accessible and 41 shown to be provided with electric vehicle charging facilities. Covered parking for 20 cycles would be provided.

The matters of traffic generation, trip distribution and consequent highway impact have been extensively discussed between the applicant, the Local Planning Authority, TfGM and National Highways. The site is accessed from Yew Street

and is in close proximity of the M60 and junction 1. Noting that traffic generation for the proposed use will be significant and it being anticipated that the majority if not at least a high proportion would involve a trip via the motorway, it has been critical that the applicant has satisfied earlier concerns raised by National Highways, and to show that development traffic would not unacceptably impact on the operation of the M60 and junction 1.

Throughout the life of the application, the Local Planning Authority and TfGM has also sought assurance that the impact on the surrounding local road network and the signal controlled junctions closest to the site can be accommodated in a safe manner and without causing operational difficulties or concern.

The accompanying Transport Assessment (TA), which has recently been revised, includes a comprehensive review of baseline traffic conditions, development trip generation, distribution and assignment on the network and an assessment of the impact of development traffic on the operation and safety of the network. The parameters for assessment, trip profiling, peak traffic and operational periods and modal splits have all been agreed between the concerned parties. The conclusion in respect to development traffic generation and its highway impact that is reached within the assessment, are agreed with the Council's Highway officer and TFGM as outlined above, which is that during the critical peak traffic periods the impact of development traffic on the nearby junctions and the M60 junction 1 would be acceptable and junctions would continue to operate within capacity and in a safe manner.

Following the submission of additional requested information, National Highways now offer no objections and TfGM has concluded in relation to the modelling of the junction of Yew Street / Brinksway, that the impact of development traffic would be minimal with the results within the day to day variation and the junction with SCOOT control should continue to operate acceptably. This satisfies both local and national tests in terms of development traffic impact and given it cannot be considered to have a severe impact, there are no reasons for refusal that could be warranted in relation to this matter.

A review of accident data and the road safety record for the area surrounding the site has been undertaken, with the focus on the M60 Junction 1, the A5145 Hollywood Way / Yew Street junction and the A560 Brinksway / A5145 Wood Street junction. The analysis of Junction 1 shows there have been a total of 20 accidents during the most recent 5-year period, 17 of which were recorded as being slight in severity and 3 recorded as serious in severity. The accidents recorded are varied in location and nature and do not reflect any one specific pattern which might result from an inherently dangerous design. The reasonable conclusion is that there is no underlying cause of the accidents at this junction, with the majority being a result of human error or weather conditions rather than any safety issues caused by the operation of the junction itself.

The analysis of the A5145 Hollywood Way / Yew Street junction shows no accidents recorded during the most recent 5-year period and the A560 Brinksway / A5145 Wood Street junction having two recorded accidents during the same period. Both of these accidents are recorded as being slight in severity, varied in nature and do not reflect any one specific pattern which might result from an inherently dangerous design. The summary from this is that the analysis of the three junctions shows there is no evidence to suggest any inherent safety issue across the local highway network in the vicinity of the application site. From this, it is reasonable to conclude that the imposition of development traffic on these

junctions would not worsen any existing deficiencies or cause an unacceptable risk to the safety of users of the junction.

It is acknowledged that the Highway officer has raised concerns with respect to the accessibility of the site. The applicant submits that the site benefits from good levels of accessibility, being close to a number of bus and rail travel opportunities, being within an acceptable cycling distance of a range of urban areas and within an acceptable walking distance of nearby residential areas. Whilst distance wise this is agreed, the Highway officer highlights that the travel routes on foot or cycle which connect this site to the nearby residential catchments are far from ideal. Routes involve footways alongside busy carriageways, passage under subways, steep gradients and require cyclists to interact with busy vehicular spaces. It is also considered that with the site being so close to the motorway and major road network and having extensive car parking, the vast majority of visitors will make the choice to travel by private car and such would have a lower tendency to travel by sustainable modes.

It is acknowledged that for the banqueting / wedding element of the business, the vast majority of visitors to the banqueting facility will likely travel by private vehicle rather than using sustainable modes, particularly if attending a ceremonial or celebratory event. It is appreciated that this is realistically the case given the nature of functions that will take place, although there is a reasonable possibility that visitors from further afield would possibly travel by coach as a party. However, in terms of the restaurant element, a proportion of visitors may choose to travel in a sustainable manner and there is also a reasonable opportunity for longer stay staff movements to be undertaken in a sustainable manner.

