

ITEM 3

Application Reference	DC/094450
Location:	99 Adelaide Road Edgeley Stockport SK3 9LP
PROPOSAL:	The conversion of the basement and ground floor to a 5-bedroom/5-person house of multiple occupation (Use Class C4), a single-storey rear extension, provision of a basement lightwell, window/door replacements boundary treatment improvements and associated landscaping works.
Type Of Application:	Full Application
Registration Date:	17.12.2024
Expiry Date:	EOT 11.04.2025
Case Officer:	Dominic Harvey
Applicant:	Prime Land UK Holdings Ltd
Agent:	Bramhall Town Planning Limited

DELEGATION/COMMITTEE STATUS

Central Area Committee - 'Called Up', departure from the development plan, six letters of objection and a petition against (14 signatures)

***** UPDATE TO REPORT IN RESPONSE TO AGENDA ITEM 9 (09 APRIL 2025) *****

The Council's Highway Engineer has updated their response to the application in light of the proposed Traffic Regulation Order immediately adjacent to the application site (Agenda Item 9) as follows:

SMBC Highway Engineer

Subsequent to my consultation response of 21st January 2025, it came to my attention that the Proposed Traffic Regulation Order 'No Waiting At Any Time' on Old Chapel Street and Adelaide Road, Edgeley is on the Agenda (Item 8) for the Central Stockport Area Committee, scheduled for Thursday, 10th April, 2025 at 6pm.

Having reviewed the submitted Parking Beat Survey Report dated December 2024, I consider the impact of the proposed TRO to have a negligible impact on the available on-street parking capacity identified through the survey.

A total of between 75 - 94 car parking spaces (an average of 83) have been identified to be available within 200m walking distance to/from the application site, over the whole survey period. 6 car parking spaces identified as being available would be subject to the introduction of the TRO scheme at the junction of Adelaide Rd / Old Chapel Street, as a result between 74 - 94 car parking spaces would now be considered available on-street, over the whole survey period. The table below summarises the impact of the TRO:

	Sun AM 15-09-24	Mon AM 16-09-24	Mon PM 16-09-24	Tues AM 17-09-24	Mon AM 23-09-24
Total identified spaces	75	75	89	82	94
Identified spaces within TRO	1	1	3	1	0
Net identified spaces	74	74	86	81	94

For ease of reference: 3.5 spaces (3 to 4 spaces) are required on-street to accommodate the parking demand of the proposed HMO.

As such and noting that the proposal to introduce a TRO to manage parking near the junction adjacent to the application site, I would conclude that an objection on the grounds of parking provision could not be sustained.

In the event that permission is to be granted, I would take this opportunity to add the following condition that was omitted in my initial consultation response:

Closure of existing access: submission of details:

A detailed drawing outlining a scheme to permanently close the site's existing access, which shall include details of proposals to remove any redundant footway crossings and reinstate the footway shall be submitted to and approved in writing by the Local Planning Authority. The existing access shall be closed in accordance with the approved drawing within three months of the date of this decision.

Reason: In order to remove the existing redundant / unsafe access/s, ensure that the development can be accessed in a safe manner and ensure the safety of highway users in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Planning officers have reviewed these revised comments and noting the ongoing availability of on-street parking in the vicinity of the site despite any potential reduction in space continue to recommend that planning permission be granted, despite conflict with saved UDP policy CDH1.4. Officers also consider the suggested condition relating to the removal of the dropped crossing necessary to make the development acceptable in planning terms.

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for the conversion of a vacant basement and ground floor one-bedroom flat to a five-bedroom single occupancy 'House of Multiple Occupation' (HMO), Use Class C4 (small-shared house occupied by six unrelated individuals). The existing 1st floor self-contained flat would be retained. The proposal includes a single-storey rear extension projecting 3 m, provision of a basement lightwell, window/door replacements, boundary treatment improvements and associated landscaping works. The application seeks to remove a parking space and accommodate the land as part of the garden.

