

Cheadle Area Committee

3rd December 2024

DEVELOPMENT APPLICATIONS

Report of the Deputy Chief Executive and Corporate Director (Corporate & Support Services)

<u>ITEM 1</u>	DC/087761
<u>SITE ADDRESS</u>	Cheadle Heath Works, Stockport Road, Cheadle Heath, Stockport, SK3 0PR
<u>PROPOSAL</u>	Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping.

INFORMATION

This application needs 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

Application Reference	DC/087761
Location:	Cheadle Heath Works Stockport Road Cheadle Heath Stockport SK3 0PR
PROPOSAL:	Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping.
Type Of Application:	Full Application
Registration Date:	28.02.2023
Expiry Date:	Extension of Time agreed until 13.12.2024
Case Officer:	Jeni Regan
Applicant:	Lidl Great Britain Limited
Agent:	Rapleys

DELEGATION/COMMITTEE STATUS

Cheadle Area Committee - application 'called up' for determination by an Area Committee by a Ward Member.

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the erection of a single storey retail unit to house a new Lidl foodstore. The proposed Lidl foodstore would be in Use Class E and would include the provision of 1,915 sqm gross internal area, with a net sales area of 1,251 sqm. Internally, the store would include the following: a sales area; warehouse delivery area; freezer room; bakery; manager's office; staff welfare facilities; and customer toilets. The service area including a delivery ramp would be provided at the southern end of the building.

In terms of the wider site layout, the development would include a total of 102 car parking spaces, including 6 disabled accessible spaces, 9 parent and child spaces, 4 electric vehicle charging spaces and 4 motorcycle spaces. 6 no. cycle hoops would be provided to the front of the store for the parking of 12 bicycles. The main vehicular and pedestrian access into the site is from Stockport Road at the northern end of the site, and uses the existing access subject to widening proposals.

The proposed store building is located to the south east of the site set back from Stockport Road behind the main car park, which is adjacent to the store to the north west and along the site frontage. The entrance to the Lidl store would be facing north east on the front and corner of the northern and western elevations. An M&E compound would be provided containing the dry coolers and heat pumps along the southern boundary and adjacent to the service area.

SITE AND SURROUNDINGS

The application site measures approximately 0.8 hectares and is currently occupied by Cheadle Heath Works, which is a one storey mill building previously containing a

range of B1 and B8 uses. The site is located on the southern side of Stockport Road in Cheadle Heath.

The triangular shaped site has its longest boundary to the front (north west) on Stockport Road. On the opposite side of the road are residential properties fronting Stockport Road and the junction with Kenilworth Road. The site is then bounded to the south west by the railway line, which is allocated as Green Chain within the UDP, and a terrace of 3 residential properties at Nos. 341-345 Stockport Road. The north eastern boundary is shared by another pair of semi detached houses at Nos. 295 and 297 Stockport Road. Finally, the south eastern boundary is shared with a car repair workshop and other commercial/industrial uses.

The site is located within a Predominantly Residential Area as allocated within the Development Plan. The site is not located within a designated Conservation Area nor does it contain or is close to any designated Listed Buildings or non-designated Locally Listed Buildings.

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>

- NE3.1 - Protection and Enhancement of Green Chains
- EP1.7 - Development and Flood Risk
- CDH1.2 - Non Residential Development in Predominantly Residential Areas

LDF Core Strategy/Development Management policies

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

- Policy SD-1 Creating Sustainable Communities
- Policy SD-3 Delivering the Energy Opportunities Plans– New Development
- Policy SD-6 Adapting to the Impacts of Climate Change
- Core Policy CS6 - Safeguarding and Strengthening the Service Centre Hierarchy
- Development Management Policy AS-3 - Main Town Centre Uses, Hot Food Take Aways and Prison Development Outside Existing Centres
- Policy AED-6 'Employment Sites Outside Protected Employment Areas'
- CS8 : Safeguarding and Improving the Environment
- SIE-1 : Quality Places
- SIE-3 : Protecting, Safeguarding and Enhancing the Environment

- CS9 : Transport and Development
- T-1 : Transport and Development
- T-2 : Parking in developments
- T-3 : Safety and Capacity on the Highway Network

Supplementary Planning Guidance

Supplementary Planning Guidance 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 SPD
- Sustainable Design and Construction

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on the 19th December 2023 replaced the previous NPPF (originally issued 2012 & revised July 2018, February 2019, July 2021 and September 2023). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a “material consideration”.

The relevant paragraphs in this case are as follows:

Introduction - Paras 1, 2

Chapter 2: Achieving Sustainable Development – Paras 7, 8, 11, 12

Chapter 4: Decision-Making – Paras 38, 47

Chapter 6: Building a strong, competitive economy – 85 - 87

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

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

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

Chapter 12: Achieving Well-Designed and Beautiful Places – Paras 131, 135, 136, 137, 139

Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change – Paras 157-164, 165-175

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 a number of historic applications for this site linked to the former industrial use including different uses, signage, extensions, elevational alterations and boundary treatments.

Those of most relevance to this application are as follows:

Reference: DC/057973, Type: FUL, Address: Cheadle Plant Yard, Stockport Road, Cheadle Heath, Stockport, SK3 0PL, Decision: GTD, Decision Date: 21-APR-15, Proposal: Erection of 1 No. B1(C)/B2/B8 use industrial/warehouse unit with ancillary offices.

Reference: DC/086663, Type: P11B, Address: Cheadle Heath Works , Stockport Road, Cheadle Heath, Stockport, Stockport, SK3 0PR, Decision: PARA, Decision Date: 24-NOV-22, Proposal: Demolition of Cheadle Heath Works

Reference: DC/087582, Type: DOC, Address: Cheadle Heath Works , Stockport Road, Cheadle Heath, Stockport, Stockport, SK3 0PR, Decision: DOC, Decision Date: 24-JAN-23, Proposal: Discharge of condition 2 (WSI) of DC/086663

Current Application

Members should also note that the LPA is currently dealing with a linked Advertisement Consent application for the site and the same applicant, Lidl. The application is as follows:

Reference: DC/088740

Type: ADV

Address: Cheadle Heath Works, Stockport Road, Cheadle Heath, Stockport, Stockport, SK3 0PR

Proposal: Advertisement Consent for Proposed Lidl store: Logo Sign, Flagpole Sign, Poster Display Unit, Directional Sign, Large Billboard, Small Billboard.

NEIGHBOUR'S VIEWS

The owners/occupiers of surrounding properties were notified in writing of the application. The application was also advertised by way of display of notice on site and in the press, due to the application being a Major Development and as being a Departure from the Development Plan.

63 letters of representation have been received in response to the application. This includes 56 in objection, 2 in support and 5 neutral comments.

Two of the objections have been received from Planning and Transport Consultants on behalf of other foodstore companies.

The comments received are summarised below:

Public Objections

Highway Safety, Traffic Generation, Parking

- Stockport Road already very congested.
- Carriageway cannot support any further traffic.
- While highways may say the road can take more congestion, this is not true at peak hours.
- Will increase the traffic on Stockport road, Roscoe's roundabout and the exit slip road off the M60.
- The traffic around Roscoe's roundabout backs all the way up towards Edgeley at peak times.
- Any further impact on the flow of the roundabout will cause further unnecessary traffic and pollution.
- Reducing the road down to one lane is ridiculous and a recipe for accidents.
- Moving the pedestrian crossing and the bus stop nearer to the roundabout will only cause more problems.
- Will make it almost impossible to get out of Kenilworth Road.
- Impact it will have on traffic congestion and safety to vehicles and pedestrians accessing Stockport road and side roads.
- Witnessed many collisions of vehicles coming out of Aldi and that's with traffic lights.
- Crossing the proposed new access road will be difficult for pedestrians and it is a common school-run route.
- Cheadle is investing heavily in relieving congestion and promoting pedestrian and cycling routes. This seems to contradict this ethos.
- Although it is on a current brownfield site, it is a building with some age and character.
- Emergency vehicles would find it very difficult to get through in an emergency.
- The exit should be left turn only, utilise the local roundabout to improve traffic flow and stop congestion with people driving in and out.
- This bus stop is regularly used for schools and the traffic is going to be very dangerous making the likelihood of a child getting injured.
- Boundary fence creates a blind spot for cyclists and traffic to the left including pedestrians.
- Notice when Lidl's traffic census was carried out, traffic levels were still relatively low due to Covid and people working from home.
- The Transport Assessment that the site has excellent levels of accessibility available in close proximity. In reality, it is more than reasonable to conclude that customers visiting this proposed store will be in a car and not on public transport or on foot.
- The development is incredibly car centric.

Site Layout

- A giant car park is not going to look aesthetically pleasing to local residents.

- The main entrance door is in the wrong location. Users will stop looking for a spot immediate to the entrance blocking the entrance road increasing traffic on Stockport road. The main entrance door should be on the railway side.
- The site is large enough to 'flip' the build giving a longer entrance road I.e. move the build closer to the main road and the car park at the back with the main entrance door being on the rail way side.
- More mature trees along Stockport road would be very welcome, to mitigate, noise, light and air pollution, especially as two were cut down pre-emptively.

Need

- Stockport Road already has an Aldi, Morrisons, B&M, Sainsburys and Tesco Express – no need for another supermarket.
- Already a Lidl on Councillor Lane - which is in a far less busy area for traffic
- The local area has far too many supermarkets as it is - it is killing local businesses.
- We are in a cost of living crisis. Yet another supermarket does not suddenly increase household income.
- Believe another supermarket opening would result in one of the existing supermarkets in Cheadle Heath closing thereby reducing choice and result in job losses.

Residential Amenity

- This is a residential area which is increasingly becoming more like a retail park.
- A giant car park is not going to look aesthetically pleasing to local residents.
- Impact on privacy of adjacent properties
- Have bathrooms facing the proposed entrance.
- The lighting drawings cover some of garden areas and this is not good amenity.
- The noise level will increase dramatically too, whereas normally the weekends are quite peaceful.
- Talking with representatives shows that no thought had been given about the effects this store would have on the residents of the Parkway estate and others along Stockport Road.
- On the plans this appears to be located within 38ft (11.5m) of a front lounge window along with the push button and lights structure. This means that the flashing lights and beeping sound will be clearly seen and heard at all times of the day. The site of the current crossing does not overlook anyone's lounge.

Air Pollution and Noise

- Result in poorer air quality; increased noise and light pollution all of which will detrimentally impact local residents health and well-being.
- Increase in traffic, stationary whilst waiting to access/exit the proposed site will also greatly increase the noise level and engine fumes to local residents.
- Children and adults will be subject to increased vehicle emissions and noise whilst waiting for the bus to arrive.
- It is a basic human right to be able to live in an environment which has clean air.
- We already contend with quite a lot of noise in this part of Cheadle Heath, planes landing & taking off from Manchester Airport, the M60 through traffic &

the Jct 2 slip road traffic, sewerage works traffic & goods & passenger trains going over the bridge at Roscoes'.

Alternative Use for Site

- With all the housing issues at bay, if it does need building on then create some housing.
- Could create a community facility (eg softplay centre, scooter/bike park or park).
- A plan to build more houses would be more welcome.

Other Issues

- Not only have they already taken down two beautiful 100+ year old oak trees that looked beautiful and housed many birds now they want to erect an eyesore of a building. So much wildlife lives at the back of there, hedgehogs, foxes, parakeets have also been known to be seen around the back.
- The only benefit Lidl has suggested for the local community seems to be job opportunities, but how Lidl can guarantee it will employ local people?
- The nearby residents on Stockport Road will surely see the value of their properties drop as a result of this.

Objections from Other Foodstore Operators

Objection from Avison Young on behalf of Aldi (May 2023)

The application is in clear breach of the policies of the adopted development plan. In particular, the applicant has not provided a realistic or robust assessment of the likely trade diversion associated with the proposed store and has therefore failed to demonstrate that the application complies with the retail impact tests set out at paragraph 90 of the NPPF.

In our assessment, the proposed scheme will undermine planned investment in Cheadle Heath local centre and cause material harm to the vitality of the centre. The proposed scheme is therefore likely to have a significant adverse impact under the retail impact considerations set out in the NPPF.

We are not aware of any material considerations to which such weight should be given as to merit the grant of planning permission for the application and, on this basis, request that the application be refused accordance with paragraph 91 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Further Objection from Avison Young on behalf of Aldi (Oct 2023)

Lidl's planning application is in clear breach of the town centre policies of the adopted development plan. The revised trade impact assessment provided by the applicant still does not provide a realistic or robust assessment of the likely trade diversion associated with the proposed store, although it acknowledges that retail impact on Cheadle Heath local centre was underplayed initially. The applicant has therefore failed to demonstrate that the application complies with the retail impact tests set out at paragraph 90 of the NPPF. In our assessment, the proposed scheme will undermine planned investment and trade in Cheadle Heath local centre and cause material harm to the vitality of the centre. The proposed scheme is therefore

likely to have a 'significant adverse' impact under the retail impact considerations set out in the NPPF.

