

## **ITEM**

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|------------------------------|--|
| <b>Application Reference</b> | <b>DC/088030</b>   |
| <b>Location:</b>             | Rosemount<br>133 Cheadle Old Road<br>Edgeley<br>Stockport<br>SK3 9RH   |
| <b>PROPOSAL:</b>             | Change of use from an assisted living nursing home with 2no. self contained flats on the second floor to 10no. self contained dwellings 9no.1 bed and 1no. 3 bed |
| <b>Type Of Application:</b>  | Full Application   |
| <b>Registration Date:</b>    | 30.03.2023   |
| <b>Expiry Date:</b>          | 20230525   |
| <b>Case Officer:</b>         | Jane Chase   |
| <b>Applicant:</b>            | Chester PSC  |
| <b>Agent:</b>                | Alpha Design   |

## **DELEGATION/COMMITTEE STATUS**

Called up to Area Committee by Cllr Wynne. 4 or more objections contrary to Officer recommendation; decision can be taken by Area Committee.

## **DESCRIPTION OF DEVELOPMENT**

The application proposes the change of use from an assisted living nursing home comprising 13 bedrooms and communal facilities and 2no. self contained flats on the 2<sup>nd</sup> floor to 10no. self contained flats comprising 9no.1 bed and 1no. 3 bed (including the 2 existing flats).

External alterations to the elevations of the building are proposed in order to facilitate the conversion. These comprise:-

- The creation of 2 lightwells to the front and side (east) elevation of the building to serve the basement flat
- The removal of an external staircase and window at ground floor level to the side (west) elevation of the building and its replacement with 2 smaller windows to serve a bedroom and a bathroom.
- The reduction in width of an existing window at first floor level to the side (west) elevation of the building to serve a bedroom.

- The insertion of a new bedroom window in the side (east) elevation of the building at first floor level.

Externally within the grounds of the property and further to amendments on the application it is proposed to:-

- Extend the existing hardsurfacing which currently provides off street parking into the rear garden along the west side boundary of the site to provide 9no. parking spaces. Of these spaces one would be an accessible space which along with the adjacent parking space would be provided with an electric vehicle charging point (so 2 spaces with EV charging). NB: the plans originally submitted with the application proposed 6no. spaces with no accessible or EV provision.
- Remove an existing timber pergola and provide cycle storage for 10 bicycles to the end of the parking spaces and
- Provide a refuse storage area to the side of the building adjacent to the east side boundary.

The application is supported by a Noise Impact Statement, a Highways Technical Note, a Tree Report and a Crime Impact Statement.

### **SITE AND SURROUNDINGS**

The application site comprises a detached property with 4 floors of accommodation at basement, first, second and roof level. Externally, the property benefits from dormer windows to the front and rear roof slope together with an external staircase to the rear elevation. Access is from Cheadle Old Road and leads to a forecourt that extends across the front and both side elevations of the building. This provides not only off street parking but also refuse storage.

The property is currently vacant but was last used as a nursing home with 13 bedrooms and associated day rooms kitchen dining area offices and 2no. 1 bedroom self contained flats on the second floor.

The site is within a residential area comprising a mix of semi detached and detached houses. To the east is a development of detached houses circa 2019 within Orchard Vale, the rear gardens of which abut the eastern side boundary of the application site. To the west on Cheadle Old Road is a 2 storey detached house, the rear garden of which runs parallel to that of the application site. Beyond that and extending along the remaining western side boundary of the application site are 2 storey semi detached houses on The Circuit, the rear gardens of which abut the boundary of the application site to the side and rear.

### **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.

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

L1.1 Land for Active Recreation

L1.2 Children's Play

EP1.10 Aircraft Noise

CDH1.5 Flat Conversions

MW1.5 Control of Waste from Development

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

CS1 Overarching Principles: Sustainable Development – Addressing Inequalities and Climate Change

SD-1 Creating Sustainable Communities

SD-3 Delivering the Energy Opportunities Plans – New Development

SD-6 Adapting to the Impacts of Climate Change

CS2 Housing Provision

CS3 Mix of Housing

CS4 Distribution of Housing

H1 Design of Residential Development

H2 Housing Phasing

CS8 Safeguarding and Improving the Environment

SIE-1 Quality Places

SIE-2 Provision of Recreation and Amenity Open Space in New Developments

SIE-3 Protecting, Safeguarding and Enhancing the Environment

CS9 Transport and Development

T-1 Transport and Development

T-2 Parking in Development

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.

Open Space Provision and Commuted Payments SPD

Design of Residential Development 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 5th September 2023 replaced the previous NPPF (originally issued 2012 & revised 2018 & 2019). 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.60 “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”*

*Para. 69 “Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*
- b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;*
- c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*
- d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.”*

*Para. 98 “Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.”*

*Para.104 “Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*

- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*

*Para.105 “The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”*

*Para.111 “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.”*

*Para.112 “Within this context, applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*

*Para.119 “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land.”*

*Para.120 “Planning policies and decisions should:*

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;  
d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure.”

