

## ITEM 1

<b>Application Reference</b>	<b>DC/081309</b>
<b>Location:</b>	Bramhall Manor Care Centre 2 Hardy Drive Bramhall Stockport SK7 2BW
<b>PROPOSAL:</b>	Extension to existing car park to increase the number of spaces from 29 to 39
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	28.03.2022
<b>Expiry Date:</b>	20220523
<b>Case Officer:</b>	Dominic Harvey
<b>Applicant:</b>	New Care (Bramhall) Ltd
<b>Agent:</b>	Garner Town Planning Ltd

## DELEGATION/COMMITTEE STATUS

Bramhall & Cheadle Hulme South Area Committee Called Up (Councillor Bagnall)

## DESCRIPTION OF DEVELOPMENT

Extension to existing car park to increase the number of spaces from 29 to 39

The application is supported by the following:-

Application Form.

Existing Location Plan, drawing no. P2-LP.

Existing Site Plan, drawing no. P2-01, revision P1.

Proposed Site Plan, drawing no. P2-02, revision P1.

Planning Statement May 2021.

Survey of Car Park at Bramhall Manor 16<sup>th</sup> March 2022.

A Planning Statement May 2021 (appended) has been submitted setting out the rationale behind the application and attempting to justify the increase in parking proposed noting that the approved development already incorporates parking more than the Council's maximum standards. This Planning Statement explores the current use of the site, staff and visitor numbers, parking surveys of the on-site provision to ascertain its use and surveys of on street parking in the vicinity of the site.

The applicant's agent has indicated that *"clearly this situation is extraordinary given the contract that Bramhall Manor currently has with NHS Stepping Hill which has directly prompted the additional parking being generated. Once this contract ceases there will not be any need for additional spaces, as my clients know from their considerable experience of operating their other care homes that the number of parking spaces as approved is sufficient"*.

## **SITE AND SURROUNDINGS**

Bramhall Manor Care Centre, No.2 Hardy Drive, Bramhall comprises a 3-storey 71-bedroom care home served by a 29-space car park with access off Hardy Drive with landscaped areas the side and front of the building. The site is located on the north side of Robins Lane to the west of the railway line and is bounded by Hardy Drive to the west and Boston Close to the north. Opposite the site on Robins Lane lies a 3-storey sheltered housing development, elsewhere including on Hardy Drive, Boston Close, Glenholme Road and Robins Lane, development generally comprises 2-storey detached houses interspersed with the occasional bungalow. During consideration of the planning application (DC/069146) granted 05-JUL-18 for the care home the applicant's agent outlined that the care home would generate 30 full time and 40 part time jobs, with no more than 24 staff on site, during the evening period no more than 7 staff on site and at weekends daytime no more than 20 staff on site. Day time and night-time shifts swap over between 7.45 and 8.00 morning and evening.

## **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 31<sup>st</sup> 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 17<sup>th</sup> March 2011.

N.B. As the SUDP and CS were adopted prior to publication of the National Planning Policy Framework (NPPF), the weight to be attached to Development Plan policies are judged against whether they accord with the NPPF and the more recent National Planning Practice Guidance.

### **Saved policies of the SUDP Review**

NE1.3 Sites of Nature Conservation Importance  
EP1.7 Development and Flood Risk  
CDH1.3 Care and Nursing Homes

### **LDF Core Strategy/Development Management policies**

SD-6 Adapting to the Impacts of Climate Change  
CS8 Safeguarding and Improving the Environment  
SIE-1 Quality Places  
SIE-3 Protecting, Safeguarding and Enhancing the Environment  
CS9 Transport & Development

T-1 Transport & Development  
T-2 Parking in Developments  
T-3 Safety & 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.

'Transport & Highways in Residential Areas' (2006), 'Sustainable Transport' (2007)

### **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 19<sup>th</sup> 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 considered 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.

### **RELEVANT PLANNING HISTORY**

DC/069146: The Orchard/ The Hill, Robin's Lane, Bramhall, SK7 2BN, demolition of the existing dwellings and erection of 71-bedroom care home with associated landscaping, car park and access, granted 05-JUL-18.

DC/067229: The Orchard/The Hill, Robins Lane, Bramhall, Stockport, SK7 2BW, demolition of existing buildings and erection of 71-bedroom care home with associated landscaping, car park and access, an appeal against the failure to issue a decision was lodged with the Planning Inspectorate and subsequently the application was withdrawn on 05-JUL-18.

J/32479: Orchard House, Robins Lane, Bramhall. Proposal: Use of house as rest home, granted 04-DEC-84.

### **NEIGHBOUR'S VIEWS**

The application has been advertised as a Departure from the Development Plan by way of Site and Press Notice and the occupiers of nearby properties have been individually notified in writing, to date three representations one of which raises

objections, one offering support and all three providing observations have been received; the grounds of concern relate to the following:-

Object if there is a resulting increase in light pollution from this site, the current lighting is far too intrusive.

The existing site plans do not represent the reality, there is a 0.7m wall shown to the front of the site – this does not exist, there are 4 trees shown at the Robins Lane end of Hardy Drive which are supposed to screen the building, only 3 have been planted.