The applicant's agent has formally submitted two letters, as further material considerations and evidence for justification for noncompliance with the parking standard.

- (i) A letter from the applicant (Prime Land 10.01.25) that sets out of her 8 properties in Stockport and Manchester, that have in total of 43 rooms, only 1 tenant has a car which equates to 2.3% ratio.
- (ii) In addition, a letter from the property agent Shared Habitat (dated 10.01.25), based on the HMO portfolio they act on that of 146 residents only 16 residents (11%) have a car.

SITE AND SURROUNDINGS

No.99 Adelaide Road comprises a 2-storey end-terraced property situated on a corner plot and in use as two one-bedroom flats with the benefit of planning permission (J/69561) granted 5th May 1998 to convert the ground floor and 1st floor to separate one-bedroom flats, there is a large vacant basement in two chambers. The ground floor flat is accessed from the rear and the 1st floor flat which would be retained is accessed separately from the front door, with the basement accessed either via stairs at the site or internally via another set of stairs from the ground floor. The property benefits from a side and rear garden and is bound by a 1.3 m high traditional brick wall with black metal gates, including gates to serve 1 off street parking space, the rear boundary is enclosed with a close boarded fence. The site is situated with an accessible and sustainable location and lies within a predominantly

residential area as identified on the Proposals Map of the Stockport Unitary Development Plan Review. The site is within Flood Zone 1 and therefore has a low risk of fluvial flooding with less than 1 in 1,000 annual probability of flooding where all forms of development are considered acceptable.

POLICY BACKGROUND

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

The Development Plan consists of the following:

'Saved' policies of the Stockport Unitary Development Plan (UDP) Review and UDP Review Proposals Map (May 2006).

Stockport Core Strategy (March 2011), setting the overall spatial strategy and vision for the borough, establishing the broad aims and objectives for the use of land,

Greater Manchester Joint Waste Development Plan (April 2012), identifying sites required to meet Greater Manchester's future waste management needs and development management policies to enable effective and appropriate development of those sites.

Greater Manchester Joint Minerals Development Plan (April 2013), showing how Stockport Council together with the other Greater Manchester Local Planning Authorities will meet their contribution to 3 delivering the identified needs of the region for all minerals, within acceptable social, economic and environmental parameters.

Saved policies of the SUDP Review

EP1.10 AIRCRAFT NOISE

L1.1: LAND FOR ACTIVE RECREATION

L1.2: CHILDRENS PLAY

CDH1.4: HOUSES IN MULTIPLE OCCUPATION

MW1.5: CONTROL OF WASTE FROM DEVELOPMENT

LDF Core Strategy/Development Management policies

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

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

SD-1: Creating Sustainable Communities

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

SD-6: Adapting to the Impacts of Climate Change

CS2: HOUSING PROVISION

CS3: MIX OF HOUSING

CS4: DISTRIBUTION OF HOUSING

H-1: Design of Residential Development
H-2: Housing Phasing

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places
SIE-2: Provision of Recreation and Amenity Open Space in New Developments
SIE-3: Protecting, Safeguarding and Enhancing the Environment

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

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

Supplementary Planning Documents and Guidance

Supplementary Planning Guidance (Saved SPG's & SPD's) does not form part of the Statutory Development Plan, nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

'Open Space Provision and Commuted Payments' (2019), 'The Design of Residential Development' (2007), 'Extensions and Alterations to Dwellings' (2011) 'Transport & Highways in Residential Areas' (2006), 'Sustainable Transport' (2007), 'Sustainable Design and Construction' (2012), Adopted Parking Standards (Appendix 9).

Housing Land Supply Position and Tilted Balance

Following the publication of the updated standard method for calculating housing need published by government in December the current housing land supply position is currently established as 1.77 years. The level of supply was considered as part of the recent Gatley Golf Club appeal decision where the Inspector recognised that the level of supply is very significantly below the five-year deliverable supply position that local authorities should be able to demonstrate. As such the requirements of NPPF para 11d continue to apply to decision-making (the tilted balance). This means that applications for residential development should be approved unless the application of policies relating to areas or assets of particular importance (defined in footnote 7 of the NPPF) provide a strong reason for refusing the development proposed, or if any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole, with particular regard to directing development to sustainable locations, making effective use of land, securing well-designed places and/or providing affordable homes.