Para. 124 “Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;  
b) local market conditions and viability;  
c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;  
d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and  
e) the importance of securing well-designed, attractive and healthy places.”

Para. 125 “...Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;  
b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and  
c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”

Para.126 “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 *“Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Para. 131 *“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.”*

Para.132 *“Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”.*

Para.134 *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*



Para.152 *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”*

Para.154 *“New development should be planned for in ways that:*

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.”*

Para.157 *“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.167 *“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

Para. 174. *“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

*Para.180 “When determining planning applications, local planning authorities should apply the following principles:*

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- d) ...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

*Para.183 “Planning policies and decisions should ensure that:*

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

*Para. 185 “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. In doing so they should:*

- a) 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;*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

*Para.219 “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.

<https://www.gov.uk/government/collections/planning-practice-guidance>

### **RELEVANT PLANNING HISTORY**

Reference: J/8508, Type: XHS, Address: Flat 7, "Rosemount", Cheadle Old Road, Edgeley, Stockport, Decision: GTD, Decision Date: 04-MAY-77, Proposal: Ground floor bedroom extension.

Reference: J/24792, Type: XHS, Address: 'Rosemount', 133, Cheadle Old Road, Edgeley., Decision: GTD, Decision Date: 09-FEB-82, Proposal: Change of use to resthouse for the elderly.

Reference: J/21354, Type: XHS, Address: 'Rosemount', 133 Cheadle Old Road, Edgeley., Decision: GTD, Decision Date: 02-DEC-80, Proposal: Change of use from flats to residential hotel.

Reference: J/35045, Type: XHS, Address: 133 Cheadle Old Road, Edgeley. Decision: GTD, Decision Date: 04-FEB-86, Proposal: Extension to existing elderly persons nursing home.

### **NEIGHBOUR'S VIEWS**

The occupiers of 14 neighbouring properties have been notified of the application in writing.

In response to the application as originally submitted, 10 letters have been received objecting to the application on the following grounds:

- Insufficient parking for the number of flats proposed which will lead to overspill parking in adjacent residential streets. There are already problems with on street parking; cars parked on both sides of the road makes access difficult. The proposed development will make this worse.
- Access to public transport does not lessen the desire to have a car. There should be sufficient provision for parking within the site.
- There are conflicting comments in the application with the forms stating that there will be 10 spaces but only 6 are shown on the proposed site layout. Where will the other 4 spaces be located?

- We would strongly object to more tarmac within the garden to accommodate more parking. Due to lack of maintenance the drainage from the existing hardstanding is to our property.
- The configuration of the 6 parking spaces is awkward and is likely to result in many manoeuvres to enter and exit spaces. If all spaces were occupied there would not be sufficient room to turn a vehicle around.
- The character of the locality is derived from family housing. The provision of flats with 9 of the flats being single occupancy is not in keeping with this character.
- Many rooms are large enough to accommodate a double bed. How will occupancy be regulated?
- Whilst the flats are proposed as being market housing, there would be nothing stopping them being leased to the Council and used for warden short stay accommodation. The Use Classes Order allows a range of residential uses within Use Class C3 and a change between market housing and an HMO would not need planning permission.
- Whilst the application form makes reference to new windows their locations are not confirmed and the fenestration of the proposed is identical to that on the existing plans. There is no indication that the eaves or barge boards to the roof will be replaced noting that they are in need of work.
- The plans are awkward with many corridors, hallways and unnecessary internal walls wasting space. One of the flats is within the basement and because of the external ground levels its windows will be menial high level slits. The central staircase will have no natural light. What precedent exists for this standard of provision? The impression is of occupants crammed into very basic space.
- Comprising a change in use the proposed development will probably need an upgrade in terms of insulation to accord with the Building Regulations. This may be at odds with the 'do minimum' intent of this planning application and could possibly change the external appearance of the building. This should be confirmed as part of this planning application.
- The application refers to bike storage but none is shown on the plans. Lack of provision will discourage sustainable travel.
- There are no landscaping proposals. The green space to the front of the property is important to the local visual amenities. The retention of the rear garden as a quiet space is important for the amenities of the neighbouring occupiers. The hedgerow between the site and its neighbours must be retained to limit overlooking from the site. There is no indication what trees will be retained and what the management of the landscaping will be.
- There is no report into the impact of the development on wildlife, ecology or biodiversity. Adjacent sites are visited regularly by foxes, hedgehogs and bats. Ponds in adjacent gardens are used by frogs. There are therefore protected and priority species present around the site. Conditions should be imposed to ensure their protection.
- The change of use will create a number of bedrooms, lounges and kitchens that will overlook neighbouring properties. The change of use will also result in more noise and disturbance. The Human Rights Act conveys the right for a person to enjoy a peaceful home and private family life.