Local and national planning policy is clear that in such circumstances planning permission should be refused, unless material planning considerations outweigh the policy conflict identified. We are not aware of any material considerations to which such weight should be given as to merit the grant of planning permission of the application, particularly given the wide ranging food retail offer already present in nearby Cheadle Heath local centre.

On this basis, request that the application be refused accordance with paragraph 91 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Objection from Peacock & Smith on behalf of WM Morrison Supermarkets (Oct 2024)

Object on the grounds of conflict with development plan and national policy on retail/town centre and employment land.

In summary, it is considered that the applicant has not satisfied the planning policy requirements of demonstrating that there are no alternative sequentially preferable sites that could accommodate the proposal and that the proposed Lidl would not have a significantly adverse impact on the vitality and viability of Cheadle Heath and other defined centres in the local area.

Rapleys have incorrectly assessed the Morrisons in Cheadle Heath as an 'edge-of-centre/out-of-centre' location, which needs to be corrected, in order to fully understand the implications of the proposed development by Lidl. For this and other reasons explained below, we consider that the impact of the proposal has been underestimated.

In our view, there is a potentially sequentially preferable site in Cheadle District Centre, which the applicant needs to consider further. As such, the proposal is contrary to para. 94 of the NPPF and this alone justifies refusal. In terms of retail impact, we consider that the impact on existing centres has been underestimated and note that the in-centre Morrisons at Cheadle Heath has been incorrectly assessed as being outside the defined town centre and this needs to be corrected.

Furthermore, the applicant has not fully addressed the local planning policy requirement, set out in Core Strategy Policy AED-6, that requires an applicant to demonstrate that an employment site is no longer viable as an employment site.

Support

- Currently use Lidl on Councillor Lane, but would much prefer to use a store at this site.
- Can't see there being an issue with reducing the lanes, as people only use the 2nd lane for turning right anyway,
- Think a new Lidl there would be a boost to Cheadle, which is what it needs.
- Think it is a great addition to the area.
- Do have some concerns about traffic increase, particularly when deliveries arrive. Hope the number of deliveries per day does not exceed the proposed amount.

Neutral – neither objecting or supporting the Application

- Concerned about the ease with which pedestrians will be able to cross the entrance.
- The nearby Tesco already has a wide entrance making crossing along this pavement difficult.
- Pedestrian priority needs to be reinforced and a crossing provided
- If traffic is likely to become heavier along the adjoining stretch of Stockport Rd, request that measures are taken to ensure cars can exit the estate safely via Elm Road South.
- Regarding the various pathways behind the proposed site, it would be nice to have these properly lit and tidied up, as more there will likely be increased thoroughfare in & around the supermarket.
- Generally welcome the addition of the supermarket to the area
- If the developer could be encouraged to provide lighting on this stretch and upgrade the section from Roscoes roundabout on the southern boundary of the site (with perhaps a pedestrian entrance here) this would help enhance walking and cycling generally and reduce the traffic impact of the store by reducing the need to travel by car.
- Deanprint et al have already gone. If the application fails, how will you prevent "travellers" from setting up camp there?

CONSULTEE RESPONSES

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

In some instances, multiple consultation responses have been received for certain consultees. Therefore, for the purposes of this report, the final set of comments from each consultee are provided below:

Planning Policy – Retail

Under national planning policies, the proposed use of retail is a main town centre use. National planning policy in the NPPF at Paragraph 91 directs main town centre uses towards town centres, then in edge of centre locations and only if suitable sites are not available, or expected to become available within a reasonable period, should out of centre sites be considered.

Core Policy CS6 includes a hierarchy of centres and it is found that the closest centre to the application site is Cheadle Heath which is marked as an 'Other Local Centre'. The site's location off Stockport Road is situated beyond the local centre boundary. The glossary definition of 'edge of centre' in the NPPF notes that, for retail purposes, edge of centre sites would be in a location that is well connected to and up to 300 metres from the primary shopping area. There is no primary shopping area for Cheadle Heath. As such, the boundary used to judge the distance from the centre is the local centre boundary.

A submitted plan shows the walking distance to be 314 metres from the entrance of the store to the edge of the local centre at the junction with Birchfield Road. As such, the proposed store is shown to be in an out-of-centre location. Given this conclusion and the proposal being not in accordance with the approach of Core Policy CS6 in the Core Strategy, a sequential test is required under Paragraph 91 of the NPPF.

The agent has provided a sequential test within the Planning and Retail Statement. Rapleys have provided a plan showing Lidl's 5-minute drivetime catchment area and this identified the District Centres of Cheadle and Edgeley and the 'Other Local Centres' of Cheadle Heath and Councillor Lane as being relevant centres to consider for the sequential test.

I agree with the agent's finding that there are no suitable or available sites in sequentially preferable locations. As such, I judge that the sequential test required under Paragraph 91 of the NPPF has been passed.

An impact assessment is also required under Paragraph 90 of the NPPF and Core Strategy DM Policy AS-3, as the proposed net sales area of 1,251 sqm exceeds the locally set threshold of 200 sqm. The agent has provided one within the Planning and Retail Statement.

As with the sequential test, a 5-minute drivetime catchment area has been used and the assessment includes within its remit Cheadle (District Centre), Cheadle Heath (Other Local Centre), Edgeley (District Centre), Gatley (Large Local Centre), Cheadle Hulme (District Centre), Councillor Lane (Other Local Centre) and Turves Road (Other Local Centre).

I am satisfied with the conclusions on turnover, trade draw, scenarios and solus/cumulative impact. The queries raised following Alder King's retail appraisal regarding the information on the sequential site search in Gatley, the shopping patterns for Unit 4B in Peel Centre, and the inclusion of the Lidl proposal at Wellington Road North have all been addressed.

It is therefore viewed that the impact assessment required under Paragraph 94 of the NPPF has been passed.

Planning Policy - Employment

The application site is included within the 2022 Employment Review (ELR) at Site 19 'Dean Print, Stockport Road'. Site 19 scores 28 out of 39 and is rated as 'moderate'. The summary of the site assessment notes that the site is a good location with close proximity to the M60, has good bus access, and is well-occupied. Site access is viewed as inadequate and there are limited amenities however, and it is viewed that investment would be required to broaden the appeal of the site to a range of occupiers.

The proposal would involve loss of part of the employment site at Cheadle Heath Works, with the access road to the rear retained to service the remaining businesses to the rear of the mill building. The site is not designated as an employment area. Loss of employment uses in locations outside of designated employment areas is covered under Core Strategy DM Policy AED-6. As such, the applicant is required to meet the four criteria in the policy, specifically the case for the site to be no longer viable for its previous use.

The Planning Statement briefly considers how the proposal meets Policy AED-6. However, the justification for viability is missing detail on the loss of overall jobs on the site and with supporting figures to enhance their position. The loss of 60 FTE jobs without justification and supporting evidence is not sufficient to meet criterion a of Policy AED-6.

In conclusion, I consider that the development would lead to the loss of employment land without a reasoned and evidenced justification for a significant loss of jobs, contrary to Saved UDP Review Development Management Policy AED-6.

Air Quality

The submitted Miller Goodhall air quality report assesses the potential changes in air quality due to the construction and operation of the proposed development and whether these potential changes would significantly alter air quality. The assessment of dust soiling and human health impacts during the demolition and construction phase of the development results in the proposal of dust mitigation measures. The implementation of these will ensure that residual dust impacts during the demolition and construction phase are not significant. Concentrations of NO₂ and PM₁₀ are likely to be below their respective short-term objectives at the proposed development site which is therefore considered suitable for commercial use with regards to air quality. Concentrations of PM_{2.5} are expected to be below the annual mean target. The proposed development is not expected to have a significant impact on local air quality.

There is, therefore given the data presented within the report, there are no reasons for this application to be refused on the grounds of air quality. Therefore, this service has no objections.

Arboriculturalist

In principle, the design will have a negative impact on the two trees formerly on site and within neighbouring properties. Therefore, it could not be accepted in its current format without the replacement of the trees lost on site and in a way in accordance with BS5837 root protection areas. In addition, further information is required to show enhancements to the biodiversity/landscaping plan to lessen the impact on the mature/semi mature trees on site, root protection plan and as detailed below an improved landscaping scheme to enhance the developments site.

An improved landscaping design would also be required to enhance the site, to increase the number of native hedges to the front of the site and provide better species for all 5 trees to offer some improved species and improved biodiversity. The trees offer also needs to be increased to improve wildlife benefits to an ever-increasing urban area. The tree numbers need to calculate on tree cover prior to the site clearance works to allow a greater canopy cover at the end of the scheme, including greater road frontage planting for better air quality and particulate matter capture.

To conclude, the 5 no. proposed trees needs to be increased further, particularly along the site frontage and eastern shrub bed. In addition, the proposed species needs to be improved from a biodiversity perspective (eg quercus robur fastigiate).

Contaminated Land

The Brownfield Solutions Phase 1 report dated February 2022, submitted in support of the above mentioned application has been reviewed. The report states that due to the former industrial use of the site, an intrusive site investigation is required. I am in agreement with this.

As such, the conditions relating to the submission of detailed site investigations, remediation strategies and verification reports for soli and gas are recommended.

LLFA

Having reviewed the drainage related documentation for this application. The LLFA would like to raise the following comments:

- Please provide results of infiltration investigations as our records indicate that infiltration may be viable.
- Surface water discharge rates must be reduced by 50% on developments.
- The incorporation of underground tanks are less sustainable and will require maintenance for their lifetime- please investigate replacing these with a more sustainable approach.
- We require nature-based SuDS these include permeable paving and landscaping components such as swales, green roofs/walls, hydro-planters / tree pits, and rainwater gardens / harvesting. Please incorporate these into your drainage design.

The applicant will need to show that the site will be drained in an acceptable manner in accordance with Policies SIE-3 'Protecting, Safeguarding and Enhancing the Environment', 'SD-6 Adapting to the impacts of climate change', of the adopted Stockport Core Strategy DPD and to provide sustainable drainage with Policy SD-6 of the Stockport Core Strategy DPD, Paragraph 163 of the National Planning Policy Framework and the Planning Practice Guidance.

The applicant has confirmed that they are unable to undertake a full Phase 2 Site Investigation with the building still in situ on the site. On this basis, it is stated that they are unable to formally confirm how the final drainage proposal for the site will function and operate.

However, our data indicates that infiltration should be viable. Therefore, the applicant could submit a drainage proposal with an assumed minimum / worst case infiltration rate subject to survey. There is nothing preventing them identifying some green surface-based SuDS regardless of the infiltration rates. The LLFA could then condition that and if the subsequent results meant it needed to change then that could be part of the supporting information for discharging the condition. There are exposed external areas to the front and rear of the building and therefore some works could potentially be undertaken in advance of demolition, and the applicant could undertake a phased site investigation programme.

Therefore, the proposed drainage strategy remains unacceptable and it is not possible to accept a general condition, as if approval is to be granted without an acceptable drainage proposal, then the building position and external works layout could be compromised.

Nature Development

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 railway line immediately to the south of the application area is designated as Green Chain. Any future development would need to ensure that the Green Chain is protected and enhanced and its functionality as a wildlife corridor is not adversely impacted to accord with policy NE3.1. The site has been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester. This is not necessarily a barrier to future development and does not confer protection or prevention of land uses but shows that such areas have been prioritised for restoring and linking up habitats.

An ecological assessment has been carried out and submitted with the application. The survey was carried out in March 2022 by a suitably experienced ecologist (Enzygo, 2023). The survey mapped the habitats present and identified the potential for protected species to be present and impacted by the proposals. The site comprises hard standing/sealed surface and building. The ecology survey did not find any evidence of a bat roost and the proposed works are considered to be of negligible risk to roosting bats. No other signs of, or significant potential for any other protected species were recorded during the ecological survey work.

Two mature oak trees were present within the application area at the time of the bat survey but these have since been removed from site. Mitigation planting will be required to compensate for the loss of the two mature oak trees that have been felled. Proposals submitted with the application indicate that hornbeam tree planting is proposed on site (x5) – it is advised that proposed tree cover is increased to compensate for losses and enhance tree cover within the site, and also that the hornbeam is substituted for locally native species (including oak) to maximise biodiversity benefits. Tree planting is now proposed within the car park area but additional tree planting could be provided along the northern site boundary as per previously submitted landscape plans.

The current application pre-dates mandatory 10% biodiversity net gain requirements under the Environment Act 2021. Developments are however expected to achieve measurable net gains and enhancements for biodiversity in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Net gains for biodiversity and details of measurable gains and how biodiversity enhancements have been maximised can be detailed on a Biodiversity Enhancements Plan/Landscaping Plan.

Recommended conditions: protection during bird nesting season, ecological resurvey required, badger reasonable avoidance measures during construction period, sensitive lighting strategy, submission of a Biodiversity Enhancements Plan/Landscaping Plan, submission of a Landscape and Ecological Management Plan (LEMP) and the submission of an Invasive Species protocol.

Highways

The proposal has been the subject of extensive discussion with the applicant and their representatives. At the outset, Highways raised an extensive list of concerns with the proposed redevelopment and outlined the design requirements for the relevant and necessary highway works and interventions that would be required to address access and accessibility deficiencies and concerns. Subsequently, various revisions to the site's general arrangement, a road safety audit, updated traffic and transport assessment work and additional technical notes have been provided.