Stockport Climate Action Now

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

National Planning Policy Framework

The National Planning Policy Framework (2024 NPPF) was published and came into effect on 12th December 2024. It replaces the previous version of the NPPF (dated 19th December 2023). Annex 1 (Para. 231) of the 2024 NPPF confirms that there are no transitional policies

for the determination of planning applications and as national planning policy it is a material consideration that must be taken into account (from date of publication) in the determination of planning applications. 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. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

Para.7 states the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner.

Para.8 outlines that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

Para.11 sets out the presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.

Footnote⁸ confirms that for applicants including provision for housing, this position prevails where: the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer as set out in para.78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also para.232.

Para.39 advise that local planning authorities should approach decision making in a positive and creative way to secure developments that will improve the economic, social, and environmental conditions of an area.

Para.48 confirms that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Para.61 covers the Governments objective to significantly boost the supply of homes, it makes it clear that the overall aim should be to meet an area identified housing need, including an appropriate mix of housing types for the local community.

Para 62 outlines that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

Para 63 states that within this context of establishing need, the size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Para.79 c) confirms that where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer.

Para.80 makes it clear that the Housing Delivery Test consequences set out above will apply the day following the annual publication of the Housing Delivery Test results, at which point they supersede previously published results. Until new Housing Delivery Test results are published, the previously published result should be used.

Para.124 makes it clear that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land⁴⁹.

Para.129 goes on to set out that planning and decisions should support development that makes efficient use of land.

Para.131 states 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.

Para.135. Planning policies and decisions should ensure that developments:

- a) 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;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) 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);
- d) 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;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Para.232 clarifies that 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). Where a local planning authority can demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78) and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing

requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure (calculated using the standard method set out in planning practice guidance) is greater than the housing requirement set out in adopted strategic policies, for a period of five years from the date of the plan's adoption.

Para.233 states that where a local planning authority has confirmed its housing land supply position for a year through a published Annual Position Statement that has been examined by the Planning Inspectorate against the previous version of this Framework, this position will stand until the Annual Position Statement expires.

National Planning Practice Guidance

The Planning Practice Guidance (PPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

RELEVANT PLANNING HISTORY

J/69561: Conversion of shop and living accommodation into two self-contained flats, granted 5th May 1998.

NEIGHBOUR'S VIEWS

The owner/occupiers of neighbouring/surrounding properties have been notified, to date six letters of objection and a petition of against the proposal (14 signatures) have been received. Comments received are summarised as follows:

- A HMO is not in keeping with this area.
- The parking situation is difficult for existing residents with congestion particularly during match days for Stockport County.
- In the evenings and on match days cars are parked in increasingly dangerous locations making it difficult for residents to park outside of their own homes and accessibility for prams, wheelchairs, and other vehicles (namely emergency services and delivery vehicles - who already have trouble accessing houses further down the street).
- There was a recent proposal to introduce double-yellow lines to the corner of Adelaide Road (around 99 Adelaide Road), which has been objected to by residents as it would worsen the parking situation even further.
- Waste disposal, multiple tenants in a small vicinity will increase waste build-up in the area, which could spill into the alleyway between the houses and attract pests.
- The party walls on terrace houses are very thin, and an HMO would increase neighbouring noise levels which would impact our quality of life and enjoyment of a quiet home.
- The proposed new rear extension for shared living facilities backs adjacent to our garden. This would impact the already limited amount of sunlight we get into not only the garden but also our kitchen and dining room windows, especially in winter.
- Impact on local services (namely GP services) which are already under a lot of pressure.
- More occupants sharing an already small building would increase the risk of fires, which could easily spread to our property and neighbouring properties.