- There will be increased smell arising from the occupation of the site and the amount of refuse likely to be generated. There appears to be no provision for waste storage in a manner that is hygienic and will be properly managed.
- 1 letter has been received in response of the application as originally submitted neither supporting nor objecting to the proposal on the following grounds:
  - Parking is already a problem. Cheadle Old Road is often full of cars parked at residences. Assuming most people who move into the new flats will have cars/vehicles, or likely to own vehicles in due course. Where are these additional cars going to be parked? I understand there will be a planning facility for 6 vehicles, what about more than this number? Residences have to have "Parking Permits" currently, and often there are never enough spaces for vehicles to park. This does not include match day traffic and parking. Currently some vehicles with "parking permits" have to park in Orchard Vale and in The Circuit.
  - When the property was a nursing home they used to put the normal bins out for collection, and also 2 large bins (industrial size bins) - often all of their bins would be overflowing with the bins lids not closed, and litter was a constant concern. Birds used to get into the bins and spread litter. Followed by rats and foxes. How will the bins be managed when the property is used by 20+ flats? Will there be proper storage facilities for their bins?

## **CONSULTEE RESPONSES**

Highways – No objections.

Given the accessibility of the site to public transport, to local services the provision of 9 parking spaces is considered adequate and meets adopted standards which are maximums. Whilst concerns have been expressed by objectors regarding off site parking from users of the site impacting on the limited availability of on street parking, a parking survey undertaken on Cheadle Old Rd, The Circuit and Orchard Vale indicated spaces were available on street, overnight, when most in demand due to residents being home from work. There was space for 22 cars to park on Cheadle Old Rd for example.

With regards to vehicle trips to the site following development, evidence has been provided that the difference in traffic to the site comparing its use as nursing/care home to proposed residential use is of the nature of 3 trips per day which is not judged likely to result in any impact severe enough to support an objection on detrimental impact on highway operation.

Any alterations to hardsurfaced areas will be required to comply with sustainable drainage policies in not adding any load to surface water system. Details of surfacing and drainage will be required. A condition is recommended.

Secure covered cycle storage providing one space per dwelling is proposed, 2 electric vehicle charge points and 1 accessible space thus according with the Council's standards and requirements.

The development is not of a size to warrant development of a travel plan.

Environmental Health (Noise) – No objections subject to conditions relating to construction hours and for the development to be constructed in accordance with the submitted Noise Impact Assessment.

Planning Policy – Renewable Energy – No objections subject to the imposition of a condition to secure the submission and approval of an Energy Statement.

Greater Manchester Police – No objections.

From a crime and security point of view, the development is supported with recommendations for security elements to be designed into the proposals (cycle storage, external and communal lighting and access controls to the communal lobby). It is also recommended that a planning condition to meet Secured by Design should be attributed to the scheme, ensuring that all security measures are built into the development.

## **ANALYSIS**

The NPPF reminds us that purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs (para 7). 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 – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using

natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area (para 9).

At the heart of the NPPF is a presumption in favour of sustainable development (para10). Para 11 of the NPPF reconfirms this position and advises that for decision making this means:-

- approving developments that accord with an up to date development plan or
- where the policies which are most important for the determination of the application are out of date (this includes for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of housing), granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

In this respect, given that the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply are considered to be out of date. As such the NPPF directs that planning permission should be approved unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. This assessment is set out below.

#### Principle of Development

The site is currently occupied by a nursing home and 2 flats. Whilst policy CS3 confirms that a mix of housing will be sought and that support will be given to the provision of specialist and supported housing for older people, it nor any other policy in the Development Plan resists the loss of such accommodation. On that basis the loss of the existing care home is not unacceptable nor contrary to the provisions of the Development Plan.

The NPPF confirms that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (Para 60).

In terms of housing need, the NPPF requires local planning authorities to identify and maintain at least a 5-year housing land supply against its defined housing requirements (para 74). Where there is an undersupply of housing local planning authorities should identify actions to increase delivery in future years (para 77).

The NPPF at para 119 confirms that planning decisions should promote an effective use of land in meeting the need for homes while safeguarding the environment and ensuring safe and healthy living conditions. Para 124 confirms that planning decision should support development that makes efficient use of land taking into account several factors including the desirability of maintaining an area's prevailing character and setting and the importance of securing well designed and attractive places. Where there is a shortage of land for meeting identified housing need it is especially important that policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Local planning authorities should refuse planning applications which they consider fail to make efficient use of land (para 125).

Policy CS2 of the Core Strategy seeks to ensure that a wide range of homes are provided to meet the needs of existing and future Stockport households. The focus will be on providing housing through the effective and efficient use of land within accessible urban areas.

Core Strategy policy CS3 confirms that a mix of housing, in terms of tenure, price, type and size will be provided to meet the requirements of new forming households, first time buyers, families with children, disabled people and older people.

Policy CS4 of the Core Strategy directs new residential development towards the more accessible parts of the Borough identifying 3 spatial priority areas (Central Housing Area; Neighbourhood Priority Areas and the catchment areas of District and Large Local Centres; and other accessible locations). This policy confirms that the focus is on making effective use of land within accessible urban locations with the priority for development being previously developed land in urban areas.

