

ITEM 3

Application Reference	DC/079773
Location:	90-92 Barcicroft Road Heaton Moor Stockport SK4 3PJ
PROPOSAL:	Proposed change of use of pair of semi detached dwellinghouses (Class C3) into a residential care home (Class C2) including rear extensions at both ground floor and first floor levels and a two storey side extension to accommodate a lift to allow disabled access to all floors and external areas for an emergency generator and refuse storage
Type Of Application:	Full Application
Registration Date:	23.02.2021
Expiry Date:	Extension of time agreed
Case Officer:	Jeni Regan
Applicant:	Francis House Family Trust
Agent:	Lancaster Maloney Ltd

DELEGATION/COMMITTEE STATUS

Heatons and Reddish Area Committee.

Application referred due to receipt of 4 letters of objection, contrary to the officer recommendation to grant.

Application Call Up to Area Committee by a Ward Councillor.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the change of use and extension of the pair of semi-detached dwelling houses (Class C3) at 90 and 92 Barcicroft Road to create a residential care home (Class C2).

The proposals include the conversion and the extension of the existing dwellings to create a six bed care facility for young people (16 years old and over) with life limiting conditions and extreme complex needs. The occupants would require 24 hour care, requiring a maximum of 4 care staff on site during the day and 2 care staff on site at night. The number of bedrooms on the site would reduce from 8 (3 at No. 90 and 5 at No. 92) down to 6 as a result of the proposals.

In addition to the 6 bedrooms, the proposals would create an office, laundry/sluite room, kitchen, sunroom/dining room, TV lounge, sensory room, a shower/wet room, a boiler/plant room and a storeroom on the ground floor and a staff room, nurse's station, wc and assisted bathroom on the first floor.

The proposal involves the removal of the existing detached garage and single storey outrigger to the rear of No. 90, along with the following extensions:

- Two storey extension to the side elevation of No. 90 Barcicroft Road to provide a passenger lift to both floors. Members should note that the design of this extension has been amended following discussions with the Planning Officer and it now has more domestic appearance with a hipped roof design to match the existing property. The proposed side extension would measure 1.6 metres in width, 3.1 metres in depth and would be 6.9 metres in height to the eaves and 7.6 metres to the ridge above the hip.
- Two storey extension to the rear of No. 90 Barcicroft Road. The proposed extension would measure 5.7 metres in width, 3.6 metres in depth from the rear of the existing property and would be 5.25 metres in height to the eaves and 7.4 metres to the ridge.
- Part two storey, part first floor extension to the rear of No. 92 Barcicroft Road. The proposed extension would measure 6.2 metres in width, 3.6 metres in depth from the rear of the existing property and would be 5.25 metres in height to the eaves and 7.5 metres to the ridge.
- Single storey extensions to the rear of both No. 90 and 92 Barcicroft Road to wrap around the extensions outlined above and create a sunroom and tv lounge, which links into the rebuilt single storey element on the footprint of the former detached garage. The proposed sunroom extension would measure 5.4 metres in width, 6.7 metres in depth from the rear of the existing property and would be 2.8 metres in height to the eaves of the proposed flat roof. The proposed TV room extension would measure 3.8 metres in width, 5.55 metres in depth from the rear of the 2 storey extension and would be 2.8 metres in height to the proposed flat roof. The proposed extension on the footprint of the former garage would measure 4.15 metres in width, 7.6 metres in length and would be 2.8 metres in height to the eaves of the flat roof.

Externally, it is proposed to create a bin store to the side of No. 92 Barcicroft Road, install an emergency generator surrounded by a 1.4m high timber fence within the garden of No. 92 Barcicroft Road and hard and soft landscaping within both gardens including a gazebo.

There is existing parking for 2 cars within the front garden of No. 90 Barcicroft Road and 3 spaces within the front garden of No. 92 Barcicroft Road, both accessed via existing vehicular access points from Barcicroft Road. This will be retained as part of the proposals to provide parking for staff. There would be a maximum of 5 staff during the day, comprising 4 care staff and one manager and would normally be 2 staff on site at night.

The frontage of the property would remain the same as existing with the current entrance to No. 92 forming the main entrance to the property, and the current entrance to No. 90 forming a staff entrance.

SITE AND SURROUNDINGS

The application site is comprised of two existing two storey semi-detached properties (Nos. 90 and 92) located on the corner of Barcicroft Road and Brassington Road in Heaton Mersey. The properties front Barcicroft Road with the main entrances and vehicular access points from the front. No. 90 has a detached garage to the rear and No. 92 has been previously extended to create a two storey side extension and single storey rear extension. The properties both have off street parking to the front and private gardens to the rear.