- Plans indicate each room would have its own en-suite which could impact on water pressure in the immediate area.
- Possibility of internet speeds being throttled due to an increase of tenants in one building using the internet all at once.
- Construction work could damage properties, especially in the cellar, given how thin the walls are.
- Devaluation of neighbouring properties.
- Increase in antisocial behaviour linked with the nature of the proposed development.
- Litter from the property has been an ongoing concern as is maintenance of the property.
- Overcrowding within property, the plan details a shared kitchen facility based on a shared size of up to 5, which would make for overcrowded conditions.
- The property is already larger than the neighbouring houses, and the addition of an extension seems excessive.
- While the proposal claims to have sacrificed the parking space to prioritise green space, this appears disingenuous, as the parking space is being removed to accommodate the extension.
- Whilst investment in the property is commendable, it would be more fitting as affordable housing for a small family, particularly given its proximity to schools, aligning better with the community's needs.
- The neighbourhood houses many families and elderly residents who have established a long-standing and cohesive community. Introducing a potentially transient group of unrelated house sharers could disrupt this balance, potentially causing social upset, increased noise levels, and challenges with waste management.
- The claim that additional residents will improve security through "informal surveillance" is questionable, as single occupants in HMOs are typically less invested in the long-term wellbeing of the community.
- A registered disabled resident, who cannot drive, already has trouble with parking near to their home, when family members visit to take the resident to appointments etc. as they struggle to park as many residents on Adelaide Road already have insufficient parking.
- The petition against the proposal is submitted on the grounds that the development will do nothing to enhance the neighbourhood which already suffers a lack of basic amenities and the noise, and the disruption will go on for months for a structure which no one wants or needs. The borough should be encouraging this sort of development, family homes are one thing but houses not of multiple occupation which will be occupied only by the poorest people because no one else will want them.

CONSULTEE RESPONSES

SMBC Environmental Health Officer - Housing Standards

I do not have any objections to the proposed development in principle, I would remind the applicant of our current amenity standards for licensable HMOs as a guide to the various

amenities (both shared and individual) and ask that along with working compliant to the requirements of the Building Regulations they also liaise with ourselves during the development to ensure that the relevant standards are met prior to the property being occupied.

For information, a link to the relevant documents is below.

<https://www.stockport.gov.uk/information-for-landlords/houses-in-multiple-occupation>

SMBC Senior Highway Engineer

The Council has a Saved UDP policy CDH1.4 that states, inter alia, the conversion of dwellings to multiple occupation will be permitted provided that the proposal includes parking within the curtilage at the rate of 0.5 space per letting. It is therefore necessary that a minimum amount of car parking is provided and retained for HMO developments. No.99 Adelaide Road is proposed as a five bed HMO, thus requiring 2-3 parking spaces to align with policy. The property currently benefits from 1 parking space within the curtilage of the development, which will be lost due to the proposed extension and need to provide green space for the development. Consequently, the development would need to provide 3-4 parking spaces. No parking is proposed to be provided on-site, and the development's parking demand would need to be accommodated on-street on the local highway network. A parking beat survey has been undertaken during September 2024 and the results submitted in a report, the report concludes that the immediate local highway has sufficient spare capacity to accommodate the additional 3-4 parking spaces should the need arise due to the proposed development. I note that a secure and covered cycle store is proposed which will provide parking for 3 cycles. Given the likely low car ownership of occupiers of the HMO (reflected in the car-free development), I would encourage the applicant to consider providing 1 cycle space / dwelling. Notwithstanding my comments on cycle parking, I raise no concerns with regards to the proposed parking provision.

Cycle parking

Condition: No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide a long-stay cycle parking facility for the approved HMO (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle for each dwelling) have been submitted to and approved in writing by the Local Planning Authority. The approved HMO / each dwelling within the development shall not be occupied until the cycle parking facility for that dwelling has been provided in accordance with the approved details. The cycle parking facility shall then be retained and shall always remain available for use thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD.

