



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

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Ordinary Committee

AGENDA

TOWN CENTRE COMMITTEE

Council Chamber
Town Hall
Stockport

Meeting: Wednesday, 21 April 2010
At: 10.00 am

1. MINUTES

To approve as a correct record and sign the minutes of the meeting held on 25 March 2010.
(Enclosed)

2. DECLARATIONS OF INTEREST

Councillors and officers to declare any interests which they have in any of the items on the agenda for this meeting.

3. URGENT DECISIONS

To report any urgent action taken under the Constitution since the last meeting of this Committee.

4. PUBLIC QUESTION TIME

Members of the public are invited to put questions to the Chair of the Committee on any matters within the powers and duties of the Committee, subject to the exclusions set out in the Code of Practice. (Questions must be submitted prior to the commencement of the meeting on the cards provided. These are available at the meeting and at local libraries and Information Centres)

Development Control Issues

5. DEVELOPMENT APPLICATIONS

To consider a report of the Service Director (Regeneration). (Enclosed)

The following development application will be considered by the Committee:-

- (i) [DC043981](#) [Land at Water Street, Stockport](#)
Two storey class A1 non-food retail/ class D2 leisure development, with associated parking and ancillary facilities.

The Committee is recommended to

- (a) To consider development applications where members of the public have attended the meeting in order to hear the Committee's deliberations
- (b) To consider the remaining development applications.

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W przypadku gdybyś potrzebował pomocy odnośnie tej informacji, dostępne są usługi tłumaczeniowe. Prosimy dzwonić do Interpreting Unit pod numer 0161 477 9000.

যদি এই খবরগুলি সম্পর্কে আপনার কোন সাহায্য দরকার হয় তবে বিনা খরচে আপনার জন্য দোভাষীর ব্যবস্থা করা হতে পারে। মেহেরবানী করে স্টকপোর্ট ইন্টারপ্রিটিং ইউনিটে ফোন করুন টেলিফোন নম্বর, 0161 477 9000.

اگر آپ کو ان معلومات کے بارے میں مدد کی ضرورت ہے تو مفت ترجمانی کی سروس دستیاب ہے۔ براہ مہربانی انٹرپرائٹنگ یونٹ کو 0161 477 9000 پر فون کریں۔

خدمات ترجمہ رایگان این اطلاعات در صورت نیاز موجود میباشد. لطفا با شماره تلفن 0161 477 9000 یا واحد ترجمہ (اینترپرائٹنگ یونٹ) ما تماس بگیرید.

تنوفر خدمة ترجمة شفوية اذا تطلبت مساعدة في فهم هذا المعلومات. نرجو الاتصال اربن رينيول على رقم الهاتف: 0161 477 9000

TOWN CENTRE COMMITTEE

Meeting: 25 March 2010

At: 10.00 am

PRESENT

Councillor Dave Goddard (Chair) in the chair; Councillor Sue Derbyshire (Vice-Chair); Councillors Peter Burns, Martin Candler, Philip Harding, Les Jones, John Smith and David White.

1. MINUTES

The minutes (copies of which had been circulated) of the meeting held on 2 March 2010 were approved as a correct record and signed by the chair.

2. DECLARATIONS OF INTEREST

No declarations were made.

3. URGENT DECISIONS

No urgent decisions were reported.

4. PUBLIC QUESTION TIME

No public questions were submitted.

5. ADJOURNMENT

At 10.04 am the meeting adjourned.

At 10.20 am the meeting reconvened.

6. DEVELOPMENT APPLICATIONS

Development applications were submitted.

(NOTE: Full details of the decisions including conditions and reasons for granting or refusing planning permission and imposing conditions are given in the schedule of plans. The Corporate Director, Environment & Economy is authorised to determine conditions and reasons and they are not therefore referred to in committee minutes unless the committee makes a specific decision on a condition or reason. In order to reduce printing costs and preserve natural resources, the schedule of plans is not reproduced within these minutes. A copy of the schedule of plans is available on the council's website at www.stockport.gov.uk/planningdecisions. Copies of the schedule of plans, or any part thereof, may be obtained from the Environment & Economy Directorate upon payment of the Council's reasonable charges)

A representative of the Head of Area Governance outlined the procedure approved by the Council for public speaking on planning applications.