The application site is bounded by Barcroft Road and the two storey semi-detached properties beyond to the north east, Brassington Road and the two storey semi-detached properties to the south east, an area of land containing a container to the south west and the residential properties at Nos 86 and 88 Barcroft Road to the north west.

The application site is located within a Predominantly Residential Area as allocated within the UDP and is surrounded by existing residential properties on all sides.

POLICY BACKGROUND

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

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review

- HP1.3 – Avoidance of Loss of Dwellings
- CDH1.3: Care and Nursing Homes

LDF Core Strategy/Development Management policies

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

Supplementary Planning Guidance

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

- Extensions and Alterations to Dwellings SPD

National Planning Policy Framework

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

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

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

Para.1 *“The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied”.*

Para.2 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”.*

Para.7 *“The purpose of the planning system is to contribute to the achievement of sustainable development”.*

Para.8 *“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):*

- a) an economic objective*
- b) a social objective*
- c) an environmental objective”*

Para.11 *“Plans and decisions should apply a 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-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear 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”.

Para.12 *“.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed”.*

Para.38 *“Local planning authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible”.*

Para.47 *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing”.*

Para.124 *“The creation of high quality 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.130 *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

Para.153 states *“In determining planning applications, local planning authorities should expect new development to:*

- a) comply with any development plan policies on local requirements for decentralised energy supply 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; and*
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.*

Para.213 *“existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.*

Planning Practice Guidance

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

RELEVANT PLANNING HISTORY

Reference: J/20664; Type: XHS; Address: 90 Barcicroft Road, Heaton Mersey.;
Proposal: Lounge extension and bathroom over existing kitchen.; Decision Date: 03-SEP-80; Decision: REF

Reference: DC/024788; Type: FUL; Address: 92 Barcicroft Road, Stockport, Cheshire, SK4 3PJ; Proposal: Two storey side and single storey rear extensions; Decision Date: 02-JAN-07; Decision: REF

Reference: DC/025422; Type: FUL; Address: 92 Barcicroft Road, Stockport, Cheshire, SK4 3PJ; Proposal: Two side storey extension and single storey rear extensions (Resubmission of DC024788); Decision Date: 14-MAR-07; Decision: GTD

Reference: DC/065876; Type: FUL; Address: 92 Barcicroft Road, Heaton Moor, Stockport, SK4 3PJ; Proposal: Erection of detached dwellings with associated parking, garden and means of enclosure; Decision Date: 17-OCT-17; Decision: REF

Reference: DC/072079; Type: FUL; Address: 92 Barcicroft Road, Heaton Moor, Stockport, SK4 3PJ; Proposal: Erection of detached dwelling with associated access, parking, garden and means of enclosure.; Decision Date: 08-APR-19; Decision: GTD

NEIGHBOUR'S VIEWS

Following the submission of the original proposals, the owners/occupiers of 10 surrounding properties were notified in writing of the proposal.

5 emails of objection have been received for the application. The comments made are summarised below:

Highway / Traffic / Parking

- There will be increased traffic in this area from staff working there and visitors. This will certainly impact on the area. Local cars have already been hit multiple times within the past 18 months with the current levels of traffic.
- Increased traffic will mean an increase in noise and a lack of parking for local residents.
- Increase in traffic will increase the danger to children and the elderly, some speed calming maybe needed. Currently some cars are drive far too fast up Barcicroft Road.
- With significant on street parking requirements and limited access routes due to the residential status of the area, there is very limited facility for the area to accept and handle additional traffic as a result of this proposed business.
- There seems little if any consideration in the application to estimated increased traffic and parking requirements and their influence on things such as residents parking and emergency services access.
- Since the building of Tesco on Lane End Road and the new estate on Bluestone Drive, Brassington Road is now a main access to them (missing the speed bumps on Kingslea Rd). This already causes hold ups going each way.
- This care home will bring further parking in Brassington alongside No. 92 Barcicroft Road, with more alongside No. 94 narrowing the road even more. Before this 90/92 had 4/5 cars in total. With staff/visitors it is now envisaged 10/14 cars. The area cannot cope with this number safely.

Residential Amenity

- The windows will overlook my property affecting our family privacy.
- Enjoy residential status of the area and have no wish for things to change now.

- The area is quiet and pleasant and the development of a business, from what is still perfectly suitable residential housing, is unwarranted in such close proximity to other residents.
- Housing is in high demand and the business could be perfectly well situated in a more suitable area where development would be more relevant.
- The business will be using a generator and what impact that this will have on local residents, particularly the noise, air quality and interference with communications.
- Commercial waste produced.