Pedestrian gates to open into the site.

Condition: Any gates to be erected across the pedestrian access/s shall be constructed so that they only open into the site and not out into the public highway.

Reason: To ensure that any gates do not impinge on the adjacent footway when open in terms of Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Bin stores

Condition: The approved HMO shall not be occupied until the bin store has been provided in accordance with the submitted details and drawings. The bin store shall then be always retained and remain available for use thereafter.

Reason: To ensure that the development will have adequate bin storage facilities, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

INFORMATIVES

A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's website (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

SMBC Environmental Health Officer (Noise Consultation)

The acoustic report evaluates the potential noise impacts associated with the proposed conversion of the existing basement and ground floor at 99 Adelaide Road, Stockport, into a House in Multiple Occupation. The primary noise source for the site is aircraft noise. The existing building is situated in a location that is not directly exposed to significant road traffic noise. As a result, the primary noise source impacting the area is likely to be aircraft noise. From the collation of the NIA sound level data for the site and taking into account the internal noise design criteria, the consultant has advised *that: glazing and trickle vents with the minimum acoustic performances effectively achieve the required internal ambient noise levels* to ensure that future occupants are not adversely affected external sound sources.

This service accepts the methodology, conclusion and recommendations detailed in: Apex Acoustics, 99 Adelaide Road, Stockport Noise impact assessment 12153.1 22nd November 2024 Revision A

RECOMMENDED CONDITION – Development in accordance with NIA

The noise insulation scheme, detailed in the acoustic report:
Apex Acoustics, 99 Adelaide Road, Stockport Noise impact assessment 12153.1 22nd November 2024 Revision A

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

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

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

Accords with the National Planning Policy Framework, 12 December 2024

- AMENITY: para. 135 (f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*
- NOISE: para. 187 (e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution*

IMPACTS ARISING FROM THE DEVELOPMENT

- POLLUTION: para. 198 decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) NOISE - mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life

CONSTRUCTION & DEMOLITION SITES - working hours for 'noise generative works'
Any works which can be heard outside the site boundary must only be carried out between:

- Monday to Friday 7.30 am – 6.00 pm
- Saturday 8.00 am – 12:30 pm
- Sundays, Public and Bank Holidays - No noisy working audible from the site boundary

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

GMP Design For Security (Police Consultation)

The existing boundary should be checked and repaired where necessary.

The entrances and yard area of the HMO should be illuminated in the hours of darkness via the use of dusk till dawn sensors on the light fixtures.

An intercom system should be used at the communal entrance so that residents can vet visitors before opening the door to them. There should be no unrestricted trade access into the building.

A secure mail delivery system should be supplied, to allow delivery without access to the whole building (i.e. secure through the wall mailboxes).

Any alterations to the existing building should be complete to the Secured by Design standards.

SMBC Ecology and Biodiversity Net Gain Officer

The site is located at 99 Adelaide Road, Edgeley, Stockport. The application comprises the conversion of the basement and ground floor to a 5-bedroom house, a single-story rear extension, provision of a basement lightwell, window/door replacements boundary treatment improvements and associated landscaping works.

The site itself 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 etc.). The site has not been identified as existing or opportunity habitat within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester. Green chain ID:19 (Alexandra Park) is located ~100m south of the site. The proposals are unlikely to result in a negative impact to the green chain site. The site can be clearly viewed from aerial imagery and seen to be composed of build structures and paved external areas with a negligible ecological value.

The site can be viewed sufficiently from aerial and street imagery to determine that it is unlikely to offer bat roost potential. No bat survey report will be required in support of this full planning application on this site.

The application qualifies as exempt from mandatory BNG on account of the de minimis exemption. The BNG Statement Form has been completed and adequately explains the justification for the exemption. As per the NPPF the application is still required to provide a

gain for biodiversity. This can be achieved as part of an ecological enhancement strategy and is addressed further in the recommendations section of these comments.