The application in section 10 clearly states that there are no trees on the proposed development site, there is at least one silver birch presently planted there, which is visible from the pavement.

The existing and proposed plans a tree miraculously disappears from the development area.

Where will all the cars park during the development?

Residents of Boston Close are fed up with the staff at this care home parking on the pavement here so whilst offering support for additional parking, signage should be displayed to prevent any parking here apart from householders.

It isn't fair when neighbouring residents cannot get safely in and out of our drive and disabled and others cannot walk on the pavement.

## **CONSULTEE RESPONSES**

Senior Highway Engineer: The site received planning permission in 2018 for a C2 Use Class nursing home development to provide elderly care. The building would have 71 bedrooms and provision of 22 general parking bays plus 7 disabled bays and provides a managed and communal environment for a particular sector of the community.

The submission was informed by operator experience and advice that the site would employ 60 FT equivalent staff comprising 30 full time and 40 part time posts. It was anticipated there would be no more than 24 staff on site daytime, during the evening period no more than 7 staff on site and at weekends no more than 20 staff on site. Based upon past experiences it was also advised that the indicative average age of residents is just under 83 years with an age range from 65 to 102 years.

Car parking provision at the time had regard to Local and National Policies, the Council's adopted parking standards and the likely operator needs, with provision of the total of 29 spaces being considered acceptable. For the avoidance of any doubt the operator agreed to and paid a commuted sum to cover the costs of introducing Traffic Regulation Orders on the adjoining highway network should overspill parking prove problematic post opening of the development.

The permission was thereafter implemented, and the construction work was completed early in 2019. The development however has never been used as its intended operator led care home upon which the planning permission was determined and granted. In March 2019 when the Covid pandemic started, the site (known as Bramhall Manor) entered into a contract with NHS Stepping Hill for the building to be utilised as an overspill/remote facility for Stepping Hill hospital so as to relieve the pressure for bedspaces in the main hospital. Bramhall Manor has since been and continues to be used as a home for displaced hospital patients who are close to being able to go home. The contract with NHS Stepping Hill remains in place with no end date as I understand yet in place.

Being in a C2 use, a remote hospital type use does not amount to a change of use although it has and continues to give rise to materially different operational needs for the building relative to that considered during determination of the permission. Whilst it was understood the intended Care Home use would have no more than 24 staff on site at any time during the weekday, the nature of the use of the building since the NHS contract was entered into has seen far higher staffing demands each day, with many more nurses, community and healthcare professionals, more frequent turnaround of patients and potentially more family visitors. In essence the site has been far greater intensity in terms of traffic generation and parking demand than was ever considered at planning stage, this being purely a consequence of the pandemic and presumably as this is within the spirit of a C3 use there was no reasonable control or restraint that could be exercised by the local planning authority.

I am aware that the use of the site over the last couple of years has given rise to issues that have been sensitive with surrounding residents and in particular the high number of vehicles visiting and requiring parking at the site. There have been a number of incidences of kerbside parking that have caused operational difficulties and an interim informal arrangement that was established for staff to park at a nearby church was beneficial and worked for a short period, but for unknown reason no longer seems to be an opportunity taken up by the site staff. Traffic Regulation Orders have also recently been introduced on Hardy Drive to address operational concerns. Whilst I do acknowledge these issues, I remain of the opinion and have no reason to consider otherwise, that these concerns are simply a consequence of the operational model of the site whilst under contract with NHS Stepping Hill and it not actually ever being used as was initially intended as a traditional care home for elderly people.

This current application is for an extension to on-site car parking, with an increase from 29 to 39 spaces. In discussion before submission of the application I stressed that any increase in on-site parking would, in my view, be a departure from Policy and contrary to the Council's adopted parking standards for a care home use. Having regard to this the applicant was asked to provide robust justification and explanation alongside a comprehensive survey-based assessment to establish the level of additional and overspill parking that is arising.

An accompanying planning statement provides some reasoning behind the proposal and does acknowledge that the additional parking should only be required for the duration of the NHS contract. That being said there has also been an

expression of concern and contradictory statement from the applicant that when noting the expected cost of the construction works, should it be considered by the LPA that the additional parking needs to be removed at the end of the NHS contract, this would effectively mean all the applicant's costs for creating the parking area would be abortive.

Despite agreeing a scope for the required parking surveys, the survey provided only covers one day and does not identify where additional/overspill parking is actually taking place. It is my view, consistent in approach, that to establish a robust and evidence-based position, surveys should cover two weekdays and a weekend day days and should identify where on street parking is regularly occurring, whether additional demand is being accommodated within the site with for example double parking and whether any parking is taking place off site for example at the church.

My view when considering this application is one of an expression of concern. Whilst I am aware of the difficulties that have arisen since the home opened, this is down to the current irregular use as a consequence of the pandemic, and this suggests that the impact should only be temporary in nature. There is every reasonable likelihood and expectation that the home will, when the NHS contract expires, become operational as was initially intended and that being the case the demand for parking space would show significant reduction and relief compared to the current situation.