Construction Works

- The proposed development is significant and local residents are already dealing with the effects of a long lockdown with the likelihood of further restricted movements throughout the summer of 2021 and possibly longer.
- The probability is that local residents will be spending greater time at home and in outdoor spaces in the near future and already have exhausted patience for anymore upheaval, noise, mess or disruptions of their lives in general.
- The effect on mental health and general wellbeing would be significant.
- Noise and mess from the construction on roads and pavements is a concern.

Other Matters

- Signage needs to be subtle and in keeping with the area.
- Attracting undesirables to the area may increase crime.
- The development will also have a detrimental impact on the house prices of the homes within the immediate vicinity.
- Will there be any compensation if house prices are affected?
- Scale of the build & its potential to be resold and used for purposes other than a care home. This is a family friendly area.
- Housing is a valuable asset also and the burden on the local community with both the significant development and access requirements are unwelcome especially with such an already existing strain being placed during the Covid 19 epidemic.
- This is a highly sought after residential area, in the catchment area for some great schools and I would urge you to leave the purpose of the dwellings as they are for families to benefit from them instead.

Following the submission of amended plans and additional information relating to the proposed use, a further re-notification of all residents and contributors was completed.

One further email of objection was received in response from a resident that had previously objected above. The comments received are as follows:

- The staff, visitors and transport for residents of the proposed development would cause significant congestion and cause parking difficulties for my family and other residents of Brassington and Barcicroft Road or emergency service access, all of whom already have limited street parking available due to the speed humps on the roads.
- I am also concerned about this as a parent of two young children.
- The privacy, light, visibility currently enjoyed by my home would be adversely affected by the proposed development.
- The value of my property will also depreciate if the proposed change of use is granted.

- I am concerned about the generator being located opposite my home, due to the noise, environmental effect and it is likely to emit radio signals which will interfere with the wireless mechanisms of the cars in my home which will result in the car alarm being set off intermittently, disrupt the locking mechanisms and may render my vehicle more vulnerable to theft.
- This area does have a high amount of vehicle thefts and these additional costs will not be reimbursed by the proposed developers (I have had previous experience of such problems when parking near generators at work).
- I am concerned about the refuse waste being located opposite my home, as this may attract vermin and foxes. There are already a problem and this will likely increase it.
- This is a highly sought after residential area, in the catchment area for some great schools and I would urge you to leave the purpose of the dwellings as they are for families to benefit from them instead.

CONSULTEE RESPONSES

Highways

The application is for change of use and extension to two dwellings to facilitate use as a 6 bed care home. From the supporting information, I conclude that the proposed use is very low intensity with a maximum of 6 bedrooms for occupants, a maximum of 5 staff on duty during the day time and a maximum of three staff on site over-night.

This level of use does not generate traffic at a level that will cause highway operational and safety concerns. Numerically, at worst it would possible be two or three vehicle movements per hour and this is negligible. The site has adequate provision of car parking space to meet the likely and realistic demands for the proposed use staff and there is unrestricted kerbside parking fronting the site that can accommodate any additional demand and shortfall of spaces. In terms of servicing demands, the proposed use would not be materially worse than two residential units and as such would not give reason to express concern with the submission.

Whilst I appreciate there has been some concern expressed about the proposal with some comment about traffic implications, I consider it would be unreasonable and unsustainable to try and argue that the development would have a severe and unacceptable impact on highway operation and safety, that being the test against which the highway impact of development has to be assessed.

In conclusion, I raise no objections subject to the inclusion of the following condition:

The use hereby approved shall not commence until covered and secure parking for a minimum of two cycles has been provided in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The facility shall then be retained and remain available for use at all times 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', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Environmental Health (Noise)

The submitted information has been assessed and there are no objections to the proposed development.

The site is a pair of semi-detached properties: number 92 a 5 bedroom property, number 90 a 3 bedroom property. The proposal is to convert the existing dwellings into a six bed care facility by Francis House Children's Hospice. The proposal includes the addition of a side extension to accommodate a lift and plant room and an external emergency generator.

The following sections of the Planning Statement, refer to the emergency generator:

3.16: The generator location also includes soundproofing. It will be located within a new 1.8m high fence and gates within the garden of number 92.

3.17 The generator will be required to be used in very limited circumstances. As an example we are instructed that the generator at the applicant's current site has been required to be used only once in the last 6 years.

Appendix 1 details the HIMONISA, generator specification sheet.HFW-60 T5, page 4 details the soundproofed version.

Conditions

Should the application be approved, this service recommends that the specification of the soundproofed version, is conditioned.