Recommendations: Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with these policies. I therefore recommend that prior to the use of tools on site an enhancement strategy should be submitted for approval, which should include proposals for the provision of:

- features for nesting birds and roosting bats;
- native species planting

The proposals should be permanently installed in accordance with approved details.

ANALYSIS

At the outset it is noted that the NPPF outlines that decisions should apply a presumption in favour of sustainable development which means approving development proposals that accord with an up-to-date development plan; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The NPPF makes it clear that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land. Furthermore, the NPPF advocates that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

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

In situations of housing undersupply Policy CS4 allows Policy H-2 to come into effect bringing housing development on sites, which meet the Council's accessibility criteria. For the purposes of applying Policy H-2, the current minimum accessibility score (AS) is set at 'zero'. Taking account, the under delivery of housing the contribution to overall housing supply should carry significant weight and in accordance with the tilted balance, and in this instance the proposal accords with policies CS4 and H2 and aligns with aims and objectives of the Council's Housing Delivery Test Action Plan 2023 which advocates a 'brownfield first' approach.

Policy CS3 states that all new housing should contribute to the provision of an appropriate borough-wide mix of housing. The scheme will provide a 5-bedroom HMO, which would be attractive to a range of potential occupiers and provide a source of more affordable accommodation, and as such the development will also help towards meeting local demand for housing and providing variety to the housing tenure available. Moreover, the explanation to Policy CDH1.4 acknowledges that HMOs are a valuable source of cheaper accommodation.

Policy CDH1.4 also recognises that policies are needed to minimise the potential detrimental effects and to ensure a high standard of amenity for residents, neighbouring properties, and the area in general and outlines that the conversion of dwellings to HMO will be permitted if, amongst other things, it does not create such a concentration of such uses in a particular area or intensity of occupation of the property concerned that the character of the area is adversely affected. Policy CDH1.4 sets out that conversion of dwellings to multiple occupation will be permitted provided that the proposal: -

(i) does not result in more than 2 houses in multiple occupation adjoining;

(ii) does not result in a single dwelling having a house in multiple occupation on both sides;

In respect of criteria (i) and (ii) it is noted that No.99 Adelaide Road comprises an end-terraced property situated on a corner plot and adjoins No.97 Adelaide Road, a mid-terraced house where there is no obvious indication that the property is in use as an HMO, and therefore the proposal would not have any additional impact.

(iii) does not create such a concentration of houses in multiple occupation in a particular area or intensity of occupation of the property concerned that the character of the area is adversely affected;

A site inspection has not identified that there is a concentration of HMOs in the surrounding area. Additionally, whilst there would be some additional activity associated with a fully occupied 5-bedroom HMO, there is no evidence to substantiate that any additional noise and disturbance would be so great as to materially harm the residential character and appearance of the area.

(iv) includes useable rear gardens within the curtilage of at least 50m²;

The site benefits from a garden which is 85m² providing an area for residents to sit out, socialise and dry washing etc. it is also noted that the site is in walking distance of open space/recreation/sports facilities at Alexandra Park.

(v) includes suitably enclosed refuse storage areas at the rear of the property;

The site plan provides for the relevant refuse storage areas to the rear of the property.

(vi) includes parking within the curtilage at the rate of 0.5 space per letting. Where car parking is to be provided by hard paving of the area in front of the dwelling, no less than 40% of that area should be landscaped to the satisfaction of the Council; and

Whilst the proposed 5-bedroom single occupancy HMO would require 2-3 parking spaces to align with criteria (vi) requiring 0.5 space per letting, no off-street parking would be provided and therefore parking demand would need to be accommodated on-street on the local highway network. Nonetheless, a Parking Beat Survey has been undertaken which concludes that the immediate local highway has sufficient spare capacity to accommodate the additional 3-4 parking spaces should the need arise due to the proposed development. Moreover, the site lies within a highly accessible location and given the likely low car ownership of occupiers of the HMO noted by the Senior Highway Engineer the proposed secure cycle storage facility which will help to promote sustainable travel patterns. Overall, the Council's Senior Highway Engineer confirms that there is no evidence that the proposal is likely to give rise to highway operational or safety concerns and consequently raises no objection.

