

Werneth Area Committee

29th July 2024

DEVELOPMENT APPLICATIONS

Report of the Deputy Chief Executive

<u>ITEM 1</u>	DC091310
<u>SITE ADDRESS</u>	34 Sandy Lane, Romiley, Stockport, SK6 4NH
<u>PROPOSAL</u>	Change of Use and part first floor and two storey rear extension to comprise 16 bed HMO with associated external alterations, bin storage, and car and cycle parking.
<u>ITEM 2</u>	DC083741
<u>SITE ADDRESS</u>	Hatherlow Sunday School, Hatherlow, Romiley, Stockport, SK6 3DR
<u>PROPOSAL</u>	Conversion of an existing disused former Church Hall building to form 11 no. apartments, with associated demolition, external alterations and landscaping.
<u>ITEM 3</u>	DC090340
<u>SITE ADDRESS</u>	Land North of Clapgate, Bredbury Green, Romiley, Stockport, SK6 3LH
<u>PROPOSAL</u>	Development of a Battery Energy Storage System with associated infrastructure, access, drainage features and landscaping.

INFORMATION

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

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

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ITEM 1

Application Reference	DC/091310
Location:	34 Sandy Lane Romiley Stockport SK6 4NH
PROPOSAL:	Change of Use and part first floor and two storey rear extension to comprise 16 bed HMO (sui generis) with associated external alterations, bin storage, and car and cycle parking
Type Of Application:	Full Application
Registration Date:	28.02.2024
Expiry Date:	19.06.2024
Case Officer:	Rachel Longden
Applicant:	Views
Agent:	Paul Butler Associates

DELEGATION/COMMITTEE STATUS

Werneth Area Committee. Application referred to Committee due to receipt of more than 6 letters of objection, contrary to the Officer recommendation to grant.

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the change of use of an existing building at No. 34 Sandy Lane along with a part first floor and part two storey extension to the rear, to provide to a 16 bed House of Multiple Occupation (HMO) (Sui Generis Use Class) with associated external alterations, bin storage and car and cycle parking.

The proposal would include a part first floor and part two storey extension to the rear. The extension would be constructed using materials to match the existing property. The roof would be hipped and would be a continuation of the existing rear roof.

The proposal would provide amenity space to the side and rear of the property, with the existing garden office converted to a garden lounge. 3 parking spaces would be provided to the rear of the site and 4 parking spaces to the front of the property. Cycle parking and bin storage would be provided to the side of the property. Vehicle access is proposed off Sandy Lane to the front of the site.

SITE AND SURROUNDINGS

The application site is located to the Eastern side of Sandy Lane. To the South and East of the site are existing residential dwellinghouses. To the North of the site are existing 3 storey flats with 2 associated garage blocks to the rear of the application site. Further residential dwellinghouses are sited to the West of the site on the opposite side of Sandy Lane.

The property is an existing two storey detached property which was previously used as a care home. The building has a part two storey, part single storey outrigger to the Eastern rear elevation with an existing garden office building to the side. Existing vehicle access is taken from Sandy Lane with a hardsurfaced driveway to the side, providing access to the garage blocks to the rear of the site and the hard surfaced parking area to the rear. There is also an existing parking area to the front of the site.

POLICY BACKGROUND

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Statutory Development Plan, unless material considerations indicate otherwise. The Statutory Development Plan for Stockport comprises :-

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

The application site is allocated within a Predominantly Residential Area as defined on the UDP Proposals Map. The following policies are therefore relevant in consideration of the proposal :-

Saved UDP policies

- L1.1 : LAND FOR ACTIVE RECREATION
- L1.2 : CHILDREN'S PLAY
- CDH1.4 : HOUSES IN MULTIPLE OCCUPATION
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

Core Strategy DPD policies

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT – ADDRESSING INEQUALITIES AND CLIMATE CHANGE
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- CS2 : HOUSING PROVISION
- CS3 : MIX OF HOUSING
- CS4 : DISTRIBUTION OF HOUSING
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT
- H-2 : 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 DEVELOPMENTS

- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

Supplementary Planning Guidance and Documents

Supplementary Planning Guidance and Documents (SPG's and SPD's) do not form part of the Statutory Development Plan. Nevertheless, they do provide non-statutory Council approved guidance that is a material consideration when determining planning applications. Relevant SPG's and SPD's include :-

