

Application Number 20/00139/FUL

Proposal Variation of condition 9 (approved plans) of planning permission ref. 14/00821/FUL to make alterations to the external appearance of the building.

Site Former Police Station, Corporation Street, Stalybridge

Applicant Mr John Kerrison

Recommendation Approval, subject to conditions and the prior completion of an amended Unilateral Undertaking relating to financial contributions.

Reason for Report The proposal seeks to amend a condition of a planning permission for a major development.

1.0 APPLICATION DESCRIPTION

1.1 The applicant seeks full planning permission for the variation of condition 9 of planning permission ref. 14/00821/FUL, which defined the plans to which that consent related. That planning permission approved the extension and conversion of the existing building into 18 apartments, including the installation of an additional floor of accommodation on top of the existing structure. The applicant seeks to revise the external appearance of the building. The main effects of the proposed amendments would be as follows:

- A projecting element would be added to the elevation of the building that fronts onto Corporation Street to form a new entrance point into the development. This would be tied to and would not extend forward of the existing projecting element on that elevation which forms part of the extant scheme;
- The footprint of the northern end of the building would be increased by a relatively small amount, resulting in a more regular shape to the north eastern corner of the building, replacing the splayed design approved in the extant scheme (this amendment would result in a marginal reduction in the footprint at basement level in comparison with the extant scheme);
- Part of the northern elevation of the building would be recessed in the north western corner a second floor level, reducing the overall volume of this level in comparison with the extant scheme; and
- Accommodation would be introduced at third floor level on the northern and southern edges of the building. This would allow the creation of split level units for flats 13 and 15. The accommodation for flat 13 would be positioned centrally on the southern elevation (fronting Corporation Street), with the accommodation for flat 15 located in the north western corner of the development.

1.2 The approved mix of units in the extant scheme was 14 x 2 bed and 14 x 1 bed apartments and this would remain unchanged in this proposed revision.

2.0 SITE & SURROUNDINGS

2.1 The application relates to the site of the former Police Station located on the junction of Corporation Street and Dean Street in Stalybridge. The site is located within the designated Stalybridge Conservation Area and within the boundaries of the Town Centre as defined on the UDP proposals map. Land levels fall in a northerly direction across the site and then

steeply drop down to the River Tame which runs parallel with the northern boundary of the site. Stalybridge Civic Hall, a grade II listed building is located to the west of the site and the Holy Trinity Church (also grade II listed) is located to the south west. The northern most section of the car park associated with the Tesco supermarket is located on the opposite side of Corporation Street, to the south of the site.

3.0 RELEVANT PLANNING POLICIES

3.1 Tameside Unitary Development Plan (UDP) Allocation

The site is located within the Stalybridge Conservation Area and defined Town Centre boundary

3.2 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
- 1.4: Providing More Choice and Quality Homes.
- 1.5: Following the Principles of Sustainable Development
- 1.6: Securing Urban Regeneration
- 1.10: Protecting and Enhancing the Natural Environment
- 1.11: Conserving Built Heritage and Retaining Local Identity
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

3.3 Part 2 Policies

- C1: Townscape and Urban Form
- C2: Conservation Areas
- C4: Control of Development in or adjoining Conservation Areas
- C6: Setting of Listed Buildings
- H2: Unallocated Sites (for housing)
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H6: Education and Community Facilities
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- MW11: Contaminated Land
- MW12: Control of Pollution
- MW14 Air Quality
- N3: Nature Conservation Factors
- N4 Trees and Woodland
- N5: Trees Within Development Sites
- N7: Protected Species
- OL7: Potential of Water Areas
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- T11: Travel Plans.
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

3.4 National Planning Policy Framework (NPPF)

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities

Section 11: Making efficient use of land
Section 12: Achieving well designed places
Section 15: Conserving and enhancing the Natural Environment
Section 16: Conserving and enhancing the Historic Environment

3.5 Planning Practice Guidance (PPG)

3.6 This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

3.7 Other Polices

Greater Manchester Spatial Framework - Publication Draft October 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making polices across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document;
Trees and Landscaping on Development Sites SPD adopted in March 2007; and
Stalybridge Town Centre Conservation Area Appraisal (dated March 2013.)