Reason: In accordance with paragraph 180a) of the National Planning Policy Framework, February 2019: 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

Informatives

Informative comments are designed to assist developers in the prevention, minimisation and control of noise and dust arising from the construction phases of the development for the purpose of protecting the residential amenity of occupiers of nearby dwellings.

1) Construction Sites – Hours of Operation

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

2) Pile Foundations

Piling work shall be undertaken using a system which will cause the least possible degree of noise and vibration in the locality – dependent upon ground conditions – as a means to minimise the impact of noise and vibration to the occupiers of nearby dwellings.

It is recommended that nearby residents and Stockport EH are provided with the following information:

- Details of the method of piling
- Commencement date of the piling work
- Days / hours of work
- Duration of the pile driving operations (i.e. the expected completion date)
- Contact details of a responsible person (e.g. site manager / office) who could be contacted in the event of a complaint.

3) Site Specific Dust Management Plan (DMP)

In order to minimise dust emissions arising during the development, including: site preparations / demolition/ construction activities at the site.

A copy of a 'site specific DMP' shall be retained at the development site; and made available for inspection upon request by Stockport Council Officers.

The site specific DMP shall identify the fugitive dust sources at the development site and describe in detail the dust mitigation measures to be employed.

The DMP shall include details:

- of all dust suppression measures
- the methods to monitor emissions of dust arising for the duration of the project

The demolition / construction phase of the development, shall be completed in full compliance with the site specific DMP.

The dust suppression measures shall be maintained and fully operational for the duration of the demolition / construction phase of the development.

The Dust Management Plan shall contain the records of inspections and visual assessments. Records shall be:

- kept on site and
- made available for examination upon request by a Stockport Council Officer.

Where visible airborne emissions are brought to the attention of the contractor by:

- pro-active dust monitoring of the site or
- upon receipt of a dust complaint from a member of the public

The contractor shall:

- identify the cause and extent of the dust emission
- detail the remedial dust corrective course of action
- inform Stockport EH the corrective action and proposed monitoring to assess compliance and prevent a recurrence.
- Any corrective action shall be recorded in the site log/ DMP retained on site.

Contaminated Land

Given the nature of the development (change of use and extensions), there are no objections and no conditions are required. However, the developer will need to keep a watching brief for any unexpected contamination, if any is suspected or found they will need to report this to the LPA.

As such, the CON2 informative is recommended for the decision notice.

Manchester Airport

The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no objections to the proposed development.

Advisory:

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:

<https://publicapps.caa.co.uk/docs/33/CAP1096%20E2.1%20September%202020%20FIN%20AL.pdf>

Manchester City Council

Due to the proximity of the site to the Borough boundary with Manchester, the City Council were consulted on this application. No response has been received.

ANALYSIS

Principle

Regarding the Council's policy for the avoidance of the loss of dwellings, (saved UDP policy HP1.3), the proposal would involve the change of use of a pair of semi-detached dwellinghouses for the provision of living accommodation for 6 young people with life limiting conditions, thus retaining the residential purpose of the site.

The Council's planning policy regarding care and nursing homes is established within saved UDP policy CDH1.3. The policy provides that care and nursing homes are appropriately located in residential areas and the Council will require that they do not adversely affect neighbouring properties or the area. The provision of amenity space around the building is important for the enjoyment of residents and also for the protection of the residential character of the area. Also, the location of care homes close to local facilities such as shops, a post office and parks is considered important. Inappropriate extensions can cause problems due to the intensity of the use and the scale of the building may be inappropriate or cause unacceptable overlooking or loss of privacy to adjoining dwellings.

Policy CDH1.3 establishes a number of criteria, and advises that subject to the overall requirements of Policy CDH1.1 (which has been superseded by the Core Strategy policies, including, SIE-1 and SIE-3), conversion of a dwelling to a care or nursing home will be permitted provided that the proposal:

1. Provides a minimum of 15 square metres of amenity space per resident in one continuous usable area;
2. Provides car parking in accordance with TD1.4 (which has been superseded by the Core Strategy policies, including, T2). Parking areas should be screened from public view by retention of existing trees and mature planting where possible. A landscaping scheme acceptable to the Council should be implemented within one planting season to screen parking areas;

3. If a change of use is proposed, is in a detached dwelling or a pair of semi-detached dwellings where both are to be converted simultaneously;
4. In the case of care homes, is within reasonable walking distance of local facilities.

In accordance with policy CDH1.3, there would be approx. 180 square metres of amenity space provided to the rear of the property, including both hard and soft landscaped areas and the covered gazebo. This is above the recommended 90 square metres of amenity space required by this Policy. The outdoor space would also be complimented by the proposed indoor amenity spaces of the sunroom, TV room and sensory room, which are fully glazed to improve access to natural daylight.