- DESIGN OF RESIDENTIAL DEVELOPMENT SPD
- OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPD

National Planning Policy Framework (NPPF)

The NPPF, initially published in March 2012 and subsequently revised and published in December 2023 by the Department for Levelling Up, Housing and Communities, sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (NPPG)

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

RELEVANT PLANNING HISTORY

- DC/088158 - Change of Use to 15 bed HMO (sui generis) with associated external alterations, bin storage, and car and cycle parking. Granted 19/06/2024.
- DC/065303 – Erection of garden office room. Granted 07/07/2017
- DC/060058 – Single storey side extensions. Granted 10/12/2015
- DC/020288 – Two side extensions plus rear extension and improved disabled access. Granted 19/09/2005
- J59633 – Two storey extension and alterations. Granted 09/05/1994
- J25873 – Change of use of house to nursing home. Granted 22/07/1982

NEIGHBOUR'S VIEWS

The owners/occupiers of surrounding properties were notified in writing of the application.

56 letters of objection have been received, the contents of which are summarised below:-

Parking and Traffic Issues

- Syke Croft and Far Ridings would be used for parking.

- Application does not provide enough parking spaces.
- Existing driveway is concealed from the main road.
- Proposal would result on additional parking on Sandy Lane, which is already limited.
- Any on road parking would be dangerous.
- No access for large work vehicles.
- Vehicles parking on street would also occupy pavement which would affect prams and mobility scooters.
- Insufficient EV charging spaces.
- Transport links to Romiley are limited.

Residential Amenity

- Concerns with regard for safeguarding and safety of children travelling to school if used as a probation/bail hostel.
- Concern regarding how the HMO will be operated – will there be a caretaker on site.
- Unsuitable site for the proposed use.
- Overlooking of neighbours as a result of the extension.
- Concern with regard to antisocial behaviour, vandalism and trespassing.
- Noise issues from 15-30 people in the garden.
- Concern that it may be a halfway house – how will tenants be controlled.
- HMO's attract a transient population.
- Generation of crime and concerns about safety and security of the area.
- What license constraints would be attached and who is responsible for managing noise issues.
- Loss of privacy to neighbours

Other Issues

- Concerns over land ownership and access to the site.
- Any building work could damage work to driveway to side.
- Potential for litter and waste pollution if residents don't look after the building.
- Environmental pollution from additional vehicles.
- Insufficient bin storage
- Concerns with regard to fire safety
- Potential loss of vegetation to the front of the property.
- Character of the area would be adversely affected due to intensity of occupation.
- Light pollution
- Could S106 money be used to improve safety and security of passageway to side of No. 32 Sandy Lane as this is dimly lit.
- Environmental issues from tree removal.
- Additional surface water runoff from additional hardstanding.
- Worried about changes to the area.
- Where would scaffolding be sited.
- No information with regard to landscaping.
- Insufficient facilities within kitchen area.

CONSULTEE RESPONSES

Housing Standards

With regard to the above application I would like to make the following comments.

I spoke to the architect during the last application so I do have contact with them and we've discussed aspects of the development relating to amenity etc;

I do not have any objections to the proposed development in principle, I would remind the applicant of our current amenity standards for licensable HMOs as a guide to the various amenities (both shared and individual) and ask that along with working compliant to the requirements of the Building Regulations they also liaise with ourselves during the development to ensure that the relevant standards are met prior to the property being occupied.

I note that the applicant makes reference to having already considered the standards in their design to date and from the submitted plans the layout appears to meet the necessary range of criteria regarding space, amenities etc.

For information, a link to the relevant documents is below;

<https://www.stockport.gov.uk/information-for-landlords/houses-in-multiple-occupation>

Finally I would add that considering the larger scale of the proposed development when compared to the majority of licensable HMOs that across the Borough it is essential that ourselves and Greater Manchester Fire & Rescue Service are involved in the design specification and final agreement regarding the fire safety provisions throughout the building including the type of construction, fire separation, type of detection and means of escape so that the risk to all occupants is suitably and sufficiently protected.

Highway Engineer

In terms of traffic generation impact, the traffic generated by the proposed use will not significantly differ from that for the historical care home use. The impact on the highway network resulting from the development could not therefore be deemed as severe and no objection on traffic generation grounds would seem reasonable or sustainable.