4.0 PUBLICITY CARRIED OUT

4.1 Neighbour notification letters were issued and a notice displayed adjacent to the site as well as in the press for 21 days, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

5.0 RESPONSES FROM CONSULTEES

5.1 Historic England – No specific comments to make on the application.

5.2 Coal Authority – No objections to the proposal. The site is located in an area considered not to be at high risk in relation to the land stability implications of coal mining legacy.

5.3 Borough Environmental Health Officer (EHO) - No objections to the proposal. No conditions considered to be necessary over and above those attached to the extant planning permission, which can be re-attached in the event that this application is approved.

6.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

6.1 No representations have been received.

7.0 ANALYSIS

7.1 National Planning Practice Guidance promotes flexible options for planning permissions. Section 73 of the Town and Country Planning Act 1990 allows for applicants to apply to the Local Planning Authority to amend or vary conditions placed on a planning consent. Where

an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. The only restriction under section 73 is that planning permission cannot be granted to extend the time limit within which a development must be started.

- 7.2 NPPG advises that; 'In deciding an application under section 73, the local planning authority must only consider the disputed condition's that are the subject of the application – it is not a complete re-consideration of the application.' The original planning permission will continue to exist.
- 7.3 The principle of development was established through the granting of planning permission ref. 14/00821/FUL. This application seeks to make minor amendments to the extant permission.
- 7.4 The issues to be assessed in the determination of this planning application are:
- The impact of the revisions to the previously approved scheme on the character of the Conservation Area and setting of adjacent Listed Buildings;
 - The impact of the revisions to the previously approved scheme on the quality of the design of the scheme; and
 - The impact of the revisions to the previously approved scheme on the residential amenity of neighbouring properties / amenity of neighbouring uses.

8.0 CONSERVATION AREA AND SETTING OF LISTED BUILDINGS

- 8.1 The site is located within the Tame Riverside character area as defined by the Stalybridge Town Centre Conservation Area Appraisal (dated March 2013.) This is identified as an opportunity area in the appraisal and this site is identified as an uncharacteristic building within this part of the Conservation Area. The appraisal acknowledges that this is an area likely to come under development pressure and states that development must 'preserve the character of the Conservation Area...particularly as the Tame Riverside area provides significant views of the listed buildings on Trinity Street to the west.'
- 8.2 One of the key views of this part of the Conservation Area is that afforded from Corporation Street to the east of the site, as the road sweeps round to follow the alignment of the River Tame. From this view, the upper section of the existing Police Station is visible, with the clock tower of the Civic Hall to the west clearly visible above the flat roof of the application site. There are also glimpsed views of the upper part of the tower of Holy Trinity Church.
- 8.3 The extant scheme included the erection of an additional storey on top of the existing building. This scheme proposes to reduce the bulk of the northern end of that additional storey, but then add elements at third floor level at the northern and southern edges of the roof plane. By limiting the extensions to those ends of the building, the view of the Civic Hall clock tower from the above view point on Corporation Street, or the impact on the setting of Holy Trinity Church would not be significantly altered in comparison with the extant scheme.
- 8.4 This view is currently compromised by the concrete boxing on the roof of the existing Police Station building which competes for attention with the clock tower. In the revised scheme, the third floor accommodation at the northern end of the building would be much narrower in width. Therefore, whilst higher than the extant scheme, this element of the proposed revisions would not depreciate the ability to understand the significance of the clock tower from those views when compared to the impact of the extant scheme.
- 8.5 From the view of the Tame Valley from Cocker Hill, on the opposite side of the River to the application site, the height of the Civic Hall clock tower and the tower of the church are clearly appreciable over and above the predominant building height within the intervening

distance. The proposals have been revised to lower the height of the plant area above the lift shaft and reduce the scale of the projecting element on the northern elevation. These alterations have significantly reduced the bulk of the proposed alterations that would be appreciated in these long distance views. As such, given that the additional accommodation would be sited to the east of the clock tower and church tower, it is considered that the proposed development would not result in a substantially different impact on the character of the Conservation Area, or the setting of the adjacent listed buildings from these public views, when compared to the extant scheme.