The minimal justification and lack of an evidence base behind the need for additional parking is concerning and I do not feel that the case has been duly demonstrated within the submission. I am also of the opinion that an increase in parking at the site would depart from the objectives of national and local planning policies which seek to reduce dependence on car use, improve air quality and achieve carbon savings.

Council parking standards are set to ensure an appropriate level of car parking is provided, relative to potential consequent highway impact, available kerbside parking, site accessibility and endeavouring to encourage staff and visitors to reduce car dependence, minimise unnecessary car travel and to encourage sustainable travel choices. Furthermore, Greater Manchester has declared a climate emergency and has a carbon neutral agenda and I feel any expansion of car parking would not reasonably be seen as contributing to the medium to longer term objectives of reducing vehicle emissions and improving air quality.

I appreciate the sensitivity of this proposal and acknowledge that the pressure to address existing staff parking difficulties will carry weight in determination. Whilst I find it difficult to reach any conclusion other than having concern with the proposal, I feel that any permission if granted should only be for a temporary period even though I do acknowledge there is no timescale certainty that such could be aligned with. I also question why the additional parking area is not proposed to be in a grasscrete or strengthened grass type construction which would minimise the visual impact and be seen as more a temporary overspill area that could be utilised for another purpose in the future. Furthermore, to aid the environmental agenda, additional electric vehicle charge facilities could and should be provided within the

site, an increase to four compared to the two that should, and I presume have been provided as part of the original permission.

## **ANALYSIS**

Policy CDH1.3 of the UDP Review confirms that care or nursing homes will be permitted prior to compliance with criteria's including providing a minimum of 15m<sup>2</sup> amenity space per resident in one continuous usable area and providing car parking in accordance with Core Strategy policy TD1.4, parking areas should be screened from public view by retention of existing trees and mature planting where possible. Considering the proposed extended car park, retained amenity space to the rear of the home in one continuous area would still exceed the amenity space standard set out in policy CDH1.3. The Council's adopted parking standards require a maximum of 1 parking space per 4 beds plus 1 space per resident member of staff. In addition to this there should be a minimum of 1 disabled parking space for every 10 beds and 1 cycle parking space for every 4 beds should be provided (a minimum of 2 spaces). To accord with the standards, a maximum of 18 parking spaces should be provided (there are no resident members of staff) together with 7 disabled parking spaces and 6 cycle parking spaces. The existing car park is laid out to provide 29 spaces in total including 7 disabled spaces, cycle parking for 6 bikes and an internal mobility scooter store and of the 22 non-disabled spaces 8 are arranged in a tandem form. As outlined by the Council's Senior Highway Engineer the Council's parking standards are maximum standards and therefore a provision more than that required would only be considered where there is a strong evidence base that overspill parking will occur and such would adversely affect highway operation and safety.

Core Strategy policy CS8 welcomes development that is designed and landscaped to a high standard, and which makes a positive contribution to a sustainable, attractive, safe, and accessible built and natural environment. Whilst there will be some reduction in the level of landscaping, views of the extended car park, will generally be screened by existing landscaping such that the extended car park will have little presence in this street scene. In considering the impact of the proposed development upon the amenities afforded by the occupiers of neighbouring residential properties, objections relating to light pollution are noted no details of lighting have been submitted with this application and given the nature of the use proposed, it is unlikely that any noise generated from the extended car park would give rise to a loss of residential amenity having regard to existing background levels. Development is expected to incorporate Sustainable Drainage Systems to manage surface water run-off and subject to conditional control to secure details of a Drainage Strategy the extended car park would accord with the provisions of policy EP1.7 of the UDP Review policy SD-6 of the Core Strategy which requires development to be designed in such a way as to avoid, mitigate or reduce the impacts of climate change.

Core Strategy policy T-2 requires developments to provide car parking in accordance with the maximum standards and confirms that developers will need to demonstrate that developments will avoid resulting in inappropriate on street parking that causes harm to highway safety. The comments of the Council's Senior Highway Engineer are reported above and noted and notwithstanding the

observations received in respect to consultation with neighbouring residents regarding on street parking he concludes that the extended car park would be contrary to Core Strategy policy T-2 advocating maximum car parking standards and is unacceptable for the detailed reasons outlined.

To accord with the adopted standards a maximum of 18 general parking spaces together with a minimum of 7 disabled spaces within the site would be required. The existing level of parking 22 spaces plus 7 disabled spaces currently exceeds the maximum standards and to further extend the car park to provide a total of 39 spaces would result in an inefficient use of the site and car parking well in excess of the Council's adopted standards. Having regard to the staffing levels and shift patterns, this level of parking is considered inappropriate and contrary to the provisions of Core Strategy policy T-2. Evidence submitted to date fails to demonstrate that there is a need for the proposed extended car park and in the absence of information on existing car parking demand, additional parking is unjustified and would be contrary to objectives of reducing vehicle emissions and improving air quality.

Overall, the development remains contrary to the prevailing policies of the Development Plan and NPPF and represents an unsustainable form of development; given there are no material considerations to suggest otherwise, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application be refused on for the reasons identified above.

## **RECOMMENDATION**

Refuse