I note previous approval recommended for 15 unit HMO. One additional unit would not in itself result in any significant increase in traffic to the site such as to warrant a recommendation for refusal.

The site is accessible with public transport, shops, employment, and other facilities available within reasonable walking distance and by cycle.

The proposal notes provision of 7 car parking spaces. Guidance requires 0.5 spaces per HMO bedroom, reflecting the generally low levels of vehicle ownership in this type of development. In this respect the proposal falls slightly short. Guidance does, however, comment on the need to consider several factors when assessing the level of parking required for an HMO.

It is noted that local dwellings do generally have provision for parking off street and it is suggested that limited on street parking resulting from the development can be accommodated without any detrimental impact on highway operation or safety. A parking survey on Sandy Lane was undertaken as a part of the submission on a

workday evening and weekend afternoon and confirmed that there was adequate on street parking available to accommodate any potential overspill from the development site given the limited amount of on street parking currently taking place.

The supporting Transport Note comments that satisfactory visibility at the site entrance is afforded largely because of the presence of the hatched section of carriageway. This would be less valid if residents or visitors parked within that area. Parking should therefore be discouraged within this area. In order to alleviate concerns around providing satisfactory visibility for drivers using the site entrance it is recommended that the developer be required to fund the advertising of a traffic regulation order and subsequent road markings preventing parking in this area, in the interest of highway safety.

Appropriate secure and covered storage for cycles is provided.

RECOMMENDATION - No objection subject to conditions

Waste

Please ensure the attached document 'SMBC Recycling Planning' is read to ensure that the site plan/usage meets with our waste storage and access requirements. If applicable: Please also ensure that sufficient storage room is allocated for the number of waste bin(s) (capacity) required.

If opting for steel bin containers, there needs to be sufficient access, width of entrance, turning circle enough for a heavy goods sized vehicle, in order that residents have the use of the Council's waste collection services.

Nature Development Officer

Site Context

The site is located at 34 Sandy Lane, Romiley, SK6 4NH. The application is for Change of Use and part first floor and two storey rear extension to comprise 16 bed HMO (sui generis) with associated external alterations, bin storage, and car and cycle parking.

Nature Conservation Designations

The site has no nature conservation designations, legal or otherwise as listed in Stockport's current Local Plan (e.g. Site of Biological Importance, Local Nature Reserve, Green Chain).

It has however been identified as an opportunity area within the Local Nature Recovery Strategy (LNRS) pilot study for Greater Manchester for grassland planting opportunities. This is not necessarily a barrier to development and does not confer protection or prevention of land uses but shows that such areas have been prioritised for restoring and linking up habitats.

Legally Protected Species

An ecological appraisal was completed by Rachel Hacking Ecology, September 2023.

Bats

Many buildings have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations, 2019).

An assessment for bat roost potential of all buildings and trees on the site was undertaken as part of the ecological appraisal (R Hacking Ecology 2023). The main building will undergo an extension in two locations which affect the roof area. The building is in good condition without any gaps to the brickwork, slate tiles, bargeboards, decorative features, chimney stack, ridge tiles etc - no potential roost features (PRFs) identified. A timber outbuilding and shed were also surveyed and assigned negligible potential. A number of mature trees are present within the site boundary and at least one is proposed to be removed. All trees were surveyed and no PRFs identified.

Great-crested Newts (GCN)

GCN are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The latter implements the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora. GCN are included in Schedule 2 of the Regulations as 'European Protected Species of animals' (EPS).

Under the Regulations it is an offence to:

- 1) Deliberately capture or kill a wild EPS*
- 2) Deliberately disturb a wild EPS in such a way that significantly affects:
 - a) the ability of a significant group to survive, breed, rear or nurture young.*
 - b) the local distribution of that species.**
- 3) Damage or destroy a breeding place or resting site of such an animal.*

There is an absence of ponds within 250m of the site, GCN records or suitable habitat or habitat connectivity within the surrounding area and therefore GCN are not considered further.

Badgers

Badgers are protected under the Protection of Badgers Act, 1992. This makes it an offence to kill or injure a badger or to damage, destroy or obstruct access to a sett. It is also an offence to disturb a badger while it is in a sett.