The assessment of the proposal is in relation to the site access arrangements, traffic generation and highway impact, site accessibility, parking and servicing, the internal layout and travel planning.

In overall conclusion, the submission has demonstrated that the site can accommodate the development proposed. It is a site that benefits from a reasonable level of accessibility and the development will deliver further improved accessibility measures. The consequent traffic impact of development would not give rise to a severe effect on highway operation or unacceptable effect on highway safety. The development would have acceptable access arrangements and can accommodate the necessary parking and servicing needs so not to give rise to highway operation

and safety concerns. This leads me to conclude that the development would comply with the relevant Core Strategy DPD policies and NPPF Paragraphs.

Environmental Health (Noise)

Noise

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

- opposite the site – 1a Parkway, 304 – 316 Stockport Road, 1&2 Kenilworth Rd
- adjoining the site at either side – 297 & 341 Stockport Road

Residential receptors at 314 & 341 Stockport Road are located within Defra road/ noise contour mapped areas. Road Traffic Noise levels are indicated as being between: Daytime 60 dB - 69.9 dB LAeq, and Night-time 50 dB - 64.9 dB LAeq. In addition no.314 & 341 Stockport Road are additionally classified as being in a DEFRA 'Noise Important Area' (IAs).

The site is located within a high external sound urban area. Transportation noise sources are characteristic and dominate the areas soundscape, as the site is:

- in close proximity to the roundabout serving Junction 2 of the M60;
- roadside to the A560 and
- overflown by aircraft to Manchester International airport.

This service accepts the NIA methodology, conclusion and recommendations:

- Loading Bay – 3m Noise Barrier
- Delivery Hours Restriction – deliveries restricted to daytime only (Monday to Saturday 7am to 11pm, Sundays 9am to 8pm)

Recommended conditions: Submission of a Construction Environmental Management Plan (CEMP) to address the environmental impact in respect of air quality and noise on existing residents during the demolition and/or construction phase, and compliance with the Noise Impact Assessment Miller Goodall, Cheadle Heath Works, Stockport, SK3 0PR, 26 January 2023, Report No: 102778-2 and the proposed mitigation measures. Control of noise from external plant and equipment.

Lighting

The proposed external lighting/ illumination scheme, complies the Institute of Lighting Professionals, Guidance Note 01/21, The Reduction of Obtrusive Light. The Lux levels are in compliance with the lighting design guidance for an E3 environmental zone. This service accepts the 'external illumination-spillage assessment': Drawing: Signify, Lidl Stockport Road, Stockport, Proposed Lighting Layout, Dwg 01, revision 3, 26/08/24 and has no objections.

Recommended condition: *The external lighting scheme shall be installed and thereafter operated and maintained throughout the use of the development in accordance with the external lighting/ illumination assessment Drawing: Signify, Lidl Stockport Road, Stockport, Proposed Lighting Layout, Dwg 01, revision 3, 26/08/24*

Energy and Climate Change

I have reviewed the "Energy Usage & Sustainability Statement" (EUSS) submitted in support of this application. The EUSS is a thorough document and the approach set out for the new supermarket is welcomed.

- In terms of energy efficiency, the proposed U values for the design elements of the scheme surpass the requirements of new Part L standards.
- Low energy lighting and efficient water fittings will be used throughout the store.
- Heat recovery is proposed for the sales area
- A review of different types of renewable and low carbon technology has been undertaken. As a result of this review, the EUSS suggests that a Solar PV array will be installed on the roof of the building
- The array will cover ~867 sqm and generate an estimated 146,955kWh per annum
- Indicative location of the panels has been shown on the roof plan
- The regulated energy consumption is estimated to be 50,383kWh per annum, therefore the panels will generate more than 100% of the stores regulated energy consumption.
- I recommend consideration of a glint and glare study due to the proximity to the flight path for Manchester international airport

Urban heat island effect

- A landscaping plan has been prepared which indicates planting of a variety of trees, shrubs and hedging.
- Detailed comments from ecologists should be sought on the acceptability of the proposal
- However in terms of climate change, I would suggest that additional green infrastructure is considered for inclusion to help mitigate the urban heat island effect, this could be done through the use of green walls, grasscrete and additional planting.

United Utilities

Following our review of the submitted drainage documents; Drainage Strategy Ref: DR-C-0100- 1, Rev P10, Dated 02.04.2024, the plans are not acceptable to United Utilities. This is because we have not seen robust evidence that that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. Please submit site investigation report as soon as possible to discount infiltration in line with the surface water hierarchy.

GMAAS

A historic building investigation (commensurate with a Level 2 survey) coupled with a watching brief during demolition and any associated ground-breaking works has been secured via a condition attached to consent for the demolition of the redundant works (Application DC/086663 - Condition 2). Delivery of this programme of works will fulfil all the archaeological requirements associated with this site and, as such, no further archaeological input is required with respect to the current application.

Transport for Greater Manchester

Colleagues within TfGM HFAS (Highways Forecasting Analytical Services) and TfGM UTC (Urban Traffic Control) have reviewed the Transport Assessment (TA) issued in support of the proposed LIDL Food Store development and have provided comments accordingly in respect of the relevant sections.

Comments are made in relation to road safety, trip generation, trip assignment, modelling, highway alterations, proposed access arrangements, travel planning, site accessibility, with additional information requested in relation to certain matters.

In relation to the matters of car parking provision, servicing arrangements and cycle parking, these matters are deferred to the Local Highway Authority for comments and approval.

National Highways

Referring to the consultation on this planning application, in the vicinity of the M60 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

a) offer no objection;

Network Rail

Network Rail has no objection in principle to the proposal, subject to the inclusion of specific conditions and informatives, as the proposal includes works within 10m of the railway boundary and an interface with the railway boundary.

GMP Design for Security

Having reviewed the proposals and the Crime Impact Statement, GMP have no concerns regarding the proposed development. If you are minded to approve the application, GMP would highly recommend that any approval has a Secured by Design condition attached to it to ensure the installation of robust security features to reduce the potential for criminality and anti-social behaviour.

ANALYSIS

Policy Principle and Retail Impacts

The application site is located within a Predominantly Residential Area, as defined on the UDP Proposals Map. The provision of a retail foodstore in this location is therefore in an out of centre location in retail policy terms.

Paragraph 91 of the NPPF 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, only if suitable sites are not available, out-of-centre sites.

Paragraph 92 gives preference to accessible sites that are well connected to the town centre, when considering edge of centre and out of centre proposals. It goes on to note that applicants and LPAs should 'demonstrate flexibility on issues such as format and scale so that opportunities to utilise suitable town centre or edge of centre sites are fully explored'.

Paragraph 94 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. It goes on to note that an impact assessment should include assessment of the impact on existing, committed and planned public and private investment in centres in the catchment

area, and the impact on town centre vitality and viability including local consumer choice and trade in the town centre and the wider retail catchment.

Finally, Paragraph 95 states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 94, it should be refused.

In the NPPF glossary, the following terms are of relevance in this case:

- Town centre – ‘...including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area...’
- Main town centre uses – ‘Retail development...; leisure, entertainment and more intensive sport and recreation uses...’
- Edge of centre – ‘For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area.’

The Planning Practice Guidance (PPG) provides further assistance in this matter and states that the application of the sequential test will need to be proportionate and appropriate for the given proposal and should consider the suitability of more central sites to accommodate the proposal and whether there is scope for flexibility in format and scale (Paragraph 011). Market and locational requirements should also be taken into account (Paragraph 012). The purpose of the (impact) test is to consider the impact over time of certain out of centre and edge of centre proposals on town centre vitality/viability and investment. The test relates to retail and leisure developments (not all main town centre uses) which are not in accordance with up to date plan policies and which would be located outside existing town centres. It is important that the impact is assessed in relation to all town centres that may be affected, which are not necessarily just those closest to the proposal and may be in neighbouring authority areas (Paragraph 014).

Saved UDP Policy CDH1.2 ‘Non residential development in Predominantly Residential Areas’ states that non-residential development will only be permitted where it can be accommodated without detriment to the residential amenity of adjacent dwellings or the residential area as a whole.

Core Strategy DPD Core Policy CS5 ‘Access to Services’ outlines that proposals for shops serving day-to-day local convenience needs that exceed 200 sqm net A1 floorspace at out-of-centre locations will trigger the need for an impact assessment. Core Policy CS6 ‘Safeguarding and Strengthening the Service Centre Hierarchy’ explains 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. Finally, DM Policy AS-3 ‘Main Town Centre Uses, Hot Food Take Aways and Prison Development Outside Existing Centres’ states that impact assessments are required for planning applications for A1 use exceeding 200 sqm net floorspace at out-of-centre locations in relation to the District and Local Centres.

The proposal has been considered in the context of the above development plan policies for the area and the above guidance within the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG). In summary, this provides that applications for retail and other main town centre uses that are neither in an existing centre nor in accordance with an up-to-date

local plan will be assessed against the key tests of sequential approach and retail impact. The NPPF at paragraph 95 advises that where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the factors set out in paragraph 94, it should be refused.

An Asda v Leeds City Council [2021] EWCA Civ 32 the Court of Appeal judgment has clarified that the words “should be refused” in NPPF paragraph 95 do not mean “must be refused”. It does not dictate a refusal of planning permission whenever the development proposed is likely to have a "significant adverse impact" on the "vitality or viability" of a town centre. The judgment confirms that what paragraph 95 does is to establish, in national planning policy, a proposition that will indicate a refusal of planning permission if it is not outweighed by other material considerations.

As such, the applicant in this case was required to submit a Retail Policy Assessment in relation to the sequential approach to site selection as required under paragraphs 91, 92 of the NPPF, and the retail impact of the proposed development on defined centres, taking into account the impact of the proposal on existing, committed and planned investment and the vitality and viability of the centre required by paragraph 94 of the NPPF.

These are now assessed in more detail below.

Sequential Test

Core Policy CS6 includes a hierarchy of centres and it is found that the closest centre to the application site is Cheadle Heath which is marked as an ‘Other Local Centre’. The site’s location off Stockport Road is situated beyond the local centre boundary. The glossary definition of ‘edge of centre’ in the NPPF notes that, for retail purposes, edge of centre sites would be in a location that is well connected to and up to 300 metres from the primary shopping area. There is no primary shopping area for Cheadle Heath. As such, the boundary used to judge the distance from the centre is the local centre boundary.

The agent set out in their original Planning Statement that the application site was in an ‘edge of centre’ location although no information was provided within the statement of what distance they claimed the store was from the local centre boundary. Both Morrisons and Aldi have challenged the ‘edge of centre’ claim in their objections, with the latter requesting that a plan be included that demonstrates evidence of this to satisfy the NPPF. The Council requested that a plan be submitted, and this was received in September 2024, which shows the walking distance to be 314 metres from the entrance of the store to the edge of the local centre at the junction with Birchfield Road.

As such, the proposed store is shown to be in an out-of-centre location. Given this conclusion and the proposal being not in accordance with the approach of Core Policy CS6 in the Core Strategy, a sequential test is required under Paragraph 91 of the NPPF.

The agent has provided a sequential test within the Planning and Retail Statement. Rapleys have provided a plan showing Lidl’s 5-minute drivetime catchment area and this identified the District Centres of Cheadle and Edgeley and the ‘Other Local Centres’ of Cheadle Heath and Councillor Lane as being relevant centres to consider for the sequential test. These centres have been agreed with the agent along with the inclusion of the ‘Large Local Centre’ of

Gatley at the request of the Council following advice from retail specialist Alder King.

A range of parameters have been identified by Lidl for the sequential test, whereby the retailer's requirements are to build a 'limited assortment discount' (LAD) foodstore, and these include a minimum site area of 0.5 ha., minimum store size of 1,800 sqm gross internal area, a site that allows the safe manoeuvring of customer vehicles, a prominent site to attract passing trade, adjacent surface level parking, a dedicated service area and a single storey floor area with level/ flat topography.

The following sites have been assessed:

- Site 1 – Massie Street West Car Park and Part of Massie Street East Car Park, Cheadle
- Site 2 – Alexandra Hospital Car Park, Cheadle
- Site 3 – Former Farmers Arms, Stockport Road, Cheadle Heath
- Site 4 – Land at Kent Road / Stockport Road, Cheadle Heath
- Site 5 – Councillor Lane
- Site 6 – Old Chapel Street/Bulkeley Street Car Park, Edgeley
- Site 7 – King Street West Car Park, Edgeley
- Site 8 – Gatley Park, Cheadle
- Site 9 – Gatley Carrs Nature Reserve
- Site 10 – Scholes Park, Gatley
- Site 11 – Gatley Hill House Community Centre

The sequential assessment covering the above sites assessed in and on the edge of Cheadle, Edgeley, Cheadle Heath and Councillor Lane and Gatley has been reviewed in detail. As noted above, the agent confirmed at a late stage in the application process that the site is in an out-of-centre location. Therefore, the assessment finding for Gatley Carrs Nature Reserve (site 9) in respect of suitability that the site 'is not sequentially preferable to the proposal site, which had been deemed to be in an edge of centre location' is now judged to be not valid.