Policy CDH1.5 confirms that the conversion of dwellings to self contained units of accommodation will be permitted subject to compliance with specific criteria. Whilst the application property does not comprise a dwelling, the aims of this policy remain relevant to the consideration of this application. The criteria laid out in CDH1.5 are as follows:

- The dwelling has 4 more bedrooms or it can be demonstrated that the property is large enough to provide adequate accommodation for the new units.
- Usable amenity space of at least 50m<sup>2</sup> is provided.
- Appropriately landscaped and screened car parking is included.
- There are enclosed refuse storage areas to the rear of the property.
- Sound attenuation measures are included and
- The proposal complies with policy EP1.10 (aircraft noise).

In response to this policy position Members are advised that the Council is in a continued position of housing undersupply and only has a 4.2 year supply vs the 5 year supply plus 20% as required by the NPPF. Having regard to this continued undersupply, not only is the tilted balance in favour of residential development as set out in para 11 of the NPPF invoked but to help reduce pressure for development in the Green Belt, it is



also important that the development potential of sites within accessible urban and suburban locations are explored.

The application site is located within an accessible, Predominantly Residential Area. The site enjoys good links to public transport being within close proximity to bus routes, walking distance of the railway station together with shops and services within Edgeley and Cheadle Heath. The conversion of this building to provide 8 additional flats to the 2 which currently exist complies with the above policy position and will deliver additional residential accommodation to meet an identified need in a sustainable location. Objections that the proposed flats are out of keeping with the residential character of the locality are noted, however, Predominantly Residential Areas are expected to accommodate all types of dwellings and Development Plan policies would not preclude the provision of flats in this location.

Policy CDH1.5 clearly accepts the conversion of dwellings into smaller units of accommodation. Whilst the existing building is not a dwelling (although used to be prior to the conversion to a care home) this policy is not strictly relevant however the criteria in the policy against which conversions are assessed remain a useful tool in the consideration of this application. Compliance with the specific criteria is explored in the report below and subject to an acceptable assessment in this respect, the proposal will accord with policy CDH1.5.

Objections that the flats could be leased to the Council and used for warden short stay accommodation or as an HMO are noted. It is not clear what is meant by the objector when they refer to 'warden short stay accommodation' but if there were an element of care provided then planning permission would be required as such a use would fall within Use Class C2 unlike that proposed which is Use Class C3 (and there is no permitted change between C3 and C2). In respect of whether the building could be converted into HMO accommodation Members are advised accordingly:

The grant of this application would result in the subdivision of the property into 10no. individual C3 dwelling houses. Unless controlled by condition a C3 dwelling can also be used as a C4 HMO (3 to 6 unrelated residents sharing only basic facilities such as a kitchen and bathroom) without the need for planning permission. Of the flats proposed, 7no. 1 bed flats and 1no. 3 bed flat, none of the 1 bed's would be of sufficient size to facilitate occupation as a C4 HMO (as they could not accommodate 3 to 6 unrelated individuals) and in this respect the objection should not be sustained. The 1no. 3 bed flat would however be of sufficient size to be used as a C4 HMO on account of the number of bedrooms and by using the proposed lounge as a 4th bedroom. A condition could be imposed removing the ability to change this flat to a C4 HMO without planning permission however to justify this, Members would need to evidence what harm might arise should this flat be used as an HMO. It is also of note that the Council routinely grant planning permission for flatted developments without such restriction as it is generally the case that an entire property is converted to an HMO (with the necessary planning permission where appropriate) rather than a single flat in a larger development. In considering this issue it should also be noted that comprising a form of

residential accommodation HMO's are therefore entirely appropriate within Predominantly Residential Areas.

Objectors comment that many rooms are large enough to accommodate a double bed and question how occupancy will be regulated. Members are advised that in considering development proposals it is routinely accepted that bedrooms, depending on their size, could be occupied by 1 or 2 people. Apart from questioning why there would be a need, enforcement of this condition would be very difficult if not impossible to enforce and as such Members are advised against considering this. It should also be noted that during the course of the application the proposed plans have been amended such that all the flats proposed now accord with the Government's Technical Housing Standards for residential development. Whilst this document does not form part of the Development Plan it is nonetheless a useful tool and material consideration in the determination of this application.

For the above reasons the principle of the proposed development is acceptable and accords with policies CDH1.5, CS2, CS3 and CS4 along with the relevant paragraphs of the NPPF.

#### Impact on the Character of the Area

Saved UDP Review policy CDH1.5 requires flat conversions to include appropriate landscaping to screen car parking and to provide enclosed refuse storage areas. Policy MW1.5 requires that adequate provision is made for refuse storage in developments.

Policy H1 of the Core Strategy confirms that developments should be of a high quality, respond to the character of the area within which they are located and provide for good standards of amenity. This is reinforced in Core Strategy policy CS8 which 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. Policy SIE-1 of the Core Strategy also confirms that development which is designed to the highest contemporary standard, paying high regard to the built/and or natural environment within which it is sited, will be given positive consideration. Policy SIE3 seeks to maintain and enhance the Borough's varying urban and rural landscapes.

The NPPF at Chapter 12 sets out the Government's most up to date position on planning policy and confirms that the Government attaches great importance to the design of the built environment. 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.

Planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

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.