The proposed works are not considered a risk to badgers that may be present in the surrounding area.

Nesting Birds

The nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended).

Trees and other vegetation on-site have the potential to support nesting birds, however no vegetation works are proposed.

Hedgehog

Hedgehog populations are declining rapidly in the UK and are identified as a UKBAP Species and Species of Principle Importance under the NERC Act 2006. Hedgehog are also protected from capture and killing under the Wildlife and Countryside Act 1981 Schedule 6.

Habitats on site have the potential to support hedgehog.

Invasive Species

Certain invasive plant species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to grow this invasive species in the wild.

No vegetation works are proposed. However, rhododendron was identified on the site.

Recommendations:

It is considered that sufficient ecological information is available to inform determination of the application. No evidence of potential for roosting bats was recorded. As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that roosting bats can sometimes be found in unexpected places. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats, or any other protected species, is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

Notwithstanding the above, the following comments are also relevant to the current application:

Biodiversity Enhancements

Biodiversity enhancements are expected as part of developments in line with local (paragraph 3.345 of the LDF) and national planning policy (NPPF). Details should be submitted to the LPA for review including:

- Provision of bat and bird roosting and nesting facilities within the new building extension and on mature trees within the site. Boxes should be located on suitable, retained mature trees along the boundary and should be sited in unlit areas. Boxes should be integrated or made from woodcrete/woodstone, rather than timber, for greater longevity. Details of the number, type and location of boxes to be proposed should be submitted to the LPA for review.
- Landscape planting should be maximised and comprise a range of wildlife-friendly species (locally native where possible) including provision of mixed species native hedgerows at site boundaries. As per the arboricultural officer comment, replacement planting for any trees including on the frontage is expected at a minimum of 1:1 ratio lost:replacement. Details of proposed species and spacing/number should be submitted to the LPA for review.

- Where provision of close-boarded fencing is proposed, gaps should be provided at the base (130mm x 130mm, minimum one gap per elevation) to maintain access for wildlife, such as hedgehogs. Details of fencing type and gap locations should be submitted to the LPA for review.

This is particularly important given the sites designation with the Local Nature Recovery Strategy.

CEMP

The Reasonable Avoidance Measures during site works detailed in the ecology report will help minimise potential risks to wildlife (including badgers and hedgehog). These measures should be implemented in full during works. The following condition can be used:

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the LPA. The CEMP shall include:

- a) risk assessment of potentially damaging construction activities
- b) identification of 'biodiversity protection zone'
- c) measures and sensitive working practices to avoid or reduce impacts during construction
- d) location and timing of sensitive works to avoid harm to biodiversity
- e) times during construction when specialist ecologists need to be present on site to oversee works
- f) responsible persons and lines of communication
- g) roles and responsibilities on site of an ecological clerk or works (EcOW) where one is required
- h) use of protective fences, exclusion barriers and warning signs

And shall include details of measures to:

- Avoid the impact on nesting birds
- Avoid negative impact on sensitive ecological features during construction and protect all retained features of biodiversity interest, including woodland and watercourse.
- Sensitive working measures to be adopted relating to bats (construction lighting etc)
- Sensitive measures to be adopted in relation to badgers and hedgehog.

Bats

Works are considered to be of negligible risk to roosting bats. As a precautionary measure an informative should be attached to any planning consent granted so that the applicant is aware that bats can sometimes be found in unexpected places. It should also state that the granting of planning permission does not negate the need to abide by the legislation in place to protect biodiversity. If at any time during works, evidence of roosting bats, or any other protected species is discovered on site and are likely to be impacted, works must stop and a suitably experienced ecologist be contacted for advice.

Lighting

Informative: Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following the principles outlined in Bat Conservation Trust guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting> (note update April 2023) and following the guidance in the bat report) It is of particular importance that no light spill occurs onto the connecting habitats / corridors.

Nesting Birds

No vegetation clearance or demolition works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or otherwise suitably qualified person) has undertaken a careful, detailed check of vegetation/buildings for active birds' nests immediately before (no more than 48 hours before) such works commence and provided written confirmation that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on site. This can be secured by condition.