However, given that the site has been found to be not policy-compliant as a nature reserve and the access is poor, officers are satisfied that this does not affect the overall finding that Site 9 is not suitable.

As can be seen in the Neighbours Views section above, an objection has been received from WM Morrisons Ltd. It is submitted in their objection that Massie Street in Cheadle (site 1 in the assessment) had not satisfied the test in respect of availability. This is acknowledged, however, officers are satisfied that the agent has made reasonable attempts to find out the intentions of the landowner. Therefore, this site can be discounted as being unavailable.

Overall, the objections received from other foodstore operators are acknowledged. However, it has been confirmed by the Council's policy officer that the findings outlined within the submitted Planning and Retail Statement (and subsequent Retail Notes) are agreed in that there are no suitable or available sites in sequentially preferable locations to the application site. As such, it is considered in this case that the sequential test required under Paragraph 91 of the NPPF has been passed.

Impact Assessment

As explained above, an impact assessment is also required under Paragraph 90 of the NPPF and Core Strategy DM Policy AS-3, as the proposed net sales area of 1,251 sqm exceeds the locally set threshold of 200 sqm. The agent has provided one within the Planning and Retail Statement.

As with the sequential test, a 5-minute drivetime catchment area has been used and the assessment includes within its remit Cheadle (District Centre), Cheadle Heath (Other Local Centre), Edgeley (District Centre), Gatley (Large Local Centre), Cheadle Hulme (District Centre), Councillor Lane (Other Local Centre) and Turves Road (Other Local Centre).

The PPG requires that the impact of the proposal upon existing, committed and planned public and private investment in centres within the catchment area are considered. It is agreed that there are no such investments of note in the above centres and therefore it is reasonable to conclude that the proposed Lidl would not have any adverse impacts on this.

Health checks have been provided for each centre and it is concluded that each centre performs well and that there will be no significant impacts as a result. In their objection, Morrisons argued that Cheadle and Edgeley cannot be considered to be in good health when their vacancy rates are so high at 11% and 22% respectively. However, the Council's Retail and Leisure Study 2022 Update finds both centres to still be healthy despite an increase in vacancy rate and which can be attributed to the economic impact of the COVID-19 pandemic and changing consumer behaviour.

Therefore, it is considered that the conclusions on turnover, trade draw, scenarios and solus/cumulative impact are sound and are agreed. The early queries raised following Alder King's retail appraisal regarding the information on the sequential site search in Gatley, the shopping patterns for Unit 4B in Peel Centre, and the inclusion of the Lidl proposal at Wellington Road North have all been addressed.

Therefore, to conclude, it is considered that the impact assessment required under Paragraph 94 of the NPPF has been passed.

Loss of Employment Use

Paragraph 85 of the NPPF notes that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Furthermore, Paragraph 87 requires that planning decisions should recognise and address the specific locational requirements of different sectors.

Paragraph 124 states that planning policies and decisions should promote and support the development of under-utilised land and buildings. Paragraph 127 goes on to state that a positive approach should be taken 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.

Core Strategy DPD Development Management Policy AED-6 Employment Sites Outside Protected Employment Areas outlines that proposals for the change of use or redevelopment of employment sites outside designated employment

areas which result in the loss of that use will not normally be permitted unless (a) it can be demonstrated the site is no longer viable for employment, (b) the proposal will not adversely affect the operations of neighbouring premises, (c) the loss would not lead to significantly longer journey to work patterns; and (d) the development does not conflict with other policies.

The application site is included within the 2022 Employment Review (ELR) at Site 19 'Dean Print, Stockport Road'. Site 19 scores 28 out of 39 and is rated as 'moderate'. The summary of the site assessment notes that the site is a good location with close proximity to the M60, has good bus access, and is well-occupied. Site access is viewed as inadequate and there are limited amenities however, and it is viewed that investment would be required to broaden the appeal of the site to a range of occupiers.

The ELR finds that, in spite of many mill buildings falling within the poorer or moderately performing sites, many of these buildings are well used with multiple occupancy of traditional B class employment, mixed use i.e. retail, leisure and digital businesses and some residential in part/full as part of a change of use/refurbishment programme. These mill buildings provide relatively cheap space to businesses operating on low margins that cannot afford higher quality/price space and so businesses here can still play an important role in supporting local employment.

The site is located off Stockport Road near to Cheadle Heath. The proposal is for the demolition of a one-storey mill building and the erection of a Class E foodstore. The proposal would involve loss of part of the employment site at Cheadle Heath Works, with the access road to the rear retained to service the remaining businesses to the rear of the mill building.

The site is not designated as an employment area. Loss of employment uses in locations outside of designated employment areas is covered under Core Strategy DM Policy AED-6. As such, the applicant is required to meet the four criteria in the policy, specifically the case for the site to be no longer viable for its previous use.

The qualitative site appraisal in the ELR notes that, whilst the quality of infrastructure in the site is acceptable for its level of usage, site access is inadequate and is likely to be unsuitable for HGV and articulated deliveries. Access to the remaining businesses located to the rear of the application site would be shared with the main access to the store for customers and for deliveries, and so this could further hinder the wider employment site's ability to function effectively.

The Planning Statement briefly considers how the proposal meets Policy AED-6. In respect of viability, it is set out that (i) the owners Dean Print had made the site available to Lidl, as it was no longer suitable; (ii) Dean Print are to relocate elsewhere in Cheadle Heath and so the business will be retained locally; (iii) the site is isolated and surrounded by residential uses and is therefore a future employment use is likely to cause conflict, particularly as it is not suitable for intensive HGV traffic given its size. Furthermore, the agent points to the ELR findings on access constraints and notes that the site layout limits the potential for employment generating uses.

However, the justification for viability is missing detail on the loss of overall jobs on the site and with supporting figures to enhance their position. Whilst 40 FTE

jobs are expected from the store, there are no figures provided on the jobs provided by the existing Dean Print premises. The agent has noted in the statement that the store will provide significant new jobs 'which are likely to be in excess of those provided by a potential B2/B8 user of the site' but did not give a specific figure. Given that the Dean Print building is 4892 sqm and it can be estimated that this provides 100 jobs based on the Employment Densities Guide 2010, it has to be assumed that there is a loss of 60 FTE jobs without further evidence. The loss of 60 FTE jobs without justification and supporting evidence is not sufficient to meet criterion a of Policy AED-6.

In respect of criterion b, it is noted that the site access from Stockport Road, which is to be shared with the store, would be widened and improved as part of the development proposals. As such, this would also provide an improved access for the retained neighbouring premises. Therefore, on this basis, it is considered that in this case, that criterion b is met.

No information has been provided in respect of whether the loss would lead to significantly longer journey to work patterns, as required under criterion c. However, the relocation of Dean Print to Lawnhurst Trading Estate will mean that this would not be a factor of considerable weight in this case.

Finally, in terms of the development being in conflict with other development plan policies as required under criterion d, the only one of relevance in this case is Saved UDP Review Policy CDH1.2 'Non residential development in Predominantly Residential Areas'. As will be outlined in detail below, the compliance with this policy is met in this case.

Therefore, in conclusion, it is considered that the development would lead to the loss of employment land without a reasoned and evidenced justification for a significant loss of jobs, and as such, the development is contrary to Saved UDP Review Development Management Policy AED-6 and should be refused on this basis.

Design, Siting, Landscaping and Impact on Visual Amenity

Core Strategy Policy SIE-1 'Quality Places' states that development that is designed and landscaped to the highest contemporary standard, paying high regard to the built and/or natural environment within which it is sited, will be given positive consideration.

Chapter 12 of the NPPF relates to achieving well-designed and beautiful places. In particular, Paragraph 131 outlines that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 outlines that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and establish or maintain a strong sense of place, using the arrangement of streets, spaces,

building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Paragraph 136 states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Finally, Paragraph 139 states that development that is not well designed should be refused.

The application site is comprised of a large single storey commercial building that covers a large area of the site. It is a red brick building with 5 pitched roofs running parallel to Stockport Road. These contain long rows of rooflights to provide natural light internally. The centre of the front elevation includes a main front entrance to the building, which includes architectural features in stonework. Either side of this are large multi paned windows providing activity and natural surveillance to the street scene.

The building is located close to the site frontage with Stockport Road, with a short tarmac area for linear parking bays and vehicular access to a roller shutter door towards the southern end of the building. Two mature oak trees previously occupied the site frontage close to the main entrance, however these have been felled recently.

Either side of the application site are the residential properties of Nos. 295 – 297 Stockport Road and Nos. 341 to 345 Stockport Road. These have a similar position in the street scene to the Deanprint building on the application site, set behind a small front garden and having a similar building line on Stockport Road. The main living rooms of these properties are located on the front elevation and provide activity to the street scene. These properties are traditional in style and materials, with red brick walls, grey tiles roofs and architectural detailing including stonework.

Beyond Nos. 295 and 297 Stockport Road is the more modern Tesco Express store. However, this building has been designed to compliment the adjacent residential properties by the use of a grey tiles pitched roof, large display windows with stonework headers and cills, red brick and a gable featuring mock Tudor timber work above the main shop entrance. Again, the store is located on a similar building line as the adjacent residential properties and Deanprint building, with a small tarmac area to the front and the car parking area to the side of the building.

The opposite side of Stockport Road is wholly residential, comprising two storey semi-detached dwellings. These are more modest in scale than the older properties on the southern side of Stockport Road, but still have a significant presence due to their position in the street scene. Again, these properties sit behind a small front garden, with the habitable front elevation windows providing activity to the street. The front gardens of many of the properties are dominated by hedges and mature trees, to soften the hard landscape in this urban street. The building line along this side of Stockport Road is again strong, with properties located on the corners of Kenilworth Road and Parkway being angled to provide a continuous frontage rather than blank side elevations to these corners.

In contrast to this character and grain, the proposals for the application site comprise the placement of the store building to the back of the plot, set behind an expansive car park, which serves to entirely dominate views into the site from

the surrounding roads. This arrangement is considered to fail to respond to the need to respect the existing urban grain and take the opportunity to provide strong, well-defined active frontages to Stockport Road and views from the adjacent streets on Kenilworth Road and Parkway, with a building of appropriate form and scale.

The proposed elevational design of the proposed foodstore is such that it includes only one single active elevation, that being the glazed shopfront to the north-east elevation and corner, which predominantly faces the adjacent residential property at No. 297 and adjacent commercial / industrial premises. Due to the position of the proposed store building at the back of the site and the presence of existing buildings along the road frontage on Stockport Road, views of this active elevation would be extremely limited from the surrounding street scenes and approaches to the site.

The remainder of the building elevations are either devoid of any glazing, or include minimal high level glazing that would provide no activity to the main road frontage. Furthermore, this elevation sits way back within the site behind multiple rows of car parking. The car park would constitute an uncompromising expanse of tarmac, with no notable variation in surfacing material and no attempt to add structure, or create visual interest and relief through integration of adequate soft landscaping features.

The position of the building at the back of the site also opens up views of other poorer quality buildings to the side and rear of the application site, which are currently screened from the main road streetscene by the existing Deanprint building and adjacent residential properties. Existing views of these poorer quality structures are minimal and fleeting as you pass by the existing vehicular entrance to the wider site.

The proposed site layout and elevational design also presents the back-of-house, servicing elements of the store and the mechanical equipment compound on the front and side elevations visible towards Stockport Road and particularly the habitable rooms on the rear elevations of the residential properties at Nos. 341 to 345 Stockport Road. The plant area and delivery bay would be highly visible from people approaching the site from Kenilworth Road, with no screening provided by boundary treatments or planting. Due to the location of the service bay and plant area, the visible boundary treatment between the application site and No. 341 would need to be a wholly dominative acoustic barrier reaching up to 3m in height. Therefore, this presents a wholly inappropriate and poor quality appearance to the main road frontage and adjacent residential properties.

It is acknowledged that the proposals include for provision of a small number of trees (5 no.) to the edges of the site and 3 no. within the car park. However, the narrow soft landscaping strip proposed to the site frontage along Stockport Road would provide little screening to the large car park behind it, and limited benefit or contribution to the street scene, particularly given their narrow depth. The applicant has been given multiple opportunities for the number of trees to be planted across the site to be increased and for the large expanse of tarmac to be broken up to soften the appearance of the site. However, the applicant has chosen not to improve the soft landscaping at the site and retains the provision of only planting 5 new trees.

The Council raised concerns about the design, siting, landscaping and visual impacts of the proposed development with the applicant at the pre-application

stage and pointed out that the built form should be along the site frontage in a similar position to the existing Deanprint building, with a band of landscaping along the front site boundary. This would allow the car parking and service areas to be located to the rear of the building and for a higher quality building to dominate the street scene rather than unsightly expanses of tarmac. A better quality design could have been negotiated, which included additional glazing and design features to the front elevation to provide active frontages and engagement with the surrounding streets which characterise the area. The site is of a sufficient size and shape to allow this improved site layout to be delivered in this way. However, due to commercial / operational reasons, the applicant has advised that they are unable to accommodate this and have retained the original site layout and the original building design.