In respect of plan no 43577 - a detailed application for x46 (2 bed) apartments, 2 ground floor units for Class A3 restaurants/cafes and associated car parking at Plot 1, Hopes Carr/ Wellington Street,

A representative of the applicant spoke in support of the application,

It was then

RESOLVED - That the Service Director (Regeneration) be authorised to determine the application subject to the applicant agreeing to a Unilateral Undertaking in respect to affordable housing, open space provision and highway matters.

In respect of plan no 43578 - a detailed application for three blocks (A,B&C) accommodating x 17 (3 bed) apartments, x5 (4 bed) townhouses and associated car parking at Plot 4, site to the rear of Watson House and Chapel Studios,

A representative of the applicant spoke in support of the application,

It was then

RESOLVED - That the Service Director (Regeneration) be authorised to determine the application subject to the applicant agreeing to a Unilateral Undertaking in respect to affordable housing, open space provision and highway matters.

In respect of plan no 43579, a detailed application for the conversion of Churchgate House a grade II Listed Building into x4 (2 bed) apartments, development of land to the rear for x8 (3 bed) townhouses configured within 2 terraces and associated enclosed gardens and car parking at Plot 5, Churchgate House and land to the rear adjacent to Waterloo Road,

A representative of the applicant spoke in support of the application,

It was then

RESOLVED - That the Service Director (Regeneration) be authorised to determine the application subject to the applicant agreeing to a Unilateral Undertaking in respect to affordable housing, open space provision and highway matters.

In respect of plan 43606, listed building consent application for the conversion of Churchgate House a grade II Listed Building in to x4 (2 bed) apartments, development of land to the rear for x8 (3 bed) townhouses configured within 2 terraces and associated enclosed gardens and car parking at Plot 5, Churchgate House and land to the rear adjacent to Waterloo Road,

A representative of the applicant spoke in support of the application,

It was then

RESOLVED - That the Service Director (Regeneration) be authorised to determine the application subject to receipt of satisfactory archaeological survey work and associated reports.

In respect of plan no 43700, a detailed application for residential development comprising x 4 (3 bed) townhouses with private amenity space and 3 car parking spaces at Plot 3, landscaped area with an open frontage onto Churchgate,

A representative of the applicant spoke in support of the application,

It was then

RESOLVED - That the Service Director (Regeneration) be authorised to determine the application subject to the applicant agreeing to a Unilateral Undertaking in respect to affordable housing, open space provision and highway matters.

In respect of plan no. 43701 a detailed application for x3 (3 bed) townhouses and 3 car parking spaces at Plot 2 Lavenders Brow and Churchgate,

A representative of the applicant spoke in support of the application,

It was then

RESOLVED - That the Service Director (Regeneration) be authorised to determine the application subject to the applicant agreeing to a Unilateral Undertaking in respect to affordable housing, open space provision and highway matters.

The meeting closed at 11.13 am

TOWN CENTRE COMMITTEE – 21ST APRIL 2010

DEVELOPMENT APPLICATIONS

Report of the Corporate Director

MATTER FOR CONSIDERATION

To consider the following development applications:-

DC/043981 - LAND AT WATER STREET, STOCKPORT, SK1 2BT

Two storey class A1 non-food retail/class D2 leisure development, with associated parking and ancillary facilities

INFORMATION

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

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

Application Reference: DC/043981

Proposal: Two storey class A1 non-food retail/class D2 leisure development, with associated parking and ancillary facilities

Type of Application: Full Planning Permission

Registration Date: 26/02/2010

Expiry Date: 28/05/2010

Responsible Officer: Jim Seymour

Applicant: Morbaine Ltd

Agent :

Location: LAND AT WATER STREET, STOCKPORT, SK1 2BT

COMMITTEE STATUS

Town Centre Committee

DESCRIPTION OF DEVELOPMENT

This application seeks to renew existing planning permission DC016819 to allow for an extension of the time period for implementation. An extension of two years is sought. DC016819 was granted permission by the Secretary of State on the 10 May 2007 following an appeal by the applicant against the non-determination of the planning application by the Council.

DC016819 is an outline permission including matters of highways/access with all other matters reserved for a 5,574sqm retail or leisure development. The plans include an indicative layout which identifies a single building located towards the northern end of the site which would accommodate the proposed floor space across two floors.