The character of the locality is derived mainly from detached and semi detached single family dwellings positioned behind small front gardens which are landscaped to varying degrees. The application site comprises a plot of a larger size than that typically found in the area and the existing building is also much larger than those prevailing in the locality. The site is bounded to Old Cheadle Road by a hedge and line of trees which in the spring and summer offer a significant level of screening from public vantage points.

The conversion of the building will result in little alteration to the external appearance of the building. The 2 new light wells and alterations to existing windows and openings will generally be screened from public view on account of their location and/or the screening afforded by the existing boundary treatments. Even if visible, they are considered to be of a design in keeping with the character of the property. Subject to the imposition of a condition to ensure that materials to match those existing are used or such other materials to be approved, the proposal will cause no harm to the appearance of the building or the character of the area.

In terms of works within the curtilage of the site it is important to note that none of the trees nor hedgerows are legally protected nor are considered of sufficient merit to warrant protection. As such they can lawfully be removed at any time. The application is supported by a report which explores the impact of the development upon the trees and hedges within the site. This confirms the following:

- A mature conifer tree positioned adjacent to the rear elevation of the building should be removed to facilitate the car parking and also to remove the risk of potential damage to the building by a widespread root structure.
- A hawthorn tree to front boundary is dead and should be removed.
- A severely pollarded oak tree to far end of the garden is not likely to recover due to damage caused by poor previous work therefore should be removed and replaced with a semi mature specimen on perimeter
- Multiple poor self seeded specimens positioned adjacent to the west elevation of the building should be removed.

In terms of remedial work the report proposes the following:

- The mature multi stem sycamore to the front boundary is in need of canopy reduction and a crown raise.
- The cluster of sycamores to the front of the building adjacent to the east of the drive are in need of a canopy reduction and a crown raise.

- Two pollarded willows to rear of the site require remedial work by experienced arboriculturalist to encourage regrowth and shape.
- All trees on site unless specifically named require a crown lift to 2.4m to be compliant with the Highways Act.

In terms of the hedges on the site the report proposes the following:

- All hedges require a 50% reduction to regain shape and form and provide an attractive visual amenity to the area. This will allow enough space for the planned car parking bays without removal of the hedges
- An area of shrubbery in the rear garden should be cut back.

This report confirms that the proposed parking can be accommodated with minimal tree loss and in any event, that proposed should be carried out irrespective of the proposed development in order to maintain the health and longevity of the existing landscaping. The conifer in the rear garden is positioned immediately adjacent to the rear elevation of the building and should be removed as it is likely to cause damage to the building. The hawthorn to the front boundary is already dead and the several self seeded trees growing immediately adjacent to the west elevation of the building should also be removed due to their inappropriate location. The proper management of the hedge which does not appear to have been done to date should allow it to thrive such that the forecourt and parking remains screened.

The remainder of works proposed to the trees are not required to facilitate the development but rather to ensure that the landscaping within the site is properly managed and maintained. This is to be welcomed to assist in maintaining the health and amenity value of the landscaping.

For the above reasons and noting again that none of the landscaping within the site is legally protected and could be removed at any time without the consent of the Planning Authority, it is not considered that the proposed development will have an adverse impact upon the trees and hedges within the site. Conditions can be imposed to ensure the carrying out of the works in the tree report and to ensure that the retained trees and hedges are adequately protected during the course of construction works.

The cycle store which is proposed to the end of the parking area replaces an existing timber pergola that is to be removed and will also be screened from public view by the landscaping to the site frontage. This will have no adverse impact on the character of the area. Details of the design of the cycle store can be secured by condition. The refuse bins will be stored behind the existing fence to the (east) side of the building and will be contained with a newly created area by the erection of a 2<sup>nd</sup> section of fencing to this side of the building. It is understood that the bins for the care home were accommodated in this area and there is sufficient space in this location to retain refuse storage here too without causing harm to the character of the area.

Objectors comment that the provision of flats is not in keeping with the character of the area which comprises family housing. Given the limited external alterations required to

facilitate the conversion of the building, it is not clear how the use of the building as flats and occupation of each flat (irrespective of the number of residents in each) will impact on the character of the area other than perhaps through the visible impact of parking provision and refuse storage which is explored above and found to be acceptable.

Objectors also comment that there is no indication that the eaves or barge boards to the roof will be replaced noting that they are in need of work. Members are advised that no works are proposed in this respect nor does the change of use give rise to the need for such works. Whilst it is desirable for properties to be maintained in good order, it is not within the scope of the Planning Authority to seek amendments to the application that go beyond those necessary to facilitate the proposed development.

For the above reasons the proposed development accords with policies H1, CS8 and SIE1 and SIE3 of the Core Strategy DPD, saved UDP review policies CDH1.5 and MW1.5 together with the relevant provisions of the NPPF.