A recent Appeal decision in Salford is considered to be relevant to this application and to be a material consideration in this case. Lidl (the applicant in this case) lodged an appeal against the refusal of planning application 21/77381/FUL by Salford City Council (Appeal Reference APP/U4230/W/21/3288957) in 2022. The application was refused for a number of reasons, however of relevance to this case was the first reason which was whether the proposal represents an appropriate design for the area. The appeal was subsequently dismissed on the 18th August 2022.

The relevant and key points in the Appeal Decision Notice issued by the Planning Inspector in relation to the site layout are as follows:

15. The proposed site layout (Drawing Ref: 7415-SMR-00-ZZ-DR-A-2003-A3-C7) shows the supermarket building would be positioned adjacent the new housing development and set behind the car park which wraps around the front and one side of the building. This arrangement would be contrary to the prevailing pattern of development in the area, where buildings line the various streets rather than being set-back and distant from them. While this may allow the adjacent Listed Building to retain a prominent position from certain views in the street scene, the proposed building does not establish itself or engage with the context of the area.

16. The National Design Guide (NDG) advises well-designed parking is attractive, well landscaped and sensitively integrated into the built form so that it does not dominate the development or the street scene. As a result of the expanse of hardstanding and parked vehicles, the car park would be very evident in the street scene. Although I understand visibility of the car park may be a commercial consideration, and that it would add natural surveillance for security, as presented it would not respond positively to the prevailing grain of development along both Cromwell Road and Littleton Road, contrary to the SPD.

17. Moreover, because of this set-back behind the car park, the store lacks active frontages and engagement with the surrounding streets which characterise the area. I understand that the appellant amended the plans following discussions with the Council to address concerns. This includes incorporating a greater spread of fenestration to the store front but, given this is set back from the street by the car park, I share the concerns of the Council that the proposal would not engage with the surrounding area, would not form a strong edge to Cromwell Road and would otherwise be defined by its incongruity and lack of identity in the local area.

In relation to matters of building design and landscaping, the Inspectors states that:

18. The Framework seeks to encourage well-designed, beautiful places, which are a key component of sustainable development. Building on this, the NDG advises well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. This includes layout, form, scale, appearance, details, and materials.

19. Although I have had regard to the Design Justification Statement (SMR Architects, September 2021), which explains the design and the process used to arrive at this stage, the proposed store retains an 'off the peg' appearance as described by the Council. There is also a limited materials palette proposed, albeit with some bespoke elements such as the additional facing red brick. However, there remains large expanses of glazing and metal cladding proposed to the south and west elevations, which are the most prominent in the street scene. This would appear incongruous in the established vernacular rather than a positive feature. Although I understand there are commercial considerations for the developer, and there has been concessions to soften the standard appearance of the branded approach, this does not lessen the harm that would be caused by the building design.

21. A standard condition to agree landscaping details if the appeal was to be allowed is suggested. However, there remains outstanding design considerations which have not been addressed and given the importance of the landscaping in other aspects of the scheme, such as the engagement with the street scene and with regards to living conditions of adjacent residents, the issue is more layered than it would seem. Landscaping is therefore integral to the design as a whole and the way the site would contribute to the area. For that reason, given the uninspiring proposals submitted in this regard, relying on a condition would not suffice as it is not clear whether other matters could be addressed in a more holistic approach to the design. As such, there would be further harm with regards to the proposed building and landscaping design.

In conclusion, the Planning Inspector explains that the proposal would not present a suitable design with regards to the site layout, building design and landscaping contrary to local and national planning policies, which “*seek to ensure development responds to its context, respects the positive local character of the area and contributes towards local identity and distinctiveness while also minimising the visual impact of car parking. The proposal would also be contrary to the advice in the SPD, NDG and the Framework, in particular paragraph 130 which seeks to ensure development will function well and add to the overall quality of the area.*”

The same conclusions have to be made in this case, as explained above. Paragraph 139 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is considered that in this case, the proposed development, in light of the proposed site layout, building position, and inadequate landscaping, the absence of active frontages to the surrounding highway network and the dominative presence of large expanses of car parking, and the scale, form and elevational treatment of the store building, fails to respond to and sit sympathetically within its physical context and respect the positive character of the local area and urban form around Stockport Road.

The proposed site layout and development design fails to provide a suitable quality appearance within the streetscene, inadequate landscaping and fails to establish a strong sense of place. The proposals are therefore considered to be contrary to Policies CS8 'Safeguarding and Improving the Environment' and SIE-1 'Quality Places' of the Core Strategy DPD and the National Planning Policy Framework, having particular regard to the requirement to achieve all three strands of sustainable development set out within Chapter 2 of the Framework and the need to achieve well-designed places set out within Chapter 12, and the application should be refused.

Access, Traffic Generation, Parking and Highway Safety

The proposal has been the subject of extensive discussion with the applicant and their representatives. At the outset, the Council's Highway officer raised an extensive list of concerns with the proposed redevelopment and outlined the design requirements for the relevant and necessary highway works and interventions that would be required to address access and accessibility deficiencies and concerns. Subsequently, various revisions to the site's general arrangement, a road safety audit, updated traffic and transport assessment work and additional technical notes have now been provided.

The assessment of the proposal is in relation to the site access arrangements, traffic generation and highway impact, site accessibility, parking and servicing, the internal layout and travel planning.

As part of the discussions, the site access detail has been revised and is now presented in drawing SCP/220035/D17. The existing egress-only from the site that is towards the western end of the site frontage would be closed off to vehicular traffic and the footway reinstated. The easterly access would be upgraded with widening to afford a double lane exit, footways on either side at 3m and 2m width, a raised plateau crossing approximately 8m in depth to afford priority across the entrance for pedestrians and the retention of suitable access to the commercial units to the south and east of the development site. The proposed site entrance has been subjected to vehicle swept path analysis and can accommodate the turning movements of all typical vehicles in an acceptable manner.

The footway across the site frontage, which is 3m in depth, would be upgraded and converted to a shared footway cycleway, to tie in with existing vulnerable user facilities towards Roscoes roundabout and extending towards the entrance to the Tesco Express store to the east. The existing bus stop on the site frontage would be relocated to the westerly boundary of the site and inset within the development site to maintain a shared footway cycleway across the frontage. The controlled crossing fronting the site would be moved westward and provided as a Toucan crossing, the footway on the northern side of Stockport Road converted to a shared footway cycleway and the junctions of Kenilworth Road and Parkway provided with raised plateaus to assist reducing vehicle turning speeds and ease the movement of vulnerable traffic across the junctions. The junction of Parkway would also be widened to afford a short double lane exit, which will increase capacity and ease the operation of the junction. There is also potential to realign the entry to Kenilworth Road by closing off part or all the deceleration lane (that was formerly a bus stop lay-by) and infilling as a widened footway, with the kerblines entry radii to be adjusted at the junction.

Stockport Road is part of the GM Key Route Network and in this location is a diversion route and an exit route from the M60. Travelling eastbound on the A560 from Roscoes roundabout there are currently two traffic lanes with no requirement for a merge and consequently, no merge associated risks. To facilitate suitable vehicle capacity at the proposed site entrance, avoid the risk of incidents and to enable safe turning movements, the development needs to be provided with a right turn lane within Stockport Road. This needs to include a suitable distance for vehicle deceleration/entry to the right turn, have regard to the location of the relocated Toucan crossing, ensure that vehicles cannot overtake or slow within the merge area, afford sufficient capacity for queuing vehicles and ensure that all vehicles are able to stand within the right turn lane and safely turn.

Extensive discussions have taken place between the applicant and officers to devise a scheme that is to standard, where unacceptable compromises have not been made or risks are taken with safety. Clearly an access to an intensive use, such as a supermarket, and that would carry a mix of pedestrian, cycle and vehicular traffic, needs to be to a high standard.

To accommodate a right turn lane and the relocated Toucan crossing, the two traffic lanes running eastbound from Roscoe's roundabout need to merge to a single lane. The markings within the carriageway would be revised to afford a merge over a distance of approximately 80m, which would allow traffic to exit the roundabout in two lanes and to merge safely thereafter before reaching the relocated Toucan crossing's zig zag markings. The provision of a merge over an 80m distance is considered acceptable and is comparable to other locations in the Borough that have been shown to operate in a manner that does not cause capacity issues or unacceptable safety concerns. The two main examples are Didsbury Road running westbound from the Green Lane traffic signals and the A560 running westbound from Portwood roundabout. Both of these links with two-lane merging to a single lane have existed for many years without showing any concerning operational or safety record and show to be an acceptable arrangement.

The Council's highway officer has confirmed that on the basis of the above proposals, it would be extremely difficult and unreasonable to seek to sustain any objection predicated simply on the unsuitability of the traffic lane reconfiguration and traffic merge that is proposed on Stockport Road, there being no substantive evidence that could be used to conclude anything to the contrary.

In summary, the design for the means of access and the associated carriageway scheme is to an acceptable and compliant standard and it should be capable of operating without giving rise to unacceptable risk to highway and user safety. It is then the case that it needs to be demonstrated that the site access Stockport Road traffic lane reconfiguration would be acceptable in accommodating the predicted traffic flows with development in place, that being the new build and the uses to the rear.

The TA and supporting notes provide a review and summary of personal injury accidents covering a period between 1st Jan 2017 and 31st December 2023 and a study area that covers the A560 extending from the junction with Edgeley Road and Roscoes roundabout.

The accident reports provide information on the location and severity of all accidents within the study area and identifies 19 accidents, 17 recorded as slight

and 2 as serious. The majority of these accidents are recorded in locations to the east of the site, with no accidents specifically identified on the link immediately fronting the site.

In all cases, there have been no highway infrastructure related issues or concerns identified. The contributory factors are failure to observe other road users, darkness and wet conditions, misjudgement of available space, misjudgement of stopping distance and failure to drive to suit the road conditions.

In summary, the data and evidence does not identify any untypical accidents, any particular engineering issues or problems with the road network or junction layouts and or any particular road safety issues in the vicinity of the site. The Council's Highway officer is satisfied with a conclusion that there are not any particular road safety issues that might be exacerbated by the proposals, and as such, there are no reasons or justification to argue to the contrary.

In terms of traffic generation and highway impact, the Transport Assessment that has been submitted in support of the application includes an assessment of the development's likely traffic generation and its impact on the local highway network. This outlines that, based on data contained in the TRICS database, the development would generate 89 two-way vehicle movements during the weekday AM peak (0800-0900), 174 two-way vehicle movements during the PM peak (1700-1800) and 250 two-way vehicle movements during the Saturday peak (1200-1300). This is based on the site being occupied by a discount retailer, which would need to be conditioned.

Whilst some customers of the food store will be people who would make a specific journey to visit it, others will already be on the road network with an example being a commuting trip. Having regard to this the assessment has assumed that 40% of trips will be new to the network locally and that 60% will be pass-by trips. There is a significant national evidence base to justify that this is a reasonable approach, although for the Saturday period the same percentage of new trips/ pass-by trips should not really be applied as during weekday periods there will clearly be more commuting trips that could include a trip to the store. Whilst the assessment has used the same trip allocation for both the weekday and weekend assessment and for modelling purposes, it is possible to make a reasonable judgement and assumptions when reviewing the modelling outputs.

The Council's Highway officer is accepting of the overall trip generation exercise, feeling that the predicted number of movements is robust and does provide an acceptable base for establishing the suitability or otherwise of the design of the proposed entrance and the traffic lane reconfiguration on Stockport Road. It should also be noted that no account has been taken of the fallback position for the site, a building of 4500 sq.m, that can be utilised for industrial and storage purposes, without the need for any other permissions. The lawful site use generates a significant volume of traffic in its own right (which could easily be somewhere in the region of 100 two-way movements during peak periods) and this could be traded off against the predictions for the new development, thus reducing the comparable and overall traffic impact.

The site entrance, the Parkway junction with Stockport Road, the two-lane merge to a single lane eastbound and the site entrance right turn lane have been subjected to a traffic modelling exercise. This is to determine whether in 2028 (the application submission year plus 5 years) there would be any unacceptable capacity constraints or operating issues. The model uses weekday and Saturday

traffic data collected by surveys undertaken in March 2022 and subsequently subjected to acceptable growth factors, to predict traffic flows in 2028 in conjunction with the development's predicted traffic.

The results produced show that in terms of capacity, the site entrance and traffic lane reconfiguration will deliver sufficient capacity for the intensification of use that is predicted and furthermore, well into the future. There is no evidence of any ratio of flow to capacity in excess of 0.43, that being the site access right turn emerging movement, Saturday midday in 2028 with development in place. This shows that all turning movements at the site access have sufficient capacity within the design presented, so not to cause unacceptable delay or queuing for drivers. Ratios of flow relative to capacity that are below 0.85 tend to show there is spare capacity within the junction design and that it is capable of operating without unacceptable delay to drivers or congestion.