An acceptable level of car parking provision is proposed, including the 5 existing car parking spaces. This is in line with the adopted maximum parking standards and is covered in more detail in the Highway / Traffic / Parking section later in the report.

The change of use relates to a pair of semi-detached properties, where both dwellings are to be converted simultaneously, and which is located within reasonable walking distance of local facilities.

Policy CDH1.3 also states that proposals for extensions should have regard to the following criteria:

5. The area remaining after an extension to a care and nursing home must be sufficient to accommodate car parking and amenity space requirements in accordance with the points above;
6. Extensions should be in scale with and smaller in mass than the original building with the whole remaining in character with its surroundings;
7. Extensions should not cause damage to the amenity or neighbouring properties by reason of overlooking or overshadowing or loss of privacy. Habitable room windows should not have a direct line of sight less than 10 metres to a neighbouring private garden or less than 21 metres to a neighbouring window of a habitable room. For ground floor habitable rooms a relaxation may be acceptable subject to a high degree of screening being agreed with the council.

As confirmed above, the proposal would include sufficient amenity and parking spaces to sustainably support the use.

Regarding the scale and massing of the extensions to the building, the scheme proposes to utilise the current building footprint of the existing detached garage to the rear of No. 90 Barcroft Road together with two-storey and single storey extensions to the rear elevations. The proposed extensions are considered to have an appropriate scale and mass for the context of this domestic residential setting and would be considered acceptable if these came forward for planning permission on the existing semi-detached properties.

The design of the proposed lift shaft extension has been amended to reduce the visual impact of this structure in this domestic setting. Changes have been made to the elevations and roof design of the lift shaft in an attempt to blend the

appearance of the required extension in with the existing dwelling and give it more of an appearance of a domestic extension rather than a separate tower.

Finally in relation to point 7 above, the potential impact of the proposed extension on the amenity of the surrounding residential properties will be explored in more detail in the Residential Amenity section below.

Residential Amenity

The NPPF, along with the National Design Guide, which is Planning Practice Guidance, advises Councils to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (including paragraphs 124 and 127 of the NPPF).

The NPPF also states that “para. 180. Planning policies and 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.”

Policy SIE-1 “Quality Places” of the core strategy, states that new development should provide, maintain and enhance (where suitable) satisfactory levels of access, privacy and amenity for future, existing and neighbouring users and residents.

These policy requirements are reiterated in the Design of Residential Development SPD, stating that new development should provide satisfactory levels of privacy and amenity for future, existing and neighbouring users.

The Council's Supplementary Planning Document (SPD) “The Design of Residential Development,” regarding ‘Space about dwellings,’ advises that development is encouraged that promotes variety and interest, and which seeks to create an appropriate balance between built form and plot size. The SPD further advises that “A feeling of privacy, both within the dwelling and the associated garden is a widely held desire that the Council has a duty to secure for the occupants of new and existing housing. In general terms, the design and layout of the development should minimise the degree of overlooking between new houses and should not impose any unacceptable loss of privacy on the residents of existing dwellings.” Minimum space standards normally applied by the Council are then listed, with the proviso that imaginative design solutions can be appropriate and will be assessed on a case by case basis. The distances are as follows:

- Between habitable room windows on the public or street side of dwellings is 12 metres;
- Between habitable room windows on the private side or rear side of dwellings is 25 metres;
- Between habitable room windows and a blank elevation, elevation with non-habitable rooms or with high level windows is 12 metres; and
- Between habitable room windows and the site boundary is 6 metres.

The Principle of development section of this report, above, includes consideration of the Council's planning policy regarding care and nursing homes, saved UDP Policy CDH1.3, which requires that proposals for care and nursing homes and extensions should have regard to amenity criteria as explored above.

It is not considered that the proposed extensions to Nos. 90 and 92 Barcicroft Road would have an unduly detrimental impact upon the amenities of the occupiers of neighbouring residential properties, including as regards outlook, overshadowing, or privacy, pursuant to saved policy CDH1.3 "Care and Nursing Homes," SIE-1 "Quality Places," together with amenity policies of the NPPF. This is due to the location, scale, massing and design of the extensions, in conjunction with the context and orientation of the properties to the sides and rear of the site. Each relationship will now be explored below:

Front – Across Barcicroft Road to Nos. 77 to 83

The north eastern or front boundary of the site is comprised of Barcicroft Road and the properties at Nos. 77 to 83 beyond. The boundary is shared with the public highway and therefore, the relationship is the public or street side of the dwellings. The front of the existing properties at Nos. 90 and 92 Barcicroft Road are not proposed to be changed in any way as part of the proposals, with no extensions or new windows / doors being installed into this elevation. The distance between the properties on this street side is 30 metres. Therefore, the relationship of the development to the properties across Barcicroft Road will not change from the existing situation. The existing vehicular access points and existing car parking spaces are to be used, and it is not anticipated that there would be any additional comings and goings associated with the proposed development than is currently the case with the existing 4 bedroom semi-detached properties.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of Nos. 77 to 83 Barcicroft Road by reason of general disturbance, overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

Side – Across Brassington Road to No. 94 Barcicroft Road and No. 1 Brassington Road

The south eastern or side boundary of the site is comprised of Brassington Road and the properties at No. 94 Barcicroft Road and No. 1 Brassington Road beyond. The boundary is shared with the public highway and therefore, the relationship is the public or street side of the dwellings. This side of the existing property at No. 92 Barcicroft Road is not being extended, as this property has previously been extended through a 2 storey side extension in the past. Therefore, the relationship of the development to the properties across Barcicroft Road will not change from the existing situation.

It is proposed for one additional small window to be placed at first floor level on this side elevation as part of the development. However, this window would be to serve a toilet and therefore, will be opaquely glazed.

The distance between the properties on this street side is 17.5 metres to the side elevation of No. 94 Barcicroft Road and 21 metres to the front elevation of No. 1 Brassington Road, which is the same as the existing situation.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity

of No. 94 Barcicroft Road by reason of general disturbance, overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

Rear –No. 2a Brassington Road

The south western or rear boundary of the site is shared with an enclosed and cleared piece of land currently housing a shipping container. This piece of land received planning permission in May 2019 for a detached two storey dwelling under application DC/072079. The approved property would be located within the south western corner of the plot away from the application site, with the garden, shed and bin store located along the shared boundary with the application site at Nos. 90 and 92 Barcicroft Road.

Beyond this piece of enclosed land is the residential property at No. 2A Brassington Road. The boundary is with the side garden area of this existing property and therefore, the relationship is rear elevation and back garden to side garden, but with the enclosed piece of land in between.

Following the extension of the application properties as proposed, the new rear wall of the extensions would, at the closest point, be 6 metres away from the site boundary at the ground floor level and 9.1 metres away at the first floor level. This is the site boundary shared with the small cleared piece of land.

Beyond this to No. 2A Brassington Road, the distance between the new extensions and the side elevation of the existing property would, at the closest point, be approx.. 33 metres away at the ground floor level and 38.5 metres away at the first floor level. This is in accordance with the privacy distances outlined within The Design of Residential Development SPD.

Furthermore, it should be noted that there is a further single storey garage within the curtilage of No. 2A Brassington Road, which is located between the existing property and the application site. It may also be possible in the future for there to be a two storey detached property between the application site and No. 2A Brassington Road if the development approved by application DC/072079 is implemented.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of No. 2A Brassington Road by reason of overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

Side – Nos. 86 and 88 Barcicroft Road

The north western or side boundary of the site is shared with the site of the residential dwellings at Nos. 86 and 88 Barcicroft Road. The boundary is shared with the side boundary of the existing properties and the rear garden area of these properties. The property at No. 86/88 Barcicroft Road is located 3 metres away from the site boundary and there appear to be no habitable room windows in the side elevation facing the application site. The position of the dwelling at No. 86/88 is set back considerably behind the properties at Nos. 90 and 92, with the front elevation wall of No. 86/88 being in line with the rear elevation of Nos. 90 and 92. Therefore, the bulk of the proposed extensions to the rear of the application properties would be in line with the side elevation of the adjacent property and not adjacent to rear habitable room windows or the garden area.

The proposals include a two storey side extension at this side of the site to provide the lift shaft. The proposed extension would be located 0.8 metres from the site boundary and would contain no windows. Due to the orientation and siting of the adjacent property as explained above, the side extension would be forward of the adjacent property and would therefore, have no impact from an overshadowing or overbearing perspective.

The design of this extension has also been amended since the original submission following discussions with the Planning Officer and it now has more domestic appearance with a hipped roof design to match the existing property. Therefore, it is no longer considered to result in an incongruous feature within the street scene.

The proposals also include both single storey and two storey extensions to the rear of the property at No. 90 Barcicroft Road. The two storey extension would be 2.3 metres away from the site boundary with the adjacent property and would be level with the side elevation of the existing property rather than to the rear adjacent to existing habitable room windows and the rear garden.