- 8.6 The alterations to the lower floor of the building would not result in changes to the form or appearance of the development that would represent a significant change in relation to the extant scheme in terms of the impact on the character of the Conservation Area or the setting of the adjacent listed buildings. Historic England was consulted on the application and they have confirmed that they do not consider it necessary to make detailed comments on the application.
- 8.7 Following the above assessment, it is considered that the proposals would not result in a significantly different impact on the character of the Conservation Area or the setting of adjacent listed buildings when considered within the context of the extant scheme.

9.0 DESIGN

- 9.1 The extant scheme proposed to clad the upper sections of the elevations with grey tiles, with new openings on the upper floor replicating the narrow design of the openings on the existing building. Blue facing brick would be used to emphasise certain sections of the building and break up the mass of the elevations.
- 9.2 The proposed amendment would use a similar palette of materials and include variations to reduce the mass of the development. A clay tile cladding system would be used to treat the external elevation of the third floor element at the northern end of the building, with blue brick to be used in the construction of the third floor development on the Corporation Street frontage.
- 9.3 The fact that the third floor element would be recessed behind the northern elevation of the lower floors of the building would help to reduce the mass of the development. The reduction in the width of the projecting element proposed on the southern elevation has significantly reduced the mass of that part of the scheme and re-enforces the regular form of the existing building and thereby respects the close proximity of the traditional buildings that positively contribute to the character of the area.
- 9.4 The amended scheme would include car parking and secured cycle parking provision within the basement space commensurate with the extant scheme.
- 9.5 Following the above assessment, despite the additional accommodation proposed at third floor level, it is considered that the proposals would not result in a significantly different appearance from the extant scheme, following revisions to reduce the scale of the additions to the footprint of the building.

10.0 AMENITY

- 10.1 The site is surrounded by non-residential uses. These include commercial uses to the north west, civic buildings to the west, the extended Tesco car park to the south and the banks of the River Tame to the north, with a significant buffer between the northern edge of the River and the closest residential properties. As such, the proposals would not result in a materially greater impact on the residential amenity of any dwellings over and above the

extant scheme. The proposals would not increase the number of residential units within the development and as such, it is considered that there would be no materially greater conflict between existing neighbouring uses and the proposed residential use of the site. This assessment is corroborated by the lack of objection to the proposals from the Borough EHO.

11.0 OTHER MATTERS

- 11.1 The scheme would not result in any amendments to the access arrangements from that approved under the extant permission, with access being taken from Corporation Street. The scheme would also include the same number of car parking spaces (14) and makes provision for secured cycle parking. The proposed amendment would continue the mix of accommodation approved under the extant permission and therefore would not generate additional trips or result in a greater volume of traffic on the highway network. On that basis, it is considered that the proposed development would not result in a materially different impact in highway safety terms when compared to the impact of the extant scheme.
- 11.2 There are no objections to the proposals from the Borough EHO. Condition 3 of the extant planning permission limited the hours of work during the construction phase of the development. Condition 4 required the submission and approval of a scheme to mitigate the impact of the noise generated by the adjacent supermarket site on the residential amenity of the future occupiers of the development. Condition 5 required the approval of the refuse storage arrangements prior to the occupation of the units. These conditions can be re-imposed and are attached to the recommendation. The wording of condition 4 has been altered to require compliance with the details approved under discharge of condition ref. 17/00110/PLCOND.
- 1.3 Condition 7 of the extant permission related to the measures to be put in place to prevent pollution of the River Tame during the construction phase of the development. This condition was also discharged under application ref. 17/00110/PLCOND and therefore a condition requiring compliance with these details is attached to the recommendation. Condition 8, requiring approval of the crime reduction measures to be implemented within the scheme prior to first occupation, is also attached to the recommendation.
- 11.4 The applicant submitted a Unilateral Undertaking (UU) as part of the extant scheme which secured financial contributions of £5000 towards improvements to off-site open space and education facilities. The payments are required to be made prior to the first occupation of the development. Given that the number of units and the mix would remain unchanged in this revised application, it is considered reasonable that the same amounts be sought again through a revised UU. The recommendation on this application is therefore to seek a revision to that UU prior to the issuing of any approval of this amendment application. Compliance with this requirement by the applicant would negate the need for condition 6 of the original planning permission to be imposed on any approval of this revised scheme.