(vii) complies with Policy EP1.10 (aircraft noise).

The Council's Environmental Health Officer confirms that the primary noise source for the site is aircraft noise and accepts the methodology, conclusion and recommendations detailed in Noise Impact Assessment to ensure that future occupants are not adversely

affected external sound sources in compliance with criteria (vii) and in accordance with the requirements of Policy EP1.10.

Housing Standards, Living Conditions, Amenity, Design, Character & Appearance

The Council's Housing Standards Officer raises no objection and the internal layout of a HMO is a matter that is covered by other legislation. Specifically, a mandatory licence for the occupation of the property as an 'House in Multiple Occupation' would be required. That assessment would have regard to bathroom, toilet and kitchen facilities, room sizes, and management arrangements, in determining the number of individuals or households that the property would be permitted to accommodate. As a licensing authority, the Council therefore could restrict the maximum number of residents. In doing so, the occupancy level of the HMO can be regulated to ensure that it reflects the accommodation and communal facilities and amenities to be provided.

Policy SIE-1 sets out that development should be designed with high regard to the built or natural environment in which it is sited; and sets out that the provision, maintenance, and enhancement (where suitable) of satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents should be taken into account. Policy H-1 requires that the design and build standards of new residential development should be high quality, inclusive, sustainable and contribute to the creation of successful communities. Proposals should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale, and appearance, and should consider the need to deliver low carbon housing. Good standards of amenity, privacy, safety/security, and open space should be provided for the occupants of new housing and good standards of amenity and privacy should be maintained for the occupants of existing housing.

With regards to the single-storey rear extension projecting 3m, and provision of a basement lightwell, the overall design approach is sympathetic in terms of siting, scale, massing, design and materials would be broadly in keeping with the character and appearance of the immediate surroundings. Additionally, the amenities of existing residents would be safeguarded and there will be no adverse impacts in terms of overlooking, loss of privacy, overshadowing, overbearing, loss of light etc. The development would provide satisfactory living conditions for future occupiers of the HMO in accordance with the provisions of Policies CDH1.4, CS8, SIE-1 and H-1 and guidelines set out in the Design of Residential Development SPD. Bin storage would be accommodated in accordance with the provisions of Policy MW1.5.

Crime and Security Matters

The application is supported by a Crime Impact Statement (CIS) prepared by Greater Manchester Police Design for Security. The CIS recognises a series of positive benefits associated with the scheme. The report also advises on a number of recommendations to enhance security relating to the intercom, security lighting and individual post boxes which have been incorporated into the scheme. On the basis that the recommendations of the CIS are complied with the application will therefore be considered consistent with requirements of the NPPF relating to safety and reduction of crime.

Sustainable Design and Construction

Policy CS1 seeks to ensure that all development meets an appropriate recognised sustainable design and construction method where viable to do so in order to address both the causes and consequences of climate change. All development will be required to demonstrate how it will contribute towards meeting the Borough's carbon footprint reduction by achieving carbon management standards. As confirmed by Policy SD-3, applications should include an Energy Statement to demonstrate how carbon reductions will be achieved.

The development does not trigger Stockport's carbon reduction policy's target thresholds. Whilst the standards for energy efficiency under Part L of the Building Regulations are now

higher than that required Policy SD-3, the submitted small scale energy statement explains how low/zero carbon technologies including the provision of solar PV panels have been incorporated to ensure that energy efficiency issues are adequately addressed under the requirements of Policy SD-3.

Open Space and Commuted Sum Payments

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

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

Policy SIE2 confirms that there is an undersupply of formal recreation facilities in the Borough, accordingly applications for HMOs are required to make a fair and reasonable contribution towards provision and maintenance. For minor developments this is routinely addressed by way of a commuted sum payment calculated in accordance with a formula set out in the Open Space and Commuted Sum Payments SPD.