#### Impact on Residential Amenity

Saved UDP Review policy CDH1.5 requires flat conversions to provide usable amenity space of at least 50m<sup>2</sup>. Core Strategy policy H1 confirms that good standards of amenity and privacy should be provided for the occupants of new and existing housing. This is reinforced by policy SIE1 which confirms that satisfactory levels of amenity and privacy should be maintained for future and existing residents. Policy SIE3 seeks to ensure that development is not adversely impacted upon by noise and does not impact on neighbouring occupiers in this respect either. Saved policy EP1.10 confirms the location of the site within the flight corridor to Manchester Airport and seeks to protect future occupiers against aircraft noise. The NPPF confirms that development should create places that promote health and well-being, with a high standard of amenity for existing and future users. For the purpose of this application the issue of amenity can be assessed in terms of overlooking, noise, odour, outdoor space and quality of the internal layout of the development. The consideration of amenity extends to the future occupiers of the development as well as occupiers of existing neighbouring properties.

Consideration of overlooking and a loss of privacy must have regard to the impact of that proposed vs the lawful occupation of the building. Clearly at present the existing building contains multiple doors and windows at all levels which serve rooms that are occupied on a residential basis. Whilst the lawful use is as a nursing home, the potential for overlooking and a loss of privacy from that existing is considered to be little different to that proposed. The only alterations to openings are as follows:

- The removal of an existing external staircase and window at ground floor level to the side (west) elevation and its replacement with a new window to serve a bedroom. Members are advised that the proposed bedroom window, like that being removed, will be positioned approximately 9.5m from the boundary to the neighbouring residential property significantly exceeding the 6m required by the Council's SPD 'Design of Residential Development'. Any overlooking from this

ground floor bedroom window will not be materially different to that which can currently occur from the current use of the room as a sun lounge.

- The removal of a window at ground floor level to the side (west) elevation of the building and its replacement with 2 smaller windows to serve a bedroom and a bathroom. Members are advised that these proposed windows, like that removed, will be positioned approximately 8.2m from the boundary to the neighbouring residential property significantly exceeding the 6m required by the Council's SPD 'Design of Residential Development'. A condition can be imposed to ensure that the bathroom window is obscurely glazed and any overlooking from the bedroom window will not be materially different to that which can currently occur from the current use of the room as a kitchen.
- The reduction in width of an existing window at first floor level to the side (west) elevation of the building to serve a bedroom. Members are advised that the existing window already serves a bedroom and as such no greater overlooking will occur than already currently exists. In any event this window is positioned over 12m from the boundary and therefore significantly exceeds the distance suggested as appropriate in the SPD.
- The insertion of a new window at first floor level to the side (east) elevation of the building to serve a bathroom. A condition can be imposed to ensure that this window is obscurely glazed. This will not only protect the privacy of those using the room but will also protect the amenity enjoyed by existing neighbouring occupiers.

There are no changes proposed to the remaining windows in the existing building although it is recommended that the side facing living room window to the ground floor flat is obscurely glazed so to avoid views over the refuse storage area and protect the visual amenities afforded from this room. This can be secured by condition and noting that this room is also served by a larger, principle window in the front elevation, it is considered that the occupiers of this flat will be afforded an acceptable level of amenity. Whilst the use of some rooms may change from what they are currently are used for as part of the nursing home, the building will remain in a residential use. Noting that in any event the internal layout of the existing nursing home could change at any time without the need for planning permission, it is not considered that overlooking from existing windows as a result of the proposed conversion will result in an unacceptable loss of privacy beyond that which does or could occur at present.

In terms of noise, the conversion of the building to 8 apartments, 2 beyond those currently existing, will not generate a level of activity in terms of vehicle movements to and from the site that is materially different from that which can already occur. Whilst the garden may be used in a different way by the future occupiers of the flats than that which historically been the case, comprising a residential use this is not likely to result in noise levels that are out of keeping with the residential character of the area or harmful to the amenities of the neighbouring occupiers.

Policy EP1.10 confirms that in areas subject to daytime noise levels of between 57 and 66 Leq or night time levels between 48 and 60 Leq, planning permission for new dwellings will be granted subject to other policies and to conditions to ensure an adequate level of protection against noise inside dwellings. Submitted with the application is a Noise Impact Assessment which addresses the impact upon the future occupiers arising from aircraft noise. This concludes that subject to the use of specific glazing and trickle vents there will not be an unacceptable impact upon the amenity enjoyed by the future occupiers. Subject to the imposition of a condition requiring compliance with this Assessment the conclusions are accepted and the proposal is compliant with policies EP1.10.

With regard to odours, objections have been made there will be increased smell arising from the occupation of the site and the amount of refuse likely to be generated. Comment is made that there appears to be no provision for waste storage in a manner that is hygienic and will be properly managed. In this respect Members are advised that it is proposed to store the refuse bins in an area to the side of the existing building between it and the east boundary. This area will be contained by the building itself, existing boundary fencing and a proposed fence to the rear of the area between the building and east boundary. This enclosure is of sufficient size to store the refuse bins and will ensure that they are contained in a single area and do not spill out within or outside of the site. The proposed development comprising 8no. additional flats in place of a 14 bed nursing home is unlikely to result in a material change in the amount of refuse generated. As such it is not considered that there will be an unacceptable impact on amenity in this respect.