12.0 CONCLUSION

- 12.1 The proposed scheme would increase the height of the building approved by the extant scheme by introducing accommodation at third floor level. However the accommodation at that level would be limited to the northern and southern edges of the building. The bulk of the additional space at the southern edge has been significantly reduced through the loss of the additional projecting void area above first floor level originally proposed on the Corporation Street elevation.
- 12.2 The plant room associated with the additional accommodation in the southern part of the building has also been reduced in height to limit the impact of the additional scale of that

part of the building in wider public views. Following these amendments, it is considered that the proposals would not result in a detrimental impact on the character of the Conservation Area or the setting of adjacent listed buildings when considered within the context of the extant scheme.

- 12.3 The proposals would follow similar elevational treatments to those proposed by the extant scheme. Details of these materials can be secured by condition. On that basis, it is considered that the proposed amendments would not result in a significantly different impact in terms of design than the extant scheme. The proposals would not result in any alterations to the access arrangements or level of parking provision in comparison with the extant scheme. There are no objections to the proposals from any of the statutory consultees.
- 12.4 The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission subject to the prior completion of an amended Unilateral Undertaking and the following conditions:

1. The development shall be carried out in accordance with the following approved plans:

Proposed elevations plan (drawing no. 1407.SK05 Rev. A)
Proposed basement and ground floor plans (drawing no. 1407.PL02)
Proposed first and second floor plans (drawing no. 1407.PL03 Rev. B)
Proposed third floor plan (drawing no. 1407.SK04 Rev. A)

2. Notwithstanding the details submitted with the application, no works affecting the exterior of the building shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
3. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank/Public Holidays.
4. Prior to the first occupation of any part of the development hereby approved, the scheme for protecting the development from externally generated noise from operations at the adjacent supermarket and 24 hour service yard shall be implemented in accordance with the mitigation measures contained within the Noise Impact Assessment produced by REC approved under discharge of condition ref. 17/00110/PLCOND. The development shall be retained as such thereafter.
5. Notwithstanding the detail shown on the approved plans, prior to the first occupation of any of the dwellings hereby approved, scaled plans showing the exact location of the refuse storage arrangements to serve the development and details of the capacity of the bins to be installed shall be submitted to and approved by the Local Planning Authority. The refuse storage facilities shall be installed in accordance with the approved details prior to the occupation of any of the dwellings and shall be retained as such thereafter.

6. The construction phase of the development hereby approved shall be carried out in accordance with the mitigation measures detailed in the following documents (approved under application ref. 17/00110/PLCOND):
 - Scaffold/Netting Method Statement produced by Direct Netting and Scaffolding Ltd; and
 - Construction Method Statement produced by Tamewater Development Ltd.

7. Prior to the first occupation of any of the dwellings hereby approved, details of the crime reduction measures to be incorporated within the development evidence that Secured by Design accreditation has been achieved shall be submitted to and approved in writing by the Local Planning Authority. The crime reduction measures shall be installed in accordance with the approved details prior to the occupation of any of the dwellings and the development shall be retained as such thereafter.