Matters of access were the only matter approved in detail. The plans indicate a 155 space car park across the southern half of the site with a site access off Water Street. A second access would lie to the north of the building again off Water Street to the service area. A series of environmental improvements to footways to the south of the site and to the footway under the M60 to Howard Street were also proposed as part of the proposed development. These works included resurfacing works, new balustrade to the river embankment, new sign posting and CCTV cameras to improve the safety and quality of the pedestrian linkage to the Town Centre along this pedestrian route. These matters are off site (outside the application site) and would be secured through a Unilateral Undertaking under S106 of the Act to SMBC attached to planning permission DC043918 requiring the payment of £500,000.

For details of the above see plans attached to the agenda.

The application has been accompanied by a Retail Statement and a Transport Statement.

SITE AND SURROUNDINGS

The site comprises an area of 1.1 hectares of land with access off Water Street in Portwood. The site has been cleared and is relatively level. It is bounded to the east by the River Tame which is set over 4 metres below down an embankment. The southern boundary lies adjacent to the elevated M60 motorway. A small area of open land and footpath lies between the two. The northern boundary abuts another cleared site formerly occupied by a cement works and a trailer rental and sales company. The Portwood Tesco store lies to the north east on the opposite side of water street. These sites all lie to the north of M60 and are separated from the Great Portwood Street Area including the Peel Centre by the motorway. Marsland Street tunnel under the motorway provides a link to the Great Portwood Street Area and a pedestrian link provides another route to the town centre via a subway under the M60 adjacent to the river Tame and then along Howard Street.

POLICY BACKGROUND

The application site lies within a Town Centre Gateway allocation in the UDP review the following policies and guidance is relevant:

TCG4.4 - Land North of Water Street
PSD1 - Hierarchy of Shopping Centres
L1.4 - Indoor Leisure Facilities
TD1 - Transport and Development
TD1.1 - Achieving Accessible Development
TD1.2 - Transport Assessment
TD1.3 - Parking in Developments
TD1.5 - Safety and capacity on the Highway Network
TD1.6 - Accessibility and the Design of Development

Guidance contained within PPS4 "Planning for sustainable economic growth" is also relevant.

PLANNING HISTORY

DC016819 - Two Storey A1 non-food retail/Class D2 leisure development with associated parking and ancillary facilities. Allowed at appeal (Public Inquiry) 10 May 2007.

NEIGHBOURS VIEWS

The application has been advertised on site and in the press as a departure to the UDP and a Major development. 3 neighbouring properties have been notified in writing of the proposal no objections have been received.

CONSULTEE RESPONSES

Retail Policy Officer: The planning application seeks an extension of time for the submission of the reserved matters and the duration of the planning permission.

Mind is had to appeal decisions relating to land at Water Street issued in May 2007 for planning applications DC016191 (Proposed 2,860 sq m non-food retail and a 3,150 sq m hotel) and DC016819 (Proposed two storey development for 5,574 sq m Class A1 non-food retail or Class D2 Leisure, together with associated parking and ancillary facilities).

Since these above appeals were upheld, neither of these planning permissions has been implemented. Also, PPS4 (Planning for Sustainable Economic Growth) and the Stockport Shopping and Leisure Study (2009, Drivers Jonas) have been produced. Experian's retail centre rankings for the North West show that Stockport has declined from 5th place in 2003 to 7th place in 2007.

THE DEVELOPMENT PLAN

RSS

RSS Policy RDF 1 (Spatial Priorities) identifies Stockport as within the third priority North West towns and cities in making provision for development, after Manchester, Liverpool and inner areas surrounding these regional centres.

RSS Policy W5 identifies Stockport as a centre where comparison retailing facilities should be enhanced and encouraged. Appropriateness of scale and impact are considerations of RSS Policy W5 (Retail Development) and impact on existing centres is also a consideration of PPS4. DC016819 is listed as a commitment in the Stockport Shopping and Leisure Study 2009 (Drivers Jonas), which identifies nearly £200 million surplus expenditure, i.e. capacity for approximately 30,000sq m net comparison goods floorspace as at 2015 based on an ultra-long term trend growth in expenditure at current market share. Therefore, the proposal would not result in any less capacity for comparison goods than that identified in the 2009 Shopping Study, and sufficient capacity would remain to enable the retail-led redevelopment of the Bridgefield area. Thus, it is considered that the proposed retail element is of an appropriate scale with regard to the size, role and function of Stockport Town Centre, consistent with RSS Policy W5.