There is, however, some evidence of delays to the users of the Parkway junction in the morning peak period. Whilst these delays do not result in significant queueing, the model does suggest that by 2028, even without development, each user could be waiting for over a minute (66 seconds) before being able to exit onto Stockport Road. In the scenario with the development in place, the delays to the users of Parkway would increase, but only by one second in the opening year and by four seconds by 2028. Such an increase in delay cannot be considered or evidenced to be severe and would generally be within daily fluctuations, so this could not be a reason for any objection in this isolated respect.

The applicant, being minded of this predicted, albeit inconsequential impact at the Parkway junction, has proposed some widening to afford the creation of a left turn flare lane alongside a right turning lane. This should assist greatly with easing the difficulties that currently occur at the junction when a right turning vehicle delays the ability for a left turning vehicle to emerge when a gap appears solely in the eastbound movement along Stockport Road. The Council's highway officer welcomes the benefit that would arise with this improvement, as it should contribute towards easing some delay and difficulty that currently arises.

It must be acknowledged that this capacity improvement is not essential for development purposes, as an objection solely in relation to this junction could not be sustained. It would, however, carry significant benefit in contributing towards an overall general improvement along this link, for user benefit and easing traffic movement, and is supported.

As outlined above, in the case of a Saturday, it is considered that the site entrance and highway scheme should be capable of safe operation when having regard to 60% of trips being new, rather than the 40% proportion that has been tested. It has been evidenced that there would be significant spare capacity within the overall junction, with notably the maximum ratio of flow to capacity being 0.43, relative to a maximum of 0.85 when difficulty would arise at the junction. This shows ample spare capacity within the junction design so that even with a variation to the new trips/pass by trips allocation and the consequent increase in new trips, the effective numerical increase and consequent additional impact would not be significant or indeed severe as would need to be shown to have an unacceptable impact on the operation of the junction.

The modelling also shows that right turning queue lengths would not be excessive or long. This shows that the junction design will have sufficient capacity within the right turn facility that is proposed on Stockport Road to

accommodate development traffic without any unacceptable queues forming or delay to drivers. There is also sufficient space for a short queue to form without causing operational or safety issues for the eastbound traffic lane or the relocated Toucan crossing.

In summary, the assessment has shown that the proposed store access and the scheme along Stockport Road will operate well within capacity with development in place. The design for the entrance and the reconfiguration of traffic lanes on Stockport Road are both to an acceptable standard and on this basis, the Council's Highway officer has not given any objection to the proposed development on the grounds of an unacceptable impact on the operation and safety of Stockport Road. Such would not be a justifiable reason to withhold permission. In addition, the Highway officer is accepting that the proposed entrance and highway works will afford safe and practical access arrangements as required under Policy T-3 'Safety and Capacity on the Highway Network' of the Core Strategy DPD and accord with paragraph 114 of the NPPF that outlines developers must ensure that safe and suitable access to the site is achieved for all users.

The finite details of the site access and works to Stockport Road will need to be agreed at detailed design stage, and this can be dealt with by condition and delivered under the terms of a S278 Agreement.

On the matter of accessibility, the site has potential to be highly accessible for travellers on foot, cycle or public transport. It has networks of quiet residential streets around it and where the main severance occurs to the south at the railway there is a convenient railway bridge over the existing pedestrian and cycle route. Stockport Road serves bus routes and there is a bus stop on the site frontage that potentially gives staff and customers a genuine alternative to car travel. In order to maximise the benefits of the site's location in relation to active travel, it has to be ensured that the pedestrian and cycling environment is designed to be as safe, convenient and attractive as possible so to encourage people to travel on foot or by bicycle.

These general principles follow Council Policy CS9 'Transport and Development' and T-1 'Transport and Development', that encourage and require development to be located in accessible locations and be easily accessible by sustainable modes of transport. The principles also follow NPPF Paragraphs 108, 114 and 116, that outline that development should identify and pursue opportunities to promote walking, cycling and public transport and give priority to pedestrian and cycle movements both within the scheme and the neighbouring area.

Being minded of this and following extensive discussion with the applicant, the submission now includes:

- a relocated and upgraded controlled crossing fronting the site;
- a 3m wide shared footway cycleway fronting and within the vicinity of the site;
- a shared footway cycleway opposite the site;
- improved pedestrian and cycle crossing arrangements at the Kenilworth Road and Parkway junctions;
- a cycle route into the site;
- covered and secure cycle parking;
- a relocated and upgraded bus stop and

- improvements to the public rights of way running between Sherborne Road and Carrs Avenue and to the rear of the site, incorporating surface improvements and the provision of street lighting.

The Council's Highway officer has confirmed that they are satisfied that this package of works will address some critical deficiencies in proximity to the site and ensure that the opportunities for active travel are significantly improved and enhanced. The works can be secured by planning condition and delivered by means of a Section 278 Agreement. On this basis, it can be concluded that the proposed development is acceptable from an accessibility perspective.

The submitted site layout details the provision of 98 car parking spaces, including 6 spaces for disabled badge holders, 4 spaces with electric vehicle charging points, 4 powered two-wheeler spaces (motorcycles / mopeds) and parking for 12 customer cycles. The customer cycle parking needs to be covered and secure and be capable of storing some larger cycles. Long stay cycle parking for staff is to be provided within the building and all matters regarding cycle parking are capable of conditional control. Staff shower, changing and drying facilities together with lockers should also be provided, and again, this is a matter that can be agreed via a suitably worded planning condition.

The overall number of general and disabled parking spaces accords with the adopted parking standards and is expected to meet the realistic demands of the proposed retail development, noting that an accompanying parking accumulation exercise has demonstrated that the number of parking spaces to be provided will be sufficient to meet the typical weekday and Saturday peak trading periods demands. Therefore, it is considered that there is no substantive evidence that the provision of car parking at the level that is proposed will prove inadequate or give rise to overspill parking difficulties and highway safety concerns.

The identified number of parking spaces to be provided with EV charging points does not, however, accord with the Council's guidance contained in 'Electric vehicle charging: Guidance for developers on the requirements for electric vehicle charging for new development'. Making an assumption of store opening in 2025, 13% of spaces should have EV charging points. This represents 13 spaces, with a proportion of these to be those suitable for disabled persons. It is reasonable to note that the requirement to provide the required number and type of charging points, as well as ducting to allow additional charging points to be provided as demand increases, can be dealt with by condition.

In relation to site servicing, subject to the implementation of a servicing method statement which sets out an agreed way of servicing the site, the proposed development should be able to be serviced in a safe and practical manner. Delivery vehicles will be able to access the site, manoeuvre under careful management and leave the site in a forward gear. In terms of refuse storage, the applicant has confirmed that refuse would likely be stored within the store's warehouse and would be returned to the depot for recycling in the same vehicles which deliver to the store. As such, the refuse collection strategy is considered to be acceptable and details of this could also be set out and agreed as part of the servicing method statement. On this basis, it is concluded that the site can be serviced in a manner that will not give rise to unacceptable risk to the safety of all users of the site and a condition can be imposed requiring the submission of a Service Method Statement to properly manage servicing requirements.

The internal site layout includes a 3m shared footway cycleway along the western side of the access, connecting to the building entrance and the customer cycle parking area. A separate pedestrian walkway into the site is proposed from Stockport Road and across the site and the parking area is configured in an acceptable manner. It is considered that these matters of detail can be resolved under conditional control.

It is noted that National Highways have offered no objections to the proposal. TfGM has provided comprehensive comments and is supportive, albeit for a couple of critiques that have been considered within the Highway officers assessment of the scheme and has commented accordingly. It is considered that the proposed development and its associated access arrangements will not prejudice the ability to access the land and the uses to the rear of the development site and that the impacts on these uses have been appropriately assessed and considered within this submission.

A draft travel plan accompanies the submission. It is important that development is accompanied by a robust travel plan that has effective measures for bringing about modal shift, i.e. the use of incentives, provision of onsite and offsite infrastructure, along with a clear monitoring regime with agreed targets. The final travel plan needs completing via the TfGM Travel Plan Toolkit and this is a matter that can be addressed under conditional control.

Finally, it is considered that demolition and construction can be suitably managed under the terms of an appropriate method statement and this is a matter for conditional control. No development should take place until a method statement detailing how the development will be constructed (including demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority.

In overall conclusion, it is considered that the submission has demonstrated that the site can accommodate the development proposed. It is a site that benefits from a reasonable level of accessibility and the development will deliver further improved accessibility measures. The consequent traffic impact of development would not give rise to a severe effect on highway operation or unacceptable effect on highway safety. The development would have acceptable access arrangements and can accommodate the necessary parking and servicing needs so not to give rise to highway operation and safety concerns. On this basis, it is concluded that the development would comply with the relevant Core Strategy DPD policies and NPPF Paragraphs and that a highway based reason for refusal is not warranted and could not be sustained.

Impact on Residential Amenity

The application site is located within an allocated Predominantly Residential Area within the UDP and is bounded on two sides by the existing residential dwellings at Nos. 295 & 297 Stockport Road and Nos. 341 – 345 Stockport Road. The site is immediately opposite further residential properties at Nos. 304 – 316 Stockport Road and the properties at the end of Kenilworth Road and Parkway. The site is then bounded on the other sides by other commercial / industrial uses and the railway line.

The main impacts of the proposed development in terms of residential amenity would be in relation to the noise and disturbance from the comings and goings of customers and staff, and the deliveries to the store via the service area. Other

potential impacts that require assessment are glare from the new lighting and any overshadowing, overbearing and loss of privacy impacts.

Due to the commercial / industrial history of the application site and uses behind, the immediate area has been used to and exposed to a certain level of noise and activity. Therefore, material weight must be given to the previous land use of the site as a commercial business and it must be accepted that there was already a degree of noise and disturbance arising from the former premises at the site.

Notwithstanding this, due to the site being located within a predominantly residential area, a Noise Assessment has been submitted in support of the application. The residential receptors identified are those opposite the site (1a Parkway, 304 – 316 Stockport Road, 1&2 Kenilworth Rd) and those adjoining the site at either side (297 & 341 Stockport Road). The impact of the noise from the proposed development in respect of noise impact from HGV deliveries and fixed plant upon noise sensitive receptors has been assessed. The impact of the noise from the proposed development has been assessed in accordance with: BS 4142:2014+A1:2019, 'Methods for Rating and Assessing Industrial and Commercial Sound', to determine the rating level arising from the introduction of the proposed sound source, upon noise sensitive receptors.

The significance of sound of an industrial and/or commercial nature depends upon both the following factors: (i) the margin by which the rating level of the specific sound source exceeds the background sound level; and (ii) the context in which the sound occurs. The outcome of the BS4142 Delivery noise assessment, inclusive of a 3m barrier between the application site and No. 341 Stockport Road, is that the rating level is calculated/predicted to exceed the background sound level. For the property at 341 Stockport Road, this is +7 dB exceedance above the background sound level during the daytime and +31 dB at night-time. A difference of around +10 Db or more is likely to be an indication of a significant adverse impact, depending on the context.

Therefore, it is necessary to complete a review of the context in which the sound occurs. The current edition of BS 4142, recognises the importance of the context in which a sound occurs. An effective assessment cannot be conducted without an understanding of the reason(s) for the assessment and the context in which the sound occurs/will occur. When making an assessment of the impact and arriving at decisions, it is essential to place the sound in context. For this assessment, the Council's Environmental Health officer has considered the context of the site as an existing commercial/ light industrial unit.

The NIA outlines that the residential receptors on Stockport Road are located within a Defra road/ noise contour mapped area. The Road Traffic Noise levels for this area are indicated as being between 60 dB - 69.9 dB LAeq, during the daytime and 50 dB - 64.9 dB LAeq at night time. In addition, no.314 & 341 Stockport Road are additionally classified as being in a DEFRA 'Noise Important Area' (IAs). Furthermore, the application site and residential receptors are located within the 2019 Manchester International Airport, Aircraft Noise Contour areas and are between 54 - 57 dB LAeq (16hr) during the daytime, and 51 - 54 dB LAeq (8 hr) at night time.

This highlights that the site is located within a high external sound urban area. Transportation noise sources are characteristic and dominate the areas soundscape, as the site is in close proximity to the roundabout serving Junction 2 of the M60, roadside to the A560 and overflowed by aircraft to Manchester

International airport. Therefore, it is concluded that the noise generated from the proposed development would not be detrimental due to the existing high levels of noise already experienced by the residential receptors. In terms of plant, the NIA report indicates a likelihood of low impact at the closest sensitive receptors. This is based on the recommended mitigation measure of the installation of a 3m high acoustic barrier adjacent to the loading bay and plant.

The BS 4142:2014+A1:2019 assessment concludes that, with the proposed mitigation included and taking into account context of the site and the measurement location, the impact of associated noise from the proposed development would result in a low impact for the daytime and significant adverse impact for the night-time (23.00hrs to 7:00hrs). Therefore, it is recommended that delivery hours are restricted to 07:00-23:00hrs Monday to Saturday (including bank holidays) and 09:00 – 20:00hrs on Sunday.

On the basis of the submitted report and the proposed mitigation measures, the Council's Environmental Health officer has confirmed that they agree with the NIA methodology, conclusion and recommendations. This is subject to conditions relating to the compliance with the submitted report and recommended mitigation measures, and a limited maximum noise level from any external plant.