Despite the reservations with the out of town location of the site and the quality of the connecting routes, the Highway officer does give weight to the fact that the proposal is for conversion of an existing large scale office building with a lawful use and not actually for new build development. There is a meaningful fallback position with a small daily demand for sustainable travel that needs to be factored into judgement and this leads me to conclude that robust travel planning and interventions in the form of a shuttle bus, coach parking, taxi arrangements and cycle parking are essential to ensure sustainable travel opportunities are given meaningful consideration and have a realistic chance of being chosen.

The proposed site layout within the car parking area has been revised to incorporate a drop off/pick up area for coaches, a shuttle bus and taxi services. There is also provision within the layout for coaches and mini buses to park up and swept path analysis has demonstrated that such vehicles plus delivery and service vehicles can safely access and negotiate a route through the car parking area. Cycle parking has also been identified within the proposals for staff and customers.

It has been highlighted that although the submission lacks detail in relation to cycle parking, this nevertheless can be addressed under conditional control. A shower, changing and locker area will also be provided within the building although again the detail will need resolution under conditional control.

Careful thought needs to be given to the mechanism for ensuring that a shuttle/mini-bus service is introduced at the site, how this will be managed and operated, longevity, how bookings could be made, triggers for availability, marketing and promotion and how it would integrate with event management.

This can be covered under conditional control, whereby an event management scheme (that incorporates shuttle/mini-bus service) needs to be prepared and submitted to and approved by the LPA before the use commences.

Walking and cycling connectivity with the site, whilst requiring interaction with busy traffic corridors, subway usage, off road routing and numerous crossings of links, is considered to be of a reasonable quality and not so unsafe as is giving rise to concern for users. There is potential for staff and customers to walk or cycle to and from the venue and whilst this may indeed prove to be limited in number given the location of the site, the connection and opportunity does exist. Therefore, it cannot be reasonably demonstrated that the site cannot be accessed on foot or by cycle. The site layout, recently revised, now shows the demarcation of pedestrian routes within the car park and connecting to the highway, the details for which can be agreed under conditional control. Therefore, overall, the matter of accessibility has been considered in balance, acceptable in this case.

In terms of establishing the likely and realistic parking demand, when considering the nature and function proposed, it is accepted that it is likely that cars will carry on average between 3 and 4 persons when visiting either the banquet or restaurant use. It is also acceptable to consider up to a 10% reduction for arrival by coach to the banquet hall. The banquet halls have a maximum capacity of 1130 guests and when accepting a 10% reduction for coach travel and 3 persons per car, this equates to a demand for 339 bays. Using a factor of 4 persons per car equates to a demand of 254 bays. Therefore, realistically it is considered that somewhere between these two figures will represent the likely and typical demand for parking associated with the banquet halls. This is in addition to parking areas for mini-buses and coaches which will be likely to stay and wait for the duration of an event.

The proposed restaurant would have 360 covers. It is acknowledged and accepted that occupancy will fluctuate across the course of an evening or weekend opening time and early evening the number of covers taken will generally be well below capacity, being at perhaps 20% capacity between 5 and 6, that being 72 covers. Later in an evening occupancy would be considerably higher although it is acknowledged that it is unlikely that 360 covers would all be taken at any one time.

It is typically the case in larger scale facilities that there is spare capacity built in to cater for longer dwell times, customer overlap, cleaning, efficiency etc. It is perhaps reasonable therefore to base assessment on 90% peak occupancy, at 324 covers. Assessment shows somewhere between 86 ($324 \times 0.8 \times 0.33$ (three persons per car)) and 102 ($324 \times 0.95 \times 0.33$) cars that would require on site parking associated with the restaurant use. This gives a cumulative parking demand for the banquet halls and restaurant to be somewhere close to 400 spaces.

It is noted that parking provision has been identified to this level on site and therefore, it is considered that the supply should be adequate to meet the realistic demands of the site and avoid overspill parking. Traffic Regulation Orders exist on the nearby highway network manage and prohibit parking, so it is unlikely that longer stay kerbside parking will arise and avoid any adverse impact on highway operation and safety.

In terms of electric vehicle charging spaces, 41 bays have been shown on the submitted site plan. Whilst Council standards seek 13% provision for this scale of parking area (equating to 52 bays), the established nature of the site is acknowledged and that there is no new build element. Therefore, a reduction in this provision is accepted in this case. However, some of the charge facilities will need to serve a proportion of the accessible bays and the type of charge units needs clarification. It is confirmed that these matters can be dealt with under conditional control.