To provide a consistent and reasonable approach to the application of Policy SIE-2 to HMO developments, where planning permission is required a contribution to the provision of recreation and amenity open space is required and should be based on the proposed increase in population, calculated based on the number of additionally created bedrooms.

A bedroom limited by the licencing regime to single occupancy should be considered to result in a population increase of just 1 person. Where the building is (or has most recently been) in residential use then it will be necessary to discount the population of existing bedrooms from the total expected population of a proposed HMO. Required contributions should only be paid in respect of the proposed increase in population.

The ground floor of the property is currently occupied as one 1-bedroom (double occupancy) two person flat given that the proposal relates to five 1-bedroom (single occupancy) one person flats this would result in a net uplift in population capacity of three people and accordingly the proposal would require the following recreational provisions: -

Commuted Sum - Children's off-site provision	£1,207.50
Commuted Sum - Children's off-site maintenance	£577.00
Commuted Sum - Formal off-site provision	£1,683.00
Commuted Sum - Formal off-site maintenance	£1,020.00

If planning permission for the development is to be approved by the Council, then the applicant will be expected to enter into a Planning Obligation Agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended). The basis of the Agreement will be that the required financial contribution totalling £4,488.00 will be paid, prior to the commencement of the development approved.

Affordable Housing

Notwithstanding the provisions of Policy H-3, there is no requirement for affordable housing given that the NPPF states that the provision of affordable housing should not be sought for residential developments that do not comprise major developments (10 residential units). Nonetheless the scheme will provide a 5-bedroom HMO, which would be attractive to a range of potential occupiers and provide a source of more affordable accommodation.

Ecology and Biodiversity

Policy CS8 states that development will be expected to make a positive contribution to the protection and enhancement of the borough's natural environment, biodiversity, and geodiversity. Sites, areas, networks, and individual features of identified ecological, biological, geological, or other environmental benefit or value will be safeguarded. Development that is designed and landscaped to a high standard and which makes a positive contribution to a sustainable, attractive, safe, and accessible built and natural environment will be given positive consideration. Policy SIE-3 confirms that, inter alia, development proposals affecting trees, woodland and other vegetation which make a positive contribution to amenity should make provision for the retention of the vegetation unless there is justification for felling, topping, or lopping to enable the development to take place.

The application is supported by a BNG Statement of Exemption which outlines that the proposal benefits from the *de minimis* exemption and does not impact an onsite priority habitat. The development impacts less than 25m² of onsite habitat and less than 5 metres in length of onsite linear habitat and the Council's Nature Development Officer raises no objection, subject to conditions relating to the incorporation of native species planting and the provision of bird and bat boxes. Overall, the proposal accords with the provisions of policies CS8 and SIE-3 in respect of ecology implications.

Summary - 'Sustainable Development/Planning Balance'

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

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

Economic benefits consist of supporting the efficient use of a previously developed, accessible site and financial investment into the upgrade of the property. Social benefits are associated with the contribution to the supply of housing when Stockport currently remains in a position of continued and significant under supply. Environmental benefits include enhancing the environment using underused accommodation in a highly sustainable and accessible location and the provision of solar PV panels for energy efficiency.

Conclusion

Overall, when the range of considerations are weighed in the overall planning balance there are no adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. The proposal amounts to Sustainable Development in accordance with the Development Plan, where Section 38(6) requires the grant of permission subject to appropriate conditions be deferred and delegated to secure a commuted sum amounting to £4,488.00 secured through a planning obligation under S106 in compliance with Regulation 122 of the CIL Regulations and to satisfy the requirements of Policy SIE-2.

RECOMMENDATION

Grant subject to conditions and the completion of a Section 106 legal agreement to secure financial contributions of £4,488.00 towards public open space provision and maintenance (plus monitoring and reporting fees).