RSS Policy L1 (Health, Sport, Recreation, Cultural and Education Services Provision) seeks to ensure that plans, strategies, proposals and schemes make adequate provision for sport and recreation facilities. The Stockport PPG 17 study 'Indoor facilities' (Strategic Leisure, August 2005, para1.42), available at <http://stockport.limehouse.co.uk/file/1223773>) report identifies an 11½ four court sports hall shortfall based on the exclusion of dual-use facilities within Stockport. There is an identified lack of access to day time sports hall provision due to school's priority for dual-use and very limited evening access for casual pay and play access to sports hall provision due to club block bookings (para1.52, PPG17 Study, 2005). Therefore, the proposed D2 element could help address this deficiency.

The Stockport Shopping and Leisure Study (2009, Appendix 10) identified a need for additional health and fitness facilities and for an extra 8 cinema screens as at 2015. The Executive Summary of the Study considered that the deliverability of cinema development will be strongly affected by the recession. Again, the D2 element of the proposal may help to address these needs.

Please refer to the requirements of RSS Policy EM18 below.

Stockport UDP Review, adopted 31st May 2006

UDP Review policy PSD1 (Hierarchy of Shopping Centres) seeks to focus retail and leisure use within the Stockport Shopping Hierarchy set out in the policy. The policy identifies Stockport Town Centre as a sub-regional centre in the top tier of the borough's shopping hierarchy. As you may be aware, Manchester/Salford are the primary retail centres in the Manchester City Region, as identified in RSS Policy W5 (Retail Development).

In terms of UDP Review policy L1.4 (Indoor Sport / Recreation and Leisure Facilities), it is considered the D2 element is of an appropriate scale, there is a need for additional cinema screens, indoor sports halls and health and fitness facilities (D2 use) and that the proposal complies with the sequential approach. The inspector for the Water Street appeals was satisfied that the site could be made accessible by a choice of means of transport taking into account that she considered pedestrian accessibility to the site acceptable if the Section 106 improvements offered as part of the application are implemented and that such improvements to the public realm would enhance the overall attractiveness and pedestrian accessibility in the area. Mind is had that TCG4.4 indicates the site is appropriate for leisure use and that the inspector considered the proposed development would have no impact on the vitality and viability of Stockport's existing town centre or any other centre. There have been no significant changes since then with respect to leisure development or planning policy that would lead the planning policy team to arrive at a different conclusion. Thus, it is considered that the proposal complies with Stockport UDP Review Policy L1.4.

The site lies within TCG4.4 (Land North of Water Street) as identified in the Stockport UDP Review. The area TCG4.4 is identified as an area of opportunity for various uses including leisure use. The explanation to the policy refers to the need and sequential tests of UDP Review Policy PSD1.1 (New Shopping and Leisure Provision) for retail development at the site. However, policy PSD1.1 has now expired and the test of need is not a component of PPS4. The explanation to policy TCG4.4 indicates the site is out-of-centre and has poor connectivity to the Town Centre. Compliance of the retail element of the proposal with the sequential approach detailed in PPS4 is analysed below under the section on PPS4 Policy EC15.

PPS4: PLANNING FOR SUSTAINABLE ECONOMIC GROWTH

For DC016819, the inspector took the view that there is no policy presumption against retail development at the site, providing that the tests of need and the sequential approach are met. Given the removal of the need test in PPS4, which has

resulted in the cancellation of PPS6, it is appropriate to reconsider whether any sequentially preferable sites are available, viable and suitable for the proposed retail use but the test of need is no longer applicable.

PPS4 Policy EC10: Determining Planning Applications for Economic Growth

PPS4 Policy EC10: Determining Planning Applications for Economic Growth, states:

Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.

All planning applications for economic development should be assessed against the following impact considerations:

- a. whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change
- b. the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially on the trunk road network) after public transport and traffic management measures have been secured
- c. whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions
- d. the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
- e. the impact on local employment

- Observation, criterion a - RSS Policy EM18 applies:

“In advance of local targets being set, new non residential developments above a threshold of 1,000m² ...should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.”

The applicant needs to consider energy issues and if they find that it is not feasible or viable a clear statement is needed from the applicant showing evidence of their research to that effect.

The Council's energy guidance for such sites is available at:

<http://www.stockport.gov.uk/2013/2994/developmentcontrol/planningpolicy/LDF/SPD/susdesandcons2energydrainguidance?view=Standard>

- Observation, criterion b - The inspector for the Water Street appeals concluded that the site is in a sustainable location in terms of its accessibility to public transport and pedestrian accessibility. It is considered that the site is accessible by car.
- Observation, criterion c – The design of the development in terms of layout, scale, appearance and landscaping would be the subject of reserved matters.