In terms of servicing, the proposed site plan shows a secured service yard to the immediate north of the building, which includes both secure pedestrian and vehicular access. The service yard has been designed to allow access and egress from this area without having to turn the service vehicle around. The design allows for any service vehicles to deliver or collect from the proposal site. The submission confirms that servicing of the proposed new use would take place between 8am and 11am, that the main servicing vehicles would be large transit vans or Luton vans and would only very occasionally be anything larger than that. The waste and recycling trucks would also access the bins through the proposed service yard. The submission confirms that the refuse and recycling would be collected twice a week, with the ability of additional collections on an ad-hoc basis. No objections have been raised by the Highway officer in relation to this servicing strategy.

Finally, whilst a draft travel plan has been provided, a Full Travel Plan would be required for submission via an appropriately worded condition. The expectation would be that the travel plan should be prepared and completed using the TfGM toolkit, a minimum requirement for commercially based travel plans. It is highlighted that the submission would need significant focus towards customer needs, event management, marketing, staff and visitor travel and welcome packs and measures to achieve targets and benefit for staff and customers.

To conclude, the submission has demonstrated that the site can accommodate the development proposed. It is clearly a site that benefits from a reasonable level of accessibility. The consequent traffic impact of development would not give rise to a severe effect on highway operation or unacceptable effect on highway safety, that the development has acceptable access arrangements and can accommodate the necessary parking and servicing needs so not to give rise to highway operation and safety concerns.

In this case, with regard to the issues of access, traffic generation, parking and highway safety, the proposal would comply with Core Strategy DPD policies SD-6, SIE-1, CS9, CS10, T-1, T-2 and T-3 and the Sustainable Transport SPD.

Noise / Odours

The proposed use as a buffet restaurant and banqueting facility will have associated noise and odours that have required a full assessment. The application includes the provision of large new kitchen areas within the building that will require the appropriate venting of odours. The location and noise specifications for this extraction equipment has been provided along with an Odour Risk Assessment. All of the information submitted has been assessed in detail by the Council's Environmental Health officer and it has been confirmed that there are no objections to the proposal, in relation to impact upon the environmental quality of life to existing sensitive receptors, in proximity to the proposed development.

In terms of noise, the application site is located within an existing employment area surrounded by existing business premises. Furthermore, the site shares its northern boundary with the M60 motorway and the eastern boundary with a major highway roundabout. Therefore, the existing environment already experiences a high level of noise from these existing noise sources. The Council's Environmental Health officer confirmed in their assessment that a Noise Impact Assessment is not considered necessary at this location, taking into consideration the proximity of the proposed development to residential receptors, the proposed hours of operation (terminal hour 23:00) and the existing soundscape at this location, which is dominated by transportation noise from both road and aircraft sound sources. The closest residential properties to the application site are within the Former Woolpack House building on Brinksway, which is across the River Mersey, the heavily tree planted banks, and Yew Street. The application site boundary is approx. 74m from this accommodation and the Pyramid building itself is approx. 103m away. Therefore, it is not considered that there would be any detrimental impacts of noise from the proposed use on this accommodation.

In relation to odours, a commercial kitchen 'Odour Risk Assessment' of the dispersion, proximity to receptors, size of kitchen, cooking type (odour and grease loading) has been submitted in support of the proposal. The outcome of the commercial kitchen 'odour risk assessment' score, determines the proposals odour risk rating impact category. It is the odour risk assessment score category that determines and informs the requirements of the commercial kitchen ventilation systems performance design and operation.

The outcome of the odour impact assessment scores for the various commercial kitchens in this case are mainly low to medium, apart from the ground floor restaurant, which is shown as high risk. On this basis, an odour mitigation scheme has been submitted for consideration.

As detailed in the submitted APS, Catering Services Royal Nawaab Pyramid Ground Floor kitchen extract project, the Council's Environmental Health officer has confirmed that the proposed odour mitigation scheme for the commercial kitchen extract system, is in accordance with the requirements of the EMAQ guidance for the control of odour from commercial kitchen exhaust systems.