The garden to the rear of the building is to be retained albeit reduced in size to accommodate the revised parking layout. The retained amenity space comprises a single space such that it will be practical and attractive to use. In terms of quantity, circa 280m<sup>2</sup> will be provided which not only significantly exceeds that required by policy CDH1.5 but also that suggested in the Design of Residential Development SPD for new build development (197m<sup>2</sup>). On this basis it is considered that the future occupiers will benefit from a high level of amenity in terms of access to good quality amenity space provision.

Whilst there is no reference in the Development Plan to the amount of floorspace that dwellings should comprise nor minimum room sizes, the Technical Housing Standards (nationally described space standard) published by the Department for Communities and Central Government offers guidance. This standard deals with internal space within new dwellings and is suitable for application across all tenures. Members are advised that the internal layout of the proposed development has been revised during the consideration of this application to specifically accord with the Technical Housing Standards. On this basis all the flats proposed will be of an acceptable size.

In relation to the provision of windows within the building, Officers also note that each room will be well served by such windows and natural light will be available to each occupant. This is also applicable to the basement level flat wherein a lightwell is

provided to the main living room area alongside a stairwell leading up to the garden areas. This basement flat is also served by a window and lightwell to the bedroom and although this is somewhat compromised when compared to a traditional ground / first floor apartment, basement flats are not uncommon within the Borough and it is not considered that the future occupants of this flat would be unduly impacted upon by this arrangement.

Reference by objectors to the Human Rights Act conveying the right for a person to enjoy a peaceful home and private family life are noted. Members are advised that an individual's rights under the Human Rights Act 1998 are a material planning consideration. The planning system however by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is therefore an inherent part of the decision-making process for the planning decision maker to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether planning permission should be granted. This is part of the planning balance exercised when determining any planning application. In this respect, the impact of the proposed development upon individuals has been assessed as set out above and it is not considered that the grant of planning permission would contravene the Human Rights Act 1998.

For the above reasons it is considered that the proposal will maintain and provide good standards of amenity and privacy for future and existing residents. The proposals therefore accord with policies H1, SIE1, SIE3, CDH1.5, MW1.5 and EP1.10 together with the NPPF.

### Highways

Core Strategy policy CS9 supported by policy T-1 requires development to be in locations which are accessible by walking, cycling and public transport. 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. Developments are expected to be of a safe and practical design (policy T-3). The NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The application is supported by a Highways Technical Note which considers the accessibility of the site by walking, cycling and public transport as well as its proximity to services and existing conditions of highway safety. This Note concludes that the proposed development of this site can be accommodated without detriment to the operational capacity or safety of the local highway network and that it can be readily accessed on foot, by bicycle and by local public transport.

Members are advised that the application site is considered to be within a location that is accessible by walking, cycling and public transport. It also has good access to local services in the form of shops including those in Edgeley and Cheadle Heath. It is



therefore appropriate in highway terms that development of this scale and nature is located here.

Data confirms that there have been no recorded accidents in the vicinity of the site between 2018 and 2022. As such there is no evidence to suggest that there are any highway safety concerns associated with the network within the immediate locality that may be exacerbated by the proposed development.

The site will benefit from an access which is of a width and geometry that is safe and practical to use. The development will result in a negligible increase in traffic movements above that which could occur as a result of the lawful use commencing (1 additional movement in the AM peak hour and 2 additional movements in the PM peak hour). On this basis there is no evidence to suggest that the development will give rise to concerns in relation to either highway safety or highway capacity.

The Council's parking standards require a maximum of 2 spaces per dwelling. Noting the accessibility of the site, it is not considered that 9 spaces for 10 dwellings is an unacceptable level of provision. Parking surveys of the roads in the vicinity of the site undertaken on one weeknight between 20:00 and 22:00 when existing local residents are most likely to be at home. Street surveyed include Cheadle Old Road, The Circuit and Orchard Vale. During this period 22 spaces were recorded as being available only with 75% of spaces on Cheadle Old Road, 71% of spaces on The Circuit, and 22% of spaces on Orchard Vale, being occupied. It is therefore considered that there is sufficient space on street to accommodate any overspill parking that may arise. New residents will be able to apply for parking permits for event days as those who currently reside in the area do so.

1 accessible parking space is proposed of a size and in a location that is considered acceptable. The provision of a single space meets the Council's standard of a 10% provision. A charging point to 2 parking spaces is also proposed which accords with guidance in relation to low emission vehicles. Details of how the parking spaces will be laid and marked out along with details of the EV charging points can be secured by condition. Sufficient cycle parking is proposed to accord with the Council's standard of 1 space per dwelling. Details of the form of the cycle store can be secured by condition.

On the basis of the above, the proposed development is considered to accord with policies CS9, T1, T2 and T3 as well as CS4 (which requires new residential development to be in accessible locations) along with the relevant paragraphs of the NPPF.