In accordance with the appeal decision (para31.2), the reserved matters relating to layout and landscaping should include and incorporate measures relating to the river bank and provision of a flood protection berm and pedestrian walkway.

- Observation, criterion d – Stockport Town Centre is identified as a Priority 1 area in Stockport’s Neighbourhood Renewal Strategy. Given the inspector’s views on the accessibility of the site and the impact of the proposal on the Central Shopping Area, it is considered that the proposal would not have a significant adverse impact on regeneration in Stockport Town Centre and social inclusion objectives.
- Observation, criterion e – It is likely that the proposed uses would attract new jobs rather than relocations given the identified need for retail and leisure development in Stockport.

Therefore, it is considered that the proposal complies with PPS4 Policy EC10 criteria b-e and that additional information is required from the applicant with respect to criterion (a) in regard to the requirements of RSS Policy EM18.

PPS4 Policy EC14: Supporting evidence for planning applications for main town centre uses

The planning application is supported by commentary on the sequential approach and provides an impact assessment, consistent with PPS4, Policy EC14.

PPS4 Policy EC15: The consideration of sequential assessments for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan

No relevant new sequentially preferable sites have arisen since the above Water Street appeal decisions were issued in 2007. Lend Lease withdrew from the Bridgefield Street project in 2008 and the Council has not since secured a development partner for the retail-led development of Bridgefield. Therefore, it is considered that there are no sequentially preferable sites available for the proposal and that the proposal complies with the sequential approach set out in PPS4 Policy EC15.

PPS4 Policy EC16: The impact assessment for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan

It is relevant that the inspector for the Water Street appeals considered that the site functions as edge-of-centre and that she made the following conclusions: -

- The proposed development would have no impact on the vitality and viability of Stockport’s existing town centre or any other centre and would not put at risk the implementation of emerging proposals for redevelopment of the town centre; and
- Pedestrian accessibility to the site is acceptable if the section 106

improvements offered as part of the application are implemented and that such improvements to the public realm would enhance the overall attractiveness and pedestrian accessibility in the area.

The proposal would extend consumer choice and the range and quality of the comparison goods retail facilities in the area. It is not considered that the proposal would significantly affect whether Manchester Road Retail Park would be redeveloped for retail use (DC041835 – the planning permission involves the erection of a discount supermarket and reconfiguration of the existing retail park to create new comparison goods retail units, which would result in an overall reduction of comparison goods floorspace at the site) and Manchester Road Retail Park is not allocated for retail development. However, Manchester Road at Lancashire Hill is one of the Large-Scale Existing Retail Sites (PSD1.2) identified in the UDP Review. Neither is it considered that the proposal would adversely affect the retail-led redevelopment of the TCG2.2 part of the Knightsbridge area, for which Sainsbury's is the Council's development partner.

The Stockport Shopping and Leisure Study 2009 estimates the proposed use would have a turnover of £26.76 million based on 2007 Prices, a net floorspace of 4,459 sq m and a turnover of £6,000 per sq m. However, if this is an over-estimate, given capacity tables 12a-c estimate retail warehouses as generating £3,000 per sq m, then this would result in a turnover of £13.38 million. Thus, both turnover rates would leave a surplus of around £200 million as at 2015 based on 2007 Prices, an ultra long term growth and current market share.

It is therefore concluded that the proposal complies with PPS4 Policy EC16.

PPS4 Policy EC17: The consideration of planning applications for development of main town centre uses not in a centre and not in accordance with an up to date development plan

The policy indicates where no significant adverse impacts have been identified under policies EC10.2 and 16.1, planning applications should be determined by taking account of:

- a. the positive and negative impacts of the proposal in terms of policies EC10.2 and 16.1 and any other material considerations; and
- b. the likely cumulative effect of recent permissions, developments under construction and completed developments

The impacts of the proposal are considered in this analysis and in the Water Street appeal decisions. It is considered that the proposal would not prejudice the implementation or occupation of in-centre proposals involving retail and / or leisure use where planning permission has recently been granted or where retail and / or leisure development is under construction or recently completed. Taking into account the factors in criterion b above, it has been shown that there remains sufficient capacity to support the proposed retail element for comparison goods floorspace purposes. The proposal would provide alternative and / or potentially larger (depending on the level of any internal sub-division of the A1 use floorspace) retail warehouse unit(s) than those in TCG2.2 (Great Portwood Street Area), which is

situated to the east of the Central Shopping Area. Hence, it is considered that the proposal complies with PPS4 Policy EC17.