On this basis, the development is considered to be acceptable with regards to odours, subject to the inclusion of a condition ensuring that the mitigation measures recommended in the ground floor kitchen extract project report are implemented in full prior to first use of the development. It is also necessary through conditions to ensure that the extraction equipment shall be installed, operated and maintained in accordance with the approved details and manufacturer's instructions at all times when any cooking activities are occurring and that the commercial kitchen cooking processes shall cease to operate, if at any time, the filtration or extraction equipment ceases to function. Further informatives have been requested in relation to premises licencing and the registration of food business operations.

Therefore, overall, it is considered that there would not be any detrimental impacts associated with noise or odours from the proposed use subject to the inclusion of the requested conditions and informatives.

Residential Amenity

As outlined above in relation to noise, the closest residential properties to the application site are within the Former Woolpack House building on Brinksway, which is across the River Mersey, the heavily tree planted banks, and Yew Street. The application site boundary is approx. 74m from this accommodation and the Pyramid building itself is approx. 103m away.

The proposals do not include any elevational alterations or extensions to the building and therefore, there would be no detrimental impacts with regards to an overbearing, overshadowing or loss of privacy perspective. The only potential impacts would be from the additional comings and goings from the site. However, due to the distance from the application site to this residential accommodation and as the building is located on Brinksway and not Yew Street where all the traffic going to and from the proposed use would be travelling, there would be no impacts from the customers using the application site.

Therefore, it is not considered that there would be any detrimental impacts from the proposed use on residential amenity. As such, the proposals are considered to be in accordance with Policy SIE-1 of the Core Strategy.

Other Matters

As this is an existing building with no elevational alterations or extensions proposed, and as the proposals intend to use the existing vehicular access points, car parking and service area, there are no matters to consider in relation to flood risk and drainage, trees and landscaping, ecology and heritage in this case.

As outlined in the Council's validation checklist, applications for planning permission for changes of use are not required to submit an Energy Statement. However, as outlined above, the applicant intends to invest a significant amount of money on the internal refurbishment of the existing building and this is likely to include improvements to the fabric and energy consumption of the building.

SUMMARY

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.

The application site is located within the Kings Reach Business Park, which is a designated Employment Area. Saved UDP Policy E3.1, Core Strategy policies Core Policy CS7 and DM Policy AED-3 and National policy at Paragraph 82 and Paragraph 120 of the NPPF are relevant in this case. On the basis of the marketing evidence provided, the listed benefits and the introduction of a viable use into a large, prominent and under-utilised building, it is considered that this is capable of outweighing the harm caused from the loss of employment land for the proposed use is appropriate in principle.

The site is outside Stockport town centre and as such, is an 'out of centre' location. The application is accompanied by a sequential test and impact assessment as required under Paragraphs 87 and 90 of the NPPF. It is accepted

that no alternative premises in the town centre could accommodate such a large floor area and consequently it would not be reasonable to seek further information in this regard. As such, the sequential test for the restaurant is met. It is accepted that the scale of the proposed restaurant far exceeds any other restaurant businesses in Stockport town centre and therefore their business complete with banqueting rooms and regional catchment area would not be capable of competing with smaller establishments. As such, the impact test for the restaurant is met.

Whilst the representations made by a neighbouring business received against the application are acknowledged, all of these matters have been considered by Highways officers and the LPA and it is considered that there would not be significant impacts on the surrounding roads or business from the proposals. The former use (and fall back) of the site as an office with the capacity of 2,500 employees must be given weight. Highways have confirmed that they consider there to be sufficient on site parking to ensure there is no parking overspill onto Yew Street and Kings Reach Road, and that now based on the sufficient evidence within the Transport Assessment, there are no concerns in relation to congestion and safety concerns.

On the basis of the submitted scheme and in particular the Transport Assessment and accompanying plans, in the absence of objections from the Council Highway Engineer, National highways and TfGM and subject to conditional control, the proposal is considered acceptable with regard to the issues of access, traffic generation, parking and impact on highway safety.

In the absence of objections from other relevant consultees and subject to the imposition of suitably worded planning conditions, the proposal is considered acceptable with regard to the issues of noises and odours and residential amenity.

In view of the above, the proposal is considered to comply with relevant saved UDP and Core Strategy DPD policies and SPD guidance. In considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, notwithstanding the objections raised to the proposal, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

RECOMMENDATION

Grant subject to conditions

Members will note that due to the proposed floorspace of the development, the application is referred to Heaton and Reddish and Central Area Committees for comment and recommendation only, subject to the application being presented to the Planning & Highways Regulation Committee for final determination.