Immediately along the site boundary with the adjacent property, the proposed single storey extensions would only be marginally larger than the existing detached garage that is currently present in this location. The extensions are proposed to be flat roofed and therefore, it would have a very similar relationship to the adjacent property than with the existing garage. Again, a large proportion of the single storey element of the extensions are located adjacent to the side elevation of the existing adjacent property and will not extend much beyond the rear elevation of the dwelling at No 86/88 Barcicroft Road. Therefore, it is considered that the extensions would have a minimal impact on the amenity of the occupants of this existing adjacent property.

The proposed side elevation of the extended property contains no new windows than are already existing and therefore, there would be no overlooking or loss of privacy caused from this element of the development.

Therefore, on the basis of the measures outlined above, it is not considered that there would be a detrimental relationship between the new development and the habitable room windows or rear gardens of the existing dwellings.

Therefore, it is considered that the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of No 4A Portland Grove by reason of overshadowing, overdominance, visual intrusion, loss of outlook, overlooking or loss of privacy.

Visual Impact

It is assessed that the proposed premises would appear in keeping with the existing residential character and built form of Barcicroft Road, by reason of the proposed design, siting, scale and massing of the development and landscaping, in context, pursuant to saved policy CDH1.3 "Care and Nursing Homes," Core Strategy policies SIE-1 "Quality Places," SIE-3 "Protecting, Safeguarding and enhancing the Environment," and the NPPF. The proposed extensions would be domestic in both appearance and scale and would, for example, not exceed the existing ridge height of this property or the ridge height of adjacent properties. The development would retain adequate separation to the sides and rear, and

would retain the appearance of a residential property, with parking to the front and landscaping within the rear garden.

Noise

It is not considered that the introduction of the proposed 6 bedroom care home to the site, within a predominantly residential area, would generate activity and noise, including any attendant ambulances, which would result in the occupiers of neighbouring residential properties being exposed to an unacceptable increase in noise and disturbance, pursuant to local and national policies. This is due to the compatible nature of the character and small scale of the proposed residential care home use, within a separate detached property, within its own bounded curtilage and with off-street parking.

The Council's Environmental Health Officer has assessed the proposed development and does not recommend objection to the proposed operation of a 6 bedroom care home. Most specifically, the Environmental Health Officer has assessed the proposals for the emergency generator, the lift and the other externally mounted equipment.

The applicant has confirmed that the property will be run on mains electricity and that the proposed generator is for emergency purposes only. The generator is only there for emergency cases if there is a power cut, to enable essential medical equipment to continue to operate. The applicant has also confirmed that the generator at one of their other care home sites has been required to be used only once in the last 6 years.

The acoustic specification for the generator has been provided by the applicant and Environmental Health have confirmed that this is acceptable. This is subject to a condition being included that ensures the compliance of the generator with the submitted soundproof specifications.

The lift proposed is an Orona 3G Segment Lift, which includes a gearless direct-drive motor. The lift is highly energy efficient and consumes 70% less energy compared with a hydraulic lift (manufacturer's specification). The project architects have confirmed that the lift will not be able to be heard from outside of the property when in use. The lift doors only open inside the property. Any sound is therefore directed internally within the building rather than externally. There are no external doors to the lift.

On this basis and in the absence of objections from Environmental Health, it is considered that there would be no material impact of noise and disturbance as a result of the generator, the lift or any other externally mounted equipment.

Parking and highway safety

Policy CS9 of the core strategy states that the Council will require that development is located in locations that are accessible by walking, cycling and public transport. Policy T1 reiterates this requirement, with this policy setting out minimum cycle parking and disabled parking standards.

Policy T2 of the core strategy states that developments shall provide car parking in accordance with maximum car parking standards for each type of development as set out in the existing adopted parking standards, stating that developers will need to demonstrate that developments will avoid resulting in inappropriate on

street parking that has a detrimental impact upon highway safety or a negative impact upon the availability of public car parking.

Policy T3 of the core strategy states that development which will have an adverse impact on the safety and/or capacity of the highway network will only be permitted if mitigation measures are provided to sufficiently address such issues. It also advises that new developments should be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking and servicing facilities.

Para 109. of the National Planning Policy Framework (NPPF) states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

The application has been assessed by one of council’s senior engineers with regards to Highways matters.

Due to the life limiting conditions of the future residents of the home, there will be no vehicle movements or parking requirements associated with the occupants. The applicant has confirmed that the maximum number of staff on site at any one time would be 5 to 6. Based on the experience from other homes operated by the applicant, there would be limited, if any visitors to the care home and any ambulances/hearses etc would access the site as they would any other dwelling in the vicinity.