A condition is also requested in relation to the submission of a Construction Environmental Management Plan (CEMP) to address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phases. The CEMP should show mitigation measures in respect of noise mitigation measures, dust management, and a piling foundation method statement (if required).

The application is also accompanied by an External Lighting Assessment in order for the proposed new lighting to be assessed in relation to any potential lighting spill and glare on the existing residential properties around the site. Again, this has been fully reviewed by the Council's Environmental Health officer and the comments can be seen in the consultations section above. The proposed external lighting/ illumination scheme, complies the Institute of Lighting Professionals, Guidance Note 01/21, The Reduction of Obtrusive Light. The Lux levels are in compliance with the lighting design guidance for an E3 environmental zone.

Therefore, it is considered that the proposed lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties. A condition is requested that ensures the lighting shall be installed and thereafter operated in accordance with the details submitted in support of the application.

Finally, an assessment must be made in relation to any potential overbearing, overshadowing or loss of privacy impacts. Due to the building being only single storey in height and due to the scale and height of the existing building, it is not considered that there would be any additional overbearing or overshadowing impacts from the proposed development.

As outlined above, the majority of the building has very limited glazing, apart from the proposed glazed shop on the north eastern elevation. This elevation however, does face the side elevation and garden of the property at No. 297 Stockport Road. This property does have multiple windows and a patio door located on the side elevation facing the application site. However, the position of the store, the distance to these windows, and the height of the existing boundary

fence between the property and its garden and the application site, would ensure that there should be no direct overlooking or loss of privacy created by this large glazed area. The property has a number of outbuildings along the site boundary again, which would act as a screen to the proposed development. Therefore, on this basis, it is not considered that the proposed development would have a significant detrimental impact on this adjacent residential property in respect of a loss of privacy and overlooking.

In view of all of the above matters, subject to the imposition of conditions, and in the absence of objections from the Environment Team, it is considered that the proposed development could be accommodated on the site without causing undue harm to the amenity of the surrounding residential properties by reason of noise and disturbance. On this basis, the proposal is considered to comply with Core Strategy DPD policies SIE-1 and SIE-3.

Impact on Trees and Landscaping

An Arboricultural Statement has been submitted in support of the application, which assesses the condition and amenity levels of the existing trees. The report outlines that there were 3 existing trees at the site, 2 on the site frontage and one on the rear boundary. However, since the completion of this report, T1 and T2 have been felled, which were the 2 mature oak trees located on the site frontage.

The report concludes that all 3 trees required removal, 1 tree (Oak T2) required removal to facilitate the proposed development as its retention and protection throughout the development is not suitable. Oak T1 and dead Elm T3 were also recommended for removal regardless of development at the site. In terms of indirect impacts, the report confirms that the proposed new Lidl store and proposed new M+E compound dry coolers and heat pumps encroach into the detailed root protection areas (RPA) of retained adjacent tree group G4. This is a group located along the rear boundary, along the boundary with the railway. However, it is concluded that the encroachment into the detailed RPA is minor, there is existing hardstanding at the location of the proposed new Lidl store and the proposed new M+E compound dry coolers and heat pumps are within the footprint of the existing building. As such, the detailed RPA for G4 is likely to be an exaggerated representation of the trees' actual rooting area and the proposed works should not have a significant negative impact on the retained trees, provided care is taken during construction.

The comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above. The submitted Arboricultural report along with the proposed landscaping plan has been assessed and the following opinion is given.

The Arboricultural Officer acknowledges that existing trees on site are not afforded protection, by way of a Tree Preservation Order or Conservation Area status. As such, consideration must be had of the fact that existing trees on site could be worked to or removed without the requirement for consent. It is acknowledged that some tree removal is required to accommodate the proposed development. However, a comprehensive soft landscaping scheme should be proposed to mitigate for the loss of these existing trees.

The proposed Landscaping Plan shows that 5 new trees will be planted at the site, 2 along the site frontage and 3 within the car park. A narrow strip of shrub planting is proposed along the front boundary with further shrub planting along

the south western boundary and within beds adjacent to the front entrance to the store. A hedge is shown along the south and south eastern boundary with the railway and the adjacent commercial site. An area of turf is proposed between the hedge and the rear elevation of the building.

The Arboriculture officer has reviewed the proposed landscaping scheme and concluded that the proposals are not sufficient and that adequate planting is not being proposed. An improved landscaping design should be included to enhance the site. This should include an increase in the number of native hedges, preferably to the front of the site, and an increase in the number of trees to be planted at the site. The species of the proposed trees also requires improvement to enhance and improve the biodiversity at the site and increase the wildlife benefits to an ever increasing urban area. Greater canopy cover is required across the large expanse of car park, and greater road frontage planting for better air quality and particulate matter capture.

As outlined in the design and site layout section above, the applicant has been requested to bolster the proposed planting and in particular the tree planting, to provide the many benefits mentioned. There is scope within this large site to provide a much greater level of planting and new trees, however the applicant has chosen not to provide these within an updated landscape scheme.

Therefore, in view of the above, the proposed impact on trees and landscaping at the site mainly in the form of an inadequate mitigation planting scheme, results in an unacceptable form of development at the site, contrary to policies SIE-1 and SIE-3 of the Core Strategy DPD.

Impacts on Protected Species and Ecology

The comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above. It is acknowledged that 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 railway line immediately to the south of the application area is designated as Green Chain. Any future development would need to ensure that the Green Chain is protected and enhanced and its functionality as a wildlife corridor is not adversely impacted to accord with policy NE3.1. The site has been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester. This is not necessarily a barrier to future development and does not confer protection or prevention of land uses but shows that such areas have been prioritised for restoring and linking up habitats.

The Nature Development officer has confirmed that there is considered to be sufficient information available in relation to ecology to inform determination of the application. An ecological assessment has been carried out and submitted with the application. The survey was carried out in March 2022 by a suitably experienced ecologist (Enzygo, 2023). The ecology survey did not find any evidence of a bat roost and the proposed works are considered to be of negligible risk to roosting bats. However, as a precautionary measure, an informative should be attached to any planning consent granted so that the applicant is aware that bats can sometimes be found in unexpected places. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity.

Conditions are recommended in relation to bird nesting, the need for an ecological re-survey to update the 2022 ecology survey, protection measures for badgers that may pass through the site during construction, sensitive lighting and the submission of an invasive non-native species protocol for the Japanese Knotweed on the site.

Although BNG is not a mandatory requirement in this case due to the application being received before this was introduced, biodiversity enhancements are still required as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). It is highlighted by the Council's Nature Development officer that mitigation planting should be required to compensate for the loss of the two mature oak trees that have been felled. Proposals submitted with the application indicate that hornbeam tree planting is proposed on site (x5). However, it is advised that proposed tree cover is increased to compensate for losses and enhance tree cover within the site, and also that the hornbeam is substituted for locally native species (including oak) to maximise biodiversity benefits. Although it is acknowledged that some tree planting is now proposed within the car park area (which it was not in the original landscaping plan submitted), it is recommended that additional tree planting could be provided around the site and in particular along the northern site boundary frontage.

Therefore, it is again highlighted that the proposed landscaping for the development is insufficient and could be significantly boosted to improve both the visual appearance of the site along with the biodiversity benefits.

It is recommended by the Council's Nature Development officer that net gains for biodiversity and details of measurable gains and how biodiversity enhancements have been maximised could be detailed on a Biodiversity Enhancements Plan/Landscaping Plan. This could be secured by condition, however it is noted that improvements to the existing landscape scheme are requested. It is recommended that the biodiversity enhancements should include:

- Bat and/or bird boxes should be integrated within proposed buildings (see for example Habibat and Schwegler boxes). This is recommended with the 2022 ecology report but no details regarding specification/number/location are provided. It is suggested that a minimum of three bird and three bat boxes are provided on site.
- Tree planting and landscape planting should be maximised throughout the site (see also above regarding tree planting). Landscaping should create structural diversity and include planting beneficial to wildlife: a mix of species (ideally locally native) carefully chosen to ensure a nectar/berry resource throughout the seasons.
- Native species landscape planting along the south boundary of the site to provide a buffer and enhance the Green Chain corridor. The landscape plans show provision of a mixed native species hedgerow which is welcomed – this feature should be as wide as possible. It is also requested that native hedgerow planting is increased (e.g. along the western site boundary where *Euonymus* is currently proposed).
- Landscape proposals include a species rich turf/wildflower area. Emorsgate Flowering Lawn mix is proposed and this is acceptable. Details of sympathetic long-term management to maximise biodiversity should be submitted to the LPA (i.e. cut and clear in summer to mimic a hay cut and prevent over-dominance by coarse grasses).

- Provision of a green roof/green wall within the scheme design should be explored and integrated into the scheme design if possible to maximise Green Infrastructure and biodiversity benefits.

It is highlighted that these measures would be particularly welcome given identification of the site as an opportunity area within the pilot LNRS for Greater Manchester.

Therefore, although the Nature Development officer has confirmed that there are no objections from an ecological perspective with regards to protective species, it is considered that more is required to provide biodiversity enhancements at the site. However, it is considered that as it would be possible to resolve this deficiency by improved planting and other measures to be delivered through an appropriately worded condition, a specific ecological reason for refusal has not been recommended. However, the deficiency in the amount of soft landscaping generally across the site has been included in the reasons for refusal relating to the site layout, design and visual impacts as outlined above.

Flood Risk and Drainage

The application site is located within Flood Zone 1, which is deemed to have the lowest risk of flooding. As it was identified at the pre-application stage that there is a risk of surface water flooding in the surrounding area, this application is accompanied by a Flood Risk Assessment and Drainage Strategy. The comments received to the application from the Council Drainage Engineer/Lead Local Flood Authority and United Utilities are contained within the Consultee Responses section above.

Following initial objections raised by the LLFA, discussions have taken place between the applicants consultant and the Drainage Engineer. However, despite this dialogue, it has not been possible to agree in principle a suitable surface water drainage scheme for the development.

Having reviewed the submitted drainage related documentation for this application, the LLFA raise the following concerns. No results of infiltration investigations were submitted to accompany the application, although records indicate that infiltration may be viable. Surface water discharge rates must be reduced by 50% on developments and this has not been shown within the submitted drainage strategy. The development proposals include the incorporation of underground tanks as part of the drainage strategy. However, it was outlined that these are less sustainable and would require maintenance for their lifetime. Therefore, it was requested that an alternative was investigated to replace these with a more sustainable approach. Finally, a nature-based SuDS strategy was requested that included permeable paving and landscaping components such as swales, green roofs/walls, hydro-planters / tree pits, and rainwater gardens / harvesting.

The applicant has confirmed that they are unable to undertake infiltration testing nor a full Phase 2 Site Investigation, due to the building still being in situ on the site. On this basis, it is stated that they are unable at this stage to formally confirm how the final drainage proposal for the site will function and operate.

However, the data available to the LLFA indicates that infiltration should be viable at this site. Therefore, it is possible for the applicant to submit a drainage proposal with an assumed minimum / worst case infiltration rate subject to an

appropriate survey post demolition of the building. Furthermore, the LLFA believes that there is nothing preventing the applicant from identifying some green surface-based SuDs regardless of the infiltration rates. It would then be possible for these green surface based SuDs to be conditioned, and if the subsequent investigations resulted in a change to this approach, any amendments could be assessed and approved via the discharge of condition process.

It has also been highlighted by the LLFA that there are some exposed external areas to the front and rear of the building, Therefore, some works could potentially have been undertaken in advance of demolition, and the applicant could have undertaken a phased site investigation programme.

Therefore, the proposed drainage strategy remains unacceptable and it is not considered possible in this case to accept a general surface water drainage scheme condition. If approval was granted without an acceptable drainage proposal, then the building position and external works layout could be compromised.

Members should also note that an objection was received from United Utilities to the application. This is because robust evidence that the drainage hierarchy has been thoroughly investigated has not been submitted to accompany the application and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Therefore, the applicant has not shown that the site will be drained in an acceptable manner in accordance with Policies SIE-3 'Protecting, Safeguarding and Enhancing the Environment', 'SD-6 Adapting to the impacts of climate change', of the adopted Stockport Core Strategy DPD and to provide sustainable drainage with Policy SD-6 of the Stockport Core Strategy DPD, Paragraph 163 of the National Planning Policy Framework and the Planning Practice Guidance.

In view of the above, it is not considered that the imposition of a condition is possible or appropriate in this case, as insufficient information has been submitted to show that the development could be constructed in accordance with an acceptable drainage strategy, that would ensure that the development would be drained in a sustainable and appropriate manner without the risk of flooding elsewhere. As such, the development is considered to be contrary to saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3, and the application should be refused on drainage and flood risk grounds.

Land Contamination

The comments received to the application from the Council Environment Team are contained within the Consultee Responses section above. A Phase 1 Report, completed by Brownfield Solutions dated February 2022, accompanies the application.

The report concludes that due to the former industrial use of the site, an intrusive site investigation is required. The Contaminated Land officer agrees with this conclusion and as such, has requested conditions in relation to the submission of detailed site investigations, remediation strategies and verification reports for soli and gas.