INNS

A condition should be attached to any planning permission granted, stating that the spread of *Rhododendron ponticum* which have been identified on site will be avoided. A method statement for the control, management and treatment of this invasive species will need to be submitted to and agreed by the council prior to any works commencing

Habitats

All retained trees and hedgerows should be adequately protected from potential adverse impacts in accordance with British Standards and following advice from the Council's Arboriculture Officer.

Other protected species

As a precautionary measure the following informative can be attached to any planning consent granted: Protected species can sometimes be found in seemingly unlikely places. The granting of planning permission does not negate the need to abide by the legalisation in place to protect biodiversity. If at any time during works, evidence of any protected species is discovered on site and likely to be impacted, all works must cease and a suitably experienced ecologist contacted for advice.

Ecology survey

Ecological conditions can change over time. In the event that works have not commenced within two survey seasons of the 2023 surveys (i.e. 2025) it is advised that update survey work is undertaken by a suitably experienced ecologist to ensure that the ecological impact assessment and protection measures are based on sufficiently up to date survey data and so that any required amendments to proposed mitigation can be identified and incorporated into the scheme. This can be secured by condition.

Environment Team (Noise)

The proposal has been assessed in relation to impact upon the environmental quality of life to:

- EXISTING sensitive receptors, in proximity to the proposed development
- NEW sensitive receptors, introduced at this location

34 Sandy Lane, Romiley previously operated as 'Priory Hospital', a 10-bed unit for mental health rehabilitation and recovery services. This service has no complaint history for the premises. The building is central within the plot and the proposed change of Use to 16 bed HMO (sui generis) with associated external alterations, bin storage, car and cycle parking, is considered acceptable at this location and past use of the building.

Construction Hours - Informative

An informative relating to acceptable construction hours is recommended, for the protection of noise sensitive receptors in the vicinity of the site.

- Pile Foundation Method Statement – Informative

Should piling be required as part of the construction phase, an informative is provided to inform the process.

Noise Impact Upon Residential Receptors Introduced at this Location

NO EXTERNAL NOISE IMPACT UPON RESIDENTIAL DEVELOPMENT

Transportation Noise Impact

A desk based assessment of the site and the proposals, has determined that there is no cumulative impact, arising from transportation noise sources: road, rail or aviation.

<http://extrium.co.uk/noiseviewer.html>

Environmental Management | Manchester Airport

Commercial Noise Impact

There are no other significant noise sources in proximity to the site.

SUMMARY

No noise mitigation measures are considered necessary, for the proposed residential development, at this location

Environmental Quality Informatives

For the protection of residential/ area amenity; the following details are designed to assist developers in the prevention/ minimising impact, arising from the construction and the operational phases of development.

INTERNAL LAYOUT OF UNITS

It is good practice to ensure, where possible:

- Bedrooms should not be located adjacent to, above or below living rooms and kitchens of other units.
- Similar rooms should be located above and below each other in a 'stacked' layout, i.e. kitchens above and below kitchens, bedrooms above and below bedrooms.

Habitable rooms should ideally have compatible room uses on both the horizontal and vertical planes.

CONSTRUCTION & DEMOLITION SITES - HOURS OF OPERATION

Any works which can be heard outside the site boundary must only be carried out between:

Monday to Friday 7.30 am – 6.00 pm

Saturday 8.00 am – 12:30 pm

Sundays, Public and Bank Holidays - No noisy working audible from the site boundary

Please view the [guidance notes for contractors \(PDF 300kb\)](#) for more information.

PILE FOUNDATIONS

In the event that the foundations of any building require piling, the following measures are recommended to reduce the vibration effect at the nearest receptors: piling work shall be undertaken using a system which will cause the least possible degree of noise and vibration in the locality – dependent upon ground conditions – as a means to minimise the impact of noise and vibration to the occupiers of nearby dwellings.

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

1. Details of the method of piling
2. Days / hours of work
3. Duration of the pile driving operations (expected starting date and completion date)
4. Mitigation measures to be undertaken in order to safeguard the amenity of adjacent residents.
5. Prior notification to the occupiers of potentially affected properties
6. Responsible person contact (e.g. site manager / office) For this purpose contact:

➤ 0161 474 4181

➤ environmental.health@stockport.gov.uk

Arboricultural Officer

Site Context

The proposed development site is located within the grounds of the site predominantly on the existing soft landscaped area and formal garden area. The plot is comprised largely of informal gardens/grounds and existing soft landscaping.