PPS4 Policy EC19: The effective use of conditions for main town centre uses

In the event that planning permission is granted for the proposal, with respect to PPS4 Policy EC19: The effective use of conditions for main town centre uses, regard should be had to conditions 2 and 3 attached to planning permission DC016819, notably, those conditions relating to floorspace and goods categories summarised in para2.06 of the applicant's retail statement:

- The maximum retail floorspace should not exceed 5,574 sq m gross A1 use or 5,000 sq m gross D2 use;
- Items to be sold restricted to bulky goods categories;
- The minimum size of any retail unit restricted to 929 sq m gross floorspace.

It is proposed that the retail element would be for the sale of bulky goods only and that the minimum size of the units would be restricted to provide retail warehouse-type facilities i.e. no sub-division of the A1 use below 929 sq m gross.

Highways engineer: The prior consent granted by the Secretary of State was accompanied by planning conditions relating to highway works required on Water Street and by a Unilateral Undertaking by the applicant in respect of commuted sums for off site highway, access, CCTV and environmental works. The application is accompanied by a Transport Statement. This updates the traffic analysis for the site and re-examines the access issues to it from the Town Centre. The report concludes that there has been no material alteration in traffic conditions since the original grant of consent and that the traffic generated by the development could be accommodated on the highway in the same way as previously proposed. The accessibility issues also remain as before and it is considered that the commuted sum previously proposed should be applied to this consent with suitable adjustments made to the sums to allow for inflation in the interim.

Subject to the imposition to similar conditions and the continuation of the Unilateral Undertaking there would be no highway objections to a renewal of this consent.

Highways Agency: No objection.

Environment Agency: We have no objection in principle to the renewal of the above planning application, but would wish to make the following comments.

We would like to remind the applicant that the River Tame which flows adjacent to the site is designated "main river", and as such, details of any proposed works in, under or over the channel, or **within 8 metres of the top of the bank**, require the prior consent of the Agency under the Water Resources Act 1991 and the Land Drainage Byelaws.

We have discretionary powers to carry out maintenance works on the channels of "main river" watercourses to remove blockages and ensure the free flow of water.

The responsibility for the repair and condition of River Tame, its channel, banks and

adjacent structures, lies ultimately with the riparian owner.

ANALYSIS

The application seeks a renewal of permission DC01616819 under the provisions of new legislation introduced in October 2009. The new provisions allow a simplified renewal application to be made provided that permission has not commenced, the permission has not expired at the time of application and the permission was not granted after October 2009. The application does not fall into either of these categories and therefore can be treated as renewal proposal.

Although now the relevant section of Circular 11/95 has been deleted this provided the necessary advice on how to deal with renewals of planning permission. This guidance is still commonly utilised as "best practice" when dealing with the assessment of renewal proposals. As a general rule therefore applications for a renewal of planning permission should only be refused where:

- There has been a material change in circumstances;
- Continued failure to begin the development will contribute unacceptably to uncertainty about the future pattern of development in the area;
- The application is premature because the permission still has a reasonable time to run.

The application therefore requires assessment in respect of all 3 above factors:

In respect of (a) there has been a change to the policy or planning guidance framework relevant to the assessment of the application in respect of retail matters. The last application was considered in light of PPS6 "Planning for Town Centres" which has now been deleted and replaced by PPS4 "Planning for Sustainable Economic Growth". In addition the Stockport Shopping and Leisure Study (2009, Drivers Jonas) has been produced and UDP policy PSD1.1 which dealt with retailing/leisure proposals outside identified centres has also expired. It therefore follows that any retail/leisure proposal that is not in accordance with an up to date development plans and lies outside an identified centre therefore falls to be considered under the requirements of PPS4. As PPS4 was not in force at the time of the last decision the proposal must be assessed against its requirements which represent a material change to planning circumstances.

To this end the application has been accompanied by a retail statement to deal with PPS4 and its differences to the previous Policy framework. In turn this has been considered in full above by the Retail Policy Officer and a full policy consultation response is attached above. In summary the following should be noted:

- The proposal falls to be considered under RSS Policies W5 and L1; PPS4 Policies EC10, EC15, EC16 and EC17 and UDP Policies TCG4.4 and L1.4.
- RSS policy W5 deals principally with the vitality and viability of the town centre. In this respect it should be noted that the proposal would not result in any less capacity for comparison goods than that identified in the 2009 Drivers Jonas Stockport Shopping Study, and sufficient capacity would remain to enable the retail-led redevelopment of the Bridgefield area. Thus, it is considered that the

proposed retail element is of an appropriate scale with regard to the size, role and function of Stockport Town Centre, consistent with RSS Policy W5.