From the supporting information, it can be concluded that the proposed use is very low intensity with a maximum of 6 bedrooms for occupants, a maximum of 5 staff on duty during the day time and a maximum of 3 staff on site over-night. Highways have confirmed that this level of use does not generate traffic at a level that will cause highway operational and safety concerns. Numerically at worst, it would possibly generate two or three vehicle movements per hour and this is negligible.

The site has adequate provision of car parking space to meet the likely and realistic demands for the proposed use staff and there is unrestricted kerbside parking fronting the site that can accommodate any additional demand and shortfall of spaces. In terms of servicing demands, the proposed use would not be materially worse than two existing residential units and as such would not warrant the refusal of the application.

The site is located within an existing residential area, and is close to existing public transport links. The applicant has confirmed that not all staff drive and live locally, and therefore they would either use this public transport or cycle. On this basis, Highways have requested the inclusion of a condition relating to the provision of cycle parking at the site.

Having regard to the comments of the Highway Engineer, it is considered that the proposed development promotes sustainable travel options, and it is not considered that the proposal would have an unacceptable impact on highway safety, or severe impact on the road network, subject to securing the recommended conditions. The proposal is therefore, considered to be in accordance with policies including, CS9, T1, T2 and T3 of the Stockport Core Strategy, and the National Planning Policy Framework (NPPF), including paragraph 109.

Other Matters Raised

Concerns have been raised in relation to the levels of commercial waste produced by the proposed use and the potential attraction of vermin. The applicant has confirmed that there will be no commercial waste from the application site. The majority of waste will be domestic and therefore, all that is required to serve the development is a domestic sized bin store the same as would be required by the existing semi-detached properties.

It has been confirmed that there would be some non-hazardous clinical waste associated with the use, however this would be dealt with appropriately. The disposal of the non-hazardous clinical waste is dealt with by other regulations to which the applicants will need to comply. However, for clarity, the applicant has confirmed that non-hazardous clinical waste would be limited to 1 yellow bin each week. This bin will be emptied by a licenced contractor and is taken to a licenced tip. Therefore, it is considered that an appropriate waste management strategy is proposed for the development, and it is not considered that provision of waste from this proposed use would cause any detriment to the amenity of the adjacent neighbours or wider area.

Representations have also been made in relation to the potential impact of the proposed development on property values in the area. Property valuation is not a material planning consideration that can be given significant material weight in this case or warrant the refusal of the application.

Concerns have been raised in relation to signage at the property. As no signage is proposed as part of this planning application, again this is not a matter that can be considered in this case. However, if any signage is proposed at the property, this may require subsequent advertisement consent that would be fully assessed through an appropriate advertisement consent application.

A comment has been received that the proposed development would attract undesirables to the area. The proposed use of the property would be for young people with life limiting conditions, along with the care staff working at the home. Therefore, it is not considered that the proposed use would in any way have such an effect on the area.

Finally, concerns have been raised about the potential impact of construction works on local residents. The proposed extensions to the property are domestic in scale, and the potential impact from construction would not be any more significant than normal residential extensions. Notwithstanding this, it is considered that any small scale impact would only be short term and are common within any residential area.

Energy Efficiency

Policy SD-3 of the Core Strategy, which relates to delivering the energy opportunities plan, states that minor developments should give consideration to incorporating low carbon and renewable technologies in order to make a positive contribution towards reducing CO2 emissions. An energy statement has been submitted that gives consideration to the use of various energy saving technologies, including cavity wall, loft and floor insulation, replacement condensing boiler, draft proofing and energy efficient lighting.

Land Contamination

The proposed development has been assessed regarding potential for land contamination, pursuant to Core Strategy policy SIE-3 and the NPPF. The developer would need to keep a watching brief for any unexpected contamination and report if any is found or suspected. An informative is required in case of discovery of unexpected contamination.

INFORMATION

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

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

Conclusion

It is considered that the proposed change of use of Nos. 90 and 92 Barcroft Road from a pair of semi-detached dwellinghouses to a 6-bedroom care home for young people with life limiting conditions, with associated extensions to the built form and alterations to the exterior of the site, would constitute a sustainable form of development, subject to mitigation through conditions. A development that would provide an alternative form of residential accommodation within this residential area, without undue adverse impacts upon the amenities of the occupiers of adjacent residential accommodation or unacceptable impact on highway safety, or the road network, due to the proposed scale and nature of the proposed use and development in context.

Overall, in the absence of any objections from consultees, the proposal is considered to comply with the development plan and the NPPF for the reasons set out within the report and therefore, the NPPF requires the development to be approved without delay.

RECOMMENDATION

Grant; subject to conditions.