Conservation Area Designations

There is no Conservation area protection within this site or affected by this development.

Legally Protected Trees

There are legally protected trees within this site or affected by this development (Birchvale Drive, Romiley No.2 2007).

Recommendations:

The proposed conversion and associated infrastructure of the site predominantly sits within the informal grounds and soft landscaped areas of the site and will not have an impact on trees on site or neighbouring the site.

The main concern for the development is the proposed level of disturbance/impact on the site and the ever increasing urban aspect of the site and surrounding areas through tree loss. The Tree survey and impact assessment and indicative tree planting shown on the plans, which shows some acknowledgement of the protected trees, potential impact and opportunity for replacement if the scheme is to impact on tree, there will need to be a submission of method statements showing the construction methods and restricted access to the protected trees.

These would have been required however the conversion method has removed most of the concerns for the site as it will not impact or disturb any of the protected trees on site and so only a protective fencing detail will be required and can be conditioned.

Some consideration needs to be given to the biodiversity of the site with several new trees being planted to soften the aspect of the site and improving the biodiversity of the site.

The proposed development will potentially impact on the trees on site. Due to the ever increasing urban aspect of Romiley usually an arboriculture impact assessment and method statements for construction shows the level of impact or level of impact on the protected trees on site however the detailed submitted for construction has removed these concerns, however compensatory planting scheme should be considered to lessen the impact on the biodiversity of the site and enhancing the local environment with increased level of tree cover for the site with at least one new tree to be planted on the frontage to replace the removed tree as well as further enhancements throughout the site.

The tree planting will impact on biodiversity, aesthetics and general screening of the site. The development will need to supply protective fencing and advisory notices to prevent any damage, accidental spillage or compaction on the trees and their root systems.

In addition to the protective fencing some consideration should be given to tree planting as part of the scheme to be detailed within a landscaping plan and this should include a level of biodiversity, large specimen species to replace the lost large specimen trees and fruit interest as well as considering the use of variegated holly tree which offers evergreen screening in the species proposed and where possible location should consider screening of the proposed development in the ever increasing urban area.

In principle the proposed construction will have an impact on the trees on site and within neighbouring properties, therefore it is acceptable in its current format with the submission of detailed landscaping schemes if agreed and root protection plans for fencing at the front, side and rear of the site.

The root protection plan will need to be conditioned and approved prior to works commencing on site.

Public Rights of Way Officer

I am disappointed that the application makes zero mention of the PRow running adjacent to the southern site boundary (footpath 34a Bredbury and Romiley).

It seems from the plans that there should be no effects on the PRoW, but this should be ensured. Other than that I have no comments.

LLFA

Having reviewed the planning portal for this application, there does not appear to be any drainage related documentation. The LLFA recommends rejecting this application.

For further guidance on applications and applicant requirements for sustainable drainage, please see attached.

Coal Authority

We have reviewed the site location plan and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make.

However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.

Greater Manchester Police (Design for Security)

No comments received to the application

ANALYSIS

At the heart of the NPPF is a presumption in favour of sustainable development (P.10). Paragraph 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 years 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. Therefore, para 11 of the NPPF directs that permission should be approved unless the adverse impacts of approving planning permission would significantly and demonstrably outweigh the benefits.

Policy Principle

Saved UDP policy CDH1.4 relates specifically to proposed Houses of Multiple Occupation and sets out that conversion of dwellings to multiple occupation will be permitted provided that the proposal :-

- (i) Does not result in more than 2 houses in multiple occupation adjoining;

- (ii) Does not result in a single dwelling having a house in multiple occupation on both sides;
- (iii) Does not create such a concentration of houses in multiple occupation in a particular area or intensity of occupation of the property concerned that the character of the area is adversely affected;
- (iv) Includes useable rear gardens within the curtilage of at least 50m²;
- (v) Includes suitably enclosed refuse storage areas at the rear of the property;
- (vi) Includes parking within the curtilage at the rate of 0.5 space per letting. Where car parking is to be provided by hard paving of the area in front of the dwelling, no less than 40% of that area should be landscaped to the satisfaction of the Council; and
- (vii) Complies with Policy EP1.10 (aircraft noise).