- RSS Policy L1 seeks to ensure that plans, strategies, proposals and schemes make adequate provision for sport and recreation facilities. The Stockport PPG 17 study identifies a indoor sports facility shortfall and an identified lack of access to day time sports hall provision. Therefore, the proposed D2 leisure element of the proposal could help address this deficiency.
- PPS4 Policy EC10 requires that proposals are accessible and will contribute to sustainable economic development/regeneration. In this respect it is noted that the inspector for the appeal concluded that the site is in a sustainable location in terms of its accessibility to public transport and pedestrian accessibility. It is also considered that the site is accessible by car. The site therefore meets the accessibility test. The policy officer however queries the level of information submitted in respect of the contribution the building could make in respect of sustainable development. Whilst this is a valid point it should be noted that this is an outline application with all matters in respect of building design reserved for later approval. It is therefore considered that the reserved matters stage would be the appropriate stage to raise this issue and require the proposed developer to design the building with renewable energy and sustainable building techniques in mind to meet the requirements of RSS policy EM18.
- PPS4 Policy EC15 requires that proposals pass the sequential test. In this respect it is agreed that no sequentially preferable sites have arisen since the time of the last approval in 2007. Lend Lease withdrew from the Bridgefield Street project in 2008 and the Council has not since secured a development partner for the retail-led development of Bridgefield. Therefore, it is considered that the proposal complies with the sequential approach set out in PPS4 Policy EC15.
- PPS4 Policy EC16 requires that proposals do not have a negative impact on existing centres. The proposal would extend consumer choice and the range and quality of the comparison goods retail facilities in the area. It is not considered that the proposal would significantly affect existing consents/commitments nor adversely affect a retail-led redevelopment of the Knightsbridge area. In turn it is not envisaged that the proposal would generate any harm in respect of turnover based on the recent Stockport Shopping and Leisure Study 2009. It is therefore concluded that the proposal complies with PPS4 Policy EC16.
- PPS4 Policy EC17 requires a reassessment of any negative impact identified under policies EC10 and EC16.1 and that account is taken of the likely cumulative effect of recent permissions, developments under construction and completed developments. It is agreed that there are no negative impacts as result of assessment under policies EC10 and EC16.1 and that there are no relevant extant permissions, developments being implemented or recently completed developments in the Great Portwood Street Area or the Central Shopping Area for consideration in relation to this planning application that would raise issues in impact terms.
- UDP review policy TCG4.4 is identified as an area of opportunity for various uses including leisure use. Much of the references within the allocation are now no longer relevant as PPS4 has superseded the previous policy framework. Given the comments above in respect of PPS4 it is not considered that the proposal conflicts with the allocation in respect of retail development (in the format proposed). No objections are therefore raised in respect of the allocation subject to the imposition of relevant planning conditions as directed by the inspector in

relation to the overall floor size granted, the range of goods to be sold and minimum floorplate size.

- In terms of UDP Review policy L1.4 it is considered the D2 element is of an appropriate scale, there is a need for additional cinema screens, indoor sports halls and health and fitness facilities in the borough and that the proposal complies with the sequential approach. It is therefore considered that the proposal complies with Stockport UDP Review Policy L1.4.

In terms of highways/access matters, as confirmed by the engineer above, there has been no material change to the proposal in highways respects. The submission by the applicant accurately identifies that this is the case. Subject to the imposition to similar conditions and the continuation of the Unilateral Undertaking there are no highway objections to a renewal of this permission.

In respect of (c) the application submission is not considered to be premature (see history) as the application has been submitted close to expiry of the original.

Conclusion.

It is therefore recommended that permission should be granted for the additional two years applied for subject to similar conditions as the previous permission and the Unilateral Undertaking being continued. This will provide an extended opportunity for the redevelopment of the site in the short term when the economic climate improves without detriment to the vitality and viability of Stockport Town Centre.