#### Other Considerations

Core Strategy Policy SD3 requires new development to demonstrate how it will contribute to the reduction of carbon emissions. Part L of the Building Regulations presents a higher level of compliance to that outlined in the Core Strategy and thus compliance with the Building Regulations will ensure that the development is acceptable in this respect. Given the scale of the development proposed, comprising mainly a

change of use with minor internal and external alterations to the building, the application is not required to be supported by an Energy Statement however details of how the development will accord with Part L (and thus contribute to carbon emissions) can be secured by condition. On this basis the proposal will accord with policy SD3.

Core Strategy policy SD6 requires development to be designed in such a way as to reduce the impacts of climate change and all development will be required to incorporate sustainable urban drainage measures. This is supported by policy SIE3 and the NPPF. The application proposes the extension of the existing hardstanding and in this respect details will be required as to the construction, surfacing and drainage of that area. This can be secured by condition. On this basis the proposal will accord with policies SD6, SIE3 and the relevant paragraphs of the NPPF.

The application site does not benefit from any formal nature designations. Notwithstanding that there are certain species and habitats that are legally protected, for example, badgers, bats, owls, great crested newts and natterjack toads. Given the lack of formal designation and the small scale of the development proposed (change of use, elevational alterations and a small increase in hardstanding) there is no requirement for this application to be accompanied by a protected species or ecology survey. The grant of planning permission does not however override the legal protection that is afforded to these species or habitats and an informative reminding the applicant of this protection and the need to report protected species and stop works should they be encountered can be attached to the grant of planning permission. An informative can also be attached reminding the applicant that there should be no removal of trees or hedges during bird nesting season unless it has been established that no nesting birds are present.

Saved UDP Review policies L1.1 and L1.2 together with Core Strategy policy SIE2 confirm that there is an undersupply of formal recreation and children's play facilities in the Borough. As such, applications for residential development are expected to make a contribution towards that undersupply. For developments of a scale such as that proposed, this is usually by way of a commuted sum payment calculated in accordance with a formula set out in the SPD 'Open Space and Commuted Sum Payments' which is then secured by a S106 attached to the grant of planning permission. The application site is within the catchment area for Alexandra Park (NEAP) and Bridgehall (NEAP) however that at Alexandra Park would take priority for investment due to its proximity to the development. Having regard to the schedule of accommodation proposed, a sum of £26,928 would be required to accord with this policy position. This sum would be split between Alexandra Park and formal recreation provision within the Borough. The applicant has agreed to enter into this legal agreement and as such the proposed development accords with policies L1.1, L1.2 and SIE2.

Core Strategy policies H1 and SIE1 require developments to be safe and of a layout that deters crime. Submitted with this application is a Crime Impact Statement which outlines how the development will accord with this policy position. Greater Manchester Police have considered this Statement and confirm that subject to the cycle storage

being secure, external and communal lighting being installed and there being access controls to the communal lobby they are supportive of the application.

Members are advised that a condition will be imposed to ensure the submission and approval of details of the cycle storage and which will require it to be secure and lockable. No external lighting is currently proposed and it is not for the planning system to control lighting within a building. A condition can however be imposed to secure details of any external lighting proposed to ensure that the development is safe to use and that such lighting does not cause harm to amenity or highway safety. No details of how access to the communal lobby are submitted with the application nor would it be usual to require details of such given the small scale of the proposal. As such it is not considered reasonable to impose a condition however an informative can be attached to the grant of planning permission advising the applicant to consider such a measure.

On the basis of the above the proposal is considered to comply with policies H1 and SIE1.

### Summary & Conclusions

The proposed development is acceptable in principle and accords with policies CDH1.5, CS2, CS3 and CS4 along with the NPPF in terms of the conversion of the property and delivery of housing at a time of continued undersupply.

The proposed development will have no unacceptable impact on the character of the locality or the amenities of existing or future residential occupiers. In this respect the proposal accords with policies H1, CS8, SIE1, SIE3 and CDH1.5 along with the NPPF.

The development is in an accessible location, provides sufficient off street parking and will cause no harm to highway safety. The proposal is therefore in accordance with policies CDH1.5, CS9, T1, T2 and T3 along with the NPPF.

Subject to the imposition of conditions there will be no conflict with the aims of the Council to reduce carbon emissions nor in terms of drainage. The proposal therefore accords with policies SD3, SD6 and SIE3.

Subject to the completion of a S106 agreement the development will make a contribution to children's play and formal recreation in accordance with policies L1.1, L1.2 and SIE3.

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraph 7 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system. In assessing the planning balance of the proposal, the provision of these additional residential dwellings within the borough, in an accessible and sustainable location, is considered to weigh in favour of the proposal, at a time when the Council cannot demonstrate a 5 year housing supply.

Having regard to para 11 of the NPPF, Members are advised that as the Council cannot demonstrate a 5 year deliverable supply of housing, the relevant elements of Core Strategy policies CS4 and H2 which seek to deliver housing supply are considered to be out of date. As such the NPPF directs that planning permission should be approved unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Members are advised that there are no adverse impacts that would significantly and demonstrably outweigh the benefits that this development will bring.

In considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

**RECOMMENDATION:** Approve subject to conditions, informatives and a S106 Agreement.