Subject to the inclusion of the relevant conditions, it is considered that any potential land contamination issues at the site could be effectively mitigated, in accordance with Core Strategy DPD policy SIE-3.

Energy Efficiency

The UK has set into law a target to bring all its greenhouse gas emissions to net zero by 2050. In March 2019, Stockport Council declared a climate emergency, and agreed that Stockport should become carbon neutral by 2038, in advance of the UK 2050 target. The Stockport CAN strategy was developed to underpin this agreement and was approved by the Council in October 2020. The strategy sets out to ensure that Stockport achieves carbon neutrality by 2038, in order to support global efforts to prevent global warming going above 1.5°C. The Environmental Law Foundation has suggested that climate emergency declarations should be regarded as material considerations in the determination of planning matters.

Meeting our 2038 carbon neutrality target will require new development to achieve net zero carbon in advance of then, and we should not be building homes, workplaces, community uses or schools which will require retrofitting in the near future. The definition of net zero carbon development has been established by the UK Green Building Council. <https://www.ukgbc.org/ukgbc-work/net-zero-carbon-buildings-a-framework-definition/> It is important to note that most microgeneration technologies (e.g. solar panels), and other climate change mitigation / adaptation measures are significantly easier to install at the time of building rather than retrofitting later.

Our local approach reflects the Greater Manchester Five Year Environment Plan. The Five-Year Environment Plan includes a commitment to be carbon neutral by 2038, and an accompanying science-based carbon budget. (Carbon neutrality is defined by the Tyndall Institute's study for GM as below 0.6 Mt CO₂/year across GM).

Paragraph 8 of the NPPF places mitigating/adapting to climate change as an overarching objective for the planning system, to ensure sustainable development. Objective 1 of the Core Strategy relates to climate change, this is supported by a number of policies that seek to deliver this primary objective.

Policy CS1 states that: "The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint by achieving carbon management standards."

Policy SD-3 sets out CO₂ reduction targets for different types of development across the borough.

Policy SD-4 District Heating (Network Development Areas) requires developments of less than 100 residential units to connect to any available district heating networks, and that residential developments over this threshold should install a district heating network to serve the site. For non-residential developments the equivalent threshold is 10,000m².

Policy SD-6 states that: “Development should be designed in such a way as to avoid, mitigate or reduce the impacts of climate change.”

Paragraph 3.68 of Policy SD-6 states that: “Development, particularly within the urban area of the Borough, that takes into account the urban heat island effect and incorporates measures to reduce this phenomenon will be given positive consideration. Measures might include: Provision of appropriate greencover (shaded green space and tree cover); Provision of green roofs, walls and boundaries; Urban design that encourages air flow throughout the development; Passive cooling that allows natural ventilation to cool the building or development in preference to mechanical cooling; Solar shading designed into buildings to avoid internal overheating; or water features such as lakes, ponds, fountains and watercourses.”

In view of the fact that the proposal would comprise the provision of over 1,000 square metres of additional floorspace, an Energy Statement was submitted to accompany this planning application. The submitted “Energy Usage & Sustainability Statement” (EUSS) has been reviewed and it is considered that it is a thorough document and the approach set out for the new supermarket is welcomed.

In terms of energy efficiency, the proposed U values for the design elements of the scheme surpass the requirements of new Part L standards. Low energy lighting and efficient water fittings will be used throughout the store. Heat recovery is proposed for the sales area. A review of different types of renewable and low carbon technology has been undertaken. As a result of this review, the EUSS suggests that a Solar PV array will be installed on the roof of the building. The array would cover ~867 sqm and generate an estimated 146,955kWh per annum and indicative location of the panels has been shown on the roof plan. The regulated energy consumption is estimated to be 50,383kWh per annum, therefore the panels will generate more than 100% of the stores regulated energy consumption. It is recommended that consideration is given to the submission of a glint and glare study, due to the proximity to the flight path for Manchester international airport.

In terms of the urban heat island effect, a landscaping plan has been prepared which indicates planting of a variety of trees, shrubs and hedging. However, in terms of climate change, the Council’s Energy and Climate Change officer has suggested that additional green infrastructure is considered for inclusion to help mitigate the urban heat island effect. This could be done through the use of green walls, grasscrete and additional planting. Therefore, again, the amount of soft landscaping has been considered to be insufficient.

Notwithstanding this however, the submitted Energy Statement is compliant with the requirements of Core Strategy DPD policy SD-3 and a specific reason for refusal on energy and climate change cannot be justified in this case.

Safety and Security

A Crime Impact Statement has been submitted to accompany the application, to include crime data from the local area. The CIS confirms that the development is supported subject to the measures suggested in Section 3.3 being applied to the development. This includes issues such as security guards, the inclusion of suitable boundary fencing and gates, security rated entrance and escape doors, glazing and shutters and appropriate lighting and CCTV.

The applicant has confirmed that they will comply with the recommendations contained within the CIS report.

In view of the above considerations, the proposed development is not considered at risk from a safety and security perspective, in accordance with Core Strategy DPD policy SIE-1.

CONCLUSION

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 an allocated Predominantly Residential Area, as defined on the UDP Proposals Map. Saved UDP Policy CDH1.2 relates to Non-Residential Development in Predominantly Residential Areas. It states that non-residential development will be permitted in Predominantly Residential Areas where it can be accommodated without detriment to the residential amenity of adjacent dwellings or the residential area as a whole. In particular account will be taken of: (i) noise, smell and nuisance; (ii) traffic generation and safety and accessibility by sustainable transport modes; (iii) parking; (iv) hours of operation; (v) proximity to dwellings; (vi) the scale of the proposal; and (vii) whether or not the character of the area will be changed.

As outlined in the report above, consideration must be had to the former use of the site as a commercial car sale and repair garage and the existence of other commercial uses in the immediate area. The presence of residential accommodation immediately surrounding the site is acknowledged, with the closest properties being immediately adjacent to the application site on either side and across the road. On this basis, a Noise Impact Assessment and Lighting Report have been submitted and have been thoroughly reviewed by the Council's Environmental Health officer. Due to the existing noise and illumination levels in this immediate area and subject to the recommended mitigation measures, no objections have been raised by the EHO for this application.

Therefore, it is considered that the development could be brought forward without detriment to the amenity of adjacent dwellings in relation to noise, smells and nuisance, traffic matters, parking, hours of operation and scale and as such is in accordance with Saved Policy CDH1.2 of the development plan.

Furthermore, due to the site being located in a predominantly residential area as allocated within the UDP, the principle of the proposed retail foodstore development within such an area, also has to therefore be very carefully considered in relation to development plan and NPPF policies for applications for retail and other main town centre uses that are neither in an existing centre nor in accordance with an up to date local plan.

In this case, the application has been assessed against Core Strategy Policy AS-3 'Main Town Centre Uses, Hot Food Take Aways and Prison Development Outside Existing Centres' of the Development Plan and paragraphs 90 - 95 of the NPPF in relation to the key tests of sequential approach and retail impact. The NPPF at paragraph 95, advises that where an application fails to satisfy the

sequential test or is likely to have a significant adverse impact on one or more of the factors set out in paragraph 94, it should be refused.

As outlined in detail in the report above, following a detailed assessment of the relevant material considerations in relation to retail policy matters, it has been concluded that the development proposals meet the sequential approach and retail impact tests are considered to be acceptable in accordance with Core Strategy policy AS-3 and paragraphs 90-95 of the NPPF.

However, as outlined above, the application does not provide sufficient information in relation to the loss of employment use at the site and as such, the proposals are contrary to Core Strategy Policy AED-6 'Employment Sites Outside Protected Employment Areas'. The justification for viability is missing detail on the loss of overall jobs on the site and with supporting figures to enhance their position. The loss of 60 FTE jobs without justification and supporting evidence is not sufficient to meet criterion (a) of Policy AED-6. Criterion b), c) and d) are considered to be met.

Therefore, in conclusion, it is considered that the development would lead to the loss of employment land without a reasoned and evidenced justification for a significant loss of jobs, and as such, the development is contrary to Saved UDP Review Development Management Policy AED-6 and should be refused on this basis.

Furthermore, it is considered that the design, siting, landscaping and impacts on the visual amenity from the proposed development are not acceptable in light of Core Strategy Policy SIE-1 'Quality Places'. The proposed site layout with the building set back behind an expanse of tarmac with inadequate landscaping, along with the development design as a whole, fails to provide a suitable quality appearance within the streetscene, and fails to establish a strong sense of place. The proposals are therefore considered to be contrary to Policies CS8 'Safeguarding and Improving the Environment' and SIE-1 'Quality Places' of the Core Strategy DPD and the National Planning Policy Framework, having particular regard to the requirement to achieve all three strands of sustainable development set out within Chapter 2 of the Framework and the need to achieve well-designed places set out within Chapter 12, and the application should be refused.

The applicant has been requested to bolster the proposed planting and in particular the tree planting, to provide the many benefits mentioned. There is scope within this large site to provide a much greater level of planting and new trees, however the applicant has chosen not to provide these within an updated landscape scheme. Therefore, the proposed impact on trees and landscaping at the site mainly in the form of an inadequate mitigation planting scheme, results in an unacceptable form of development at the site, contrary to policies SIE-1 and SIE-3 of the Core Strategy DPD.

The application and development are also considered to be inadequate under the requirement of the NPPF for a measurable on site gain for biodiversity. Although the Nature Development officer has confirmed that there are no objections from an ecological perspective with regards to protective species, it is considered that more is required to provide biodiversity enhancements at the site. However, as outlined above, it is considered that as it would be possible to resolve this deficiency by improved planting and other measures to be delivered through an appropriately worded condition, a specific ecological reason for refusal has not

been recommended. However, the deficiency in the amount of soft landscaping generally across the site has been included in the reasons for refusal relating to the site layout, design and visual impacts as listed below.

In relation to flood risk and drainage matters, the applicant has not shown that the site will be drained in an acceptable manner in accordance with Policies SIE-3 'Protecting, Safeguarding and Enhancing the Environment', 'SD-6 Adapting to the impacts of climate change', of the adopted Stockport Core Strategy DPD and to provide sustainable drainage with Policy SD-6 of the Stockport Core Strategy DPD, Paragraph 163 of the National Planning Policy Framework and the Planning Practice Guidance.

It is not considered that the imposition of a condition is possible or appropriate in this case, as insufficient information has been submitted to show that the development could be constructed in accordance with an acceptable drainage strategy, that would ensure that the development would be drained in a sustainable and appropriate manner without the risk of flooding elsewhere. As such, the development is considered to be contrary to saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3, and the application should be refused on drainage and flood risk grounds.

The scheme has been assessed in detail by the Council's Highways officer, who concludes that the submission has demonstrated that the site and surrounding highway network can accommodate the development proposed.

In overall conclusion, the submission has demonstrated that the site can accommodate the development proposed. It is a site that benefits from a reasonable level of accessibility and the development will deliver further improved accessibility measures. The consequent traffic impact of development would not give rise to a severe effect on highway operation or unacceptable effect on highway safety. The development would have acceptable access arrangements and can accommodate the necessary parking and servicing needs so not to give rise to highway operation and safety concerns. This leads me to conclude that the development would comply with the relevant Core Strategy DPD policies and NPPF Paragraphs.

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 land contamination; energy efficiency; and safety and security.

In view of the above, the proposal is considered to be contrary to the relevant saved UDP and Core Strategy DPD policies as outlined taken as a whole. In considering the planning merits of the proposal against the requirements of the NPPF, again, the proposal is considered to be contrary to the guidance provided and as such, does not represent sustainable development. On this basis, the application is recommended for Refusal.

RECOMMENDATION

Refuse for the following reasons:

- 1) The development would lead to the loss of employment land without a reasoned and evidenced justification for a significant loss of jobs, contrary to Saved UDP Review Development Management Policy AED-6.

- 2) The proposed development, in light of the proposed site layout, building position, and inadequate landscaping, the absence of active frontages to the surrounding highway network and the dominative presence of large expanses of car parking, and the scale, form and elevational treatment of the store building, fails to respond to and sit sympathetically within its physical context and respect the positive character of the local area and urban form around Stockport Road. The proposed site layout and development design fails to provide a suitable quality appearance within the streetscene, inadequate landscaping and fails to establish a strong sense of place. The proposals are therefore considered to be contrary to Policies CS8 'Safeguarding and Improving the Environment' and SIE-1 'Quality Places' of the Core Strategy DPD and the National Planning Policy Framework, having particular regard to the requirement to achieve all three strands of sustainable development set out within Chapter 2 of the Framework and the need to achieve well-designed places set out within Chapter 12.

- 3) The submitted application is accompanied by insufficient detail in relation to surface water drainage and sustainable drainage systems for the proposed development and has failed to demonstrate that the proposals will not result in increased flood risk elsewhere. As such the proposal would be contrary to the provisions of Saved UDP policy EP1.7 'Development and Flood Risk', Core Strategy DPD policies SD-6 'Adapting to the Impacts of Climate Change' and SIE-3 'Protecting, Safeguarding and enhancing the Environment' and the guidance in Chapter 14 of the National Planning Policy Framework in relation to flood risk and drainage.