SUMMARY

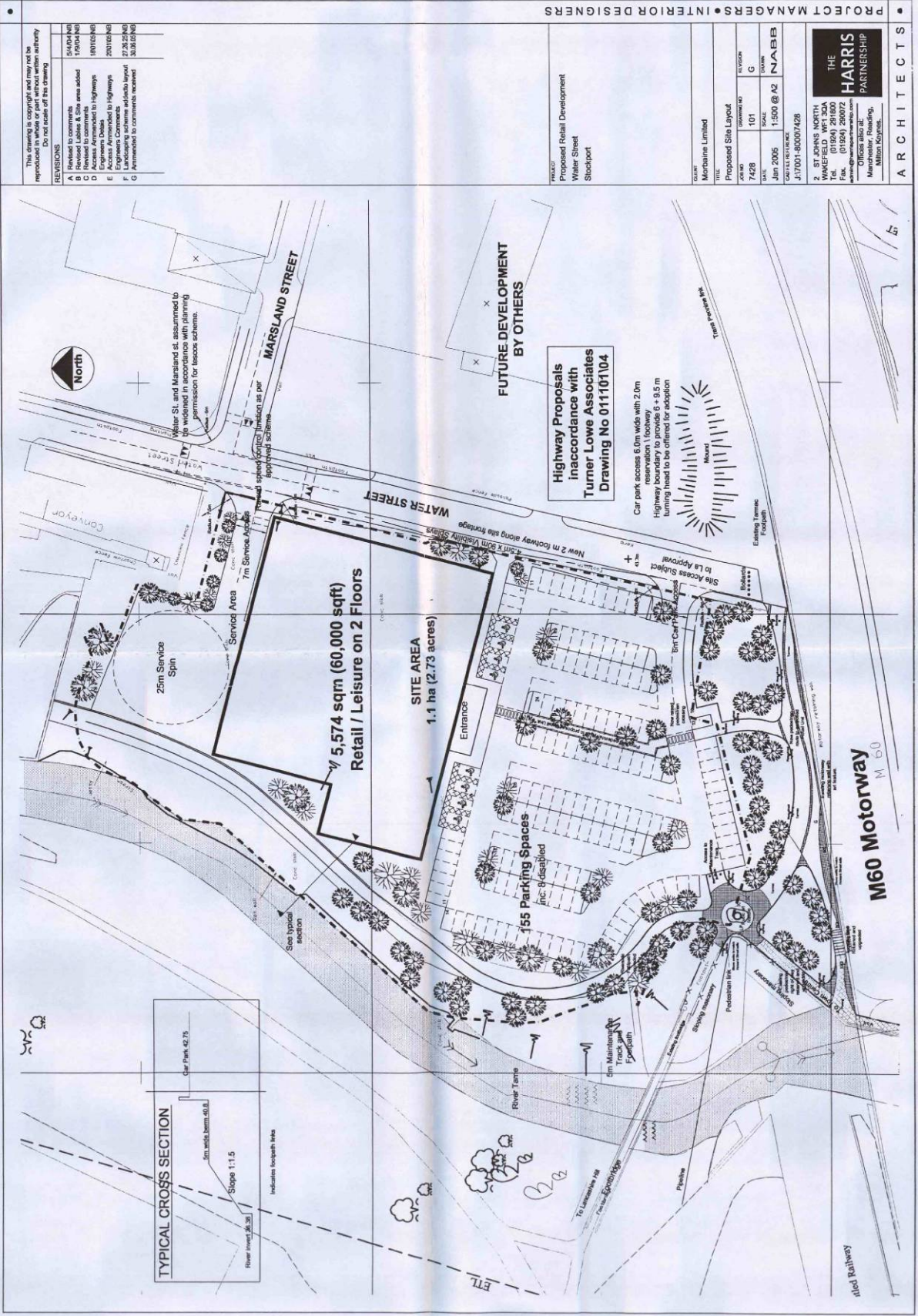
Grant

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REVISIONS	DATE
A	15/04/10
B	17/04/10
C	18/04/10
D	19/04/10
E	20/04/10
F	27.03.2010
G	30.03.2010

A Revised to comments
 B Revised to comments & Site area added
 C Revised to comments
 D Revised to comments & access to Highways
 E Access Amended to Highways
 F Landscaping scheme attached layout
 G Amended to comments received



PROJECT: Proposed Retail Development
Water Street
Stockport

CLIENT: Meridian Limited

DATE: 17/04/10

PROPOSED SITE LAYOUT
DATE: 17/04/10
SCALE: 1:500 @ A2
DRAWN: G
CHECKED: NABB

PROJECT MANAGERS • INTERIOR DESIGNERS

ARCHITECTS

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