It is noted that policy CDH1.4 relates specifically to the conversion of dwellings to multiple occupation. Whilst the proposal seeks permission for the change from a Care Home rather than from a dwelling, assessment of the proposal against the requirement of this policy is not necessarily required. Nonetheless, the following is noted:-

- (i) The proposal would not result in more than 2 houses in multiple occupation adjoining. Residential dwellings are sited adjacent to the application site on both sides.
- (ii) The proposal would not result in a single dwelling having a house in multiple occupation on both sides.
- (iii) There are no other HMO's within the vicinity.
- (iv) The proposal would include the provision of communal external amenity space by way of 107 square metres of garden space to the side of the property and 38 square metres of amenity space by way of the rear garden. Whilst it is acknowledged that the policy requires 50 square metres of amenity space to be provided to the rear, the area to the side would provide private amenity space and is therefore considered to be acceptable.
- (v) Refuse storage provision is assessed elsewhere within the report.
- (vi) Parking provision is assessed elsewhere within the report.
- (vii) The site does not fall within the aircraft noise zone.

Given that Stockport does not have a 5 year housing supply, subject to the development being acceptable with regard to its visual impact, its relationship to neighbouring residents, its impact upon the highway network and in all other regards, the principle of converting the building to provide a 16 bed HMO is acceptable.

The proposal would provide additional residential accommodation and would contribute towards meeting the housing needs of the Borough.

Additionally, the principle of such a use has previously been considered acceptable. A previous application for conversion of the property to a 15 bed HMO was considered acceptable and approved by this committee. Planning permission was granted in June 2024 and the permission remains extant.

Therefore, in summary, the principle of the proposed use of the premises as a residential HMO, located within an accessible and sustainable location is considered to be acceptable, in accordance with saved UDP policies CDH1.4 and Core Strategy DPD policies CS2, CS4 and H-2.

Design, Siting and Impact on Visual Amenity

The proposed use would be accommodated within the existing building along with a part two storey and part single storey rear extension to the property. Areas of enclosed private amenity space of appropriate size would be sensitively sited to the side and rear of the property. Matters of detail to secure means of enclosure/boundary treatment would be secured by the imposition of suitably worded planning conditions.

The proposed extension would be sensitively sited to the rear of the property and would not extend to the side beyond the existing main side elevations of the property. The proposed extension would have a pitched roof which would tie-in with the existing main roof and the materials of external construction would match those of the existing building. Exact materials would be secured by a suitably worded planning condition to ensure that they are sympathetic and in keeping with the existing building.

In view of the above, it is considered that the proposed use and associated external alterations could be accommodated on the site without causing harm to the visual amenity of the area, in accordance with saved UDP policies CDH1.4 and Core Strategy DPD policies H-1 and SIE-1.

Impact on Residential Amenity

The neighbour objections received to the application on the ground of loss of residential amenity by reason of noise and disturbance and antisocial behaviour are noted and acknowledged. The detailed comments received to the application from the Council Environmental Health Officer are contained within the Consultee Responses section above. No objection to the proposed use has been raised by the Environmental Health Officer with regards to noise.

The application has been reviewed by Housing Standards. No objection is received and the layout appears to meet the necessary range of criteria regarding space, amenities etc. The submitted floor plans show that each habitable room would be provided with adequate light and ventilation. The Housing Standards comments highlight that the proposed use will require a licence from the Local Authority to operate. This license prescribes the standards of safety and amenity and decides the suitability for occupation.

The proposed extension would extend 3.4 metres beyond the existing rear elevation, at first floor level. No windows are proposed in the rear elevation of the proposed extension and a distance of over 30 metres would be retained to residential properties to the rear of the site. As such, there would be no overlooking or loss of privacy to these properties and no loss of outlook would result. Additional windows are proposed in the side elevations of the proposed extension at both ground and first floor level. However, these windows would not extend any closer to properties to the North or South of the site, than the existing side facing windows, and therefore no additional overlooking or loss of privacy would result.

Additionally, the overall layout in terms of bedroom use has not changed from the previous care home use and therefore it is considered that no additional privacy or overlooking would result.

In view of the above, and notwithstanding, the objections which raise concern to overlooking from the proposed extension, it is considered that the proposed use and

associated external alterations could be accommodated on the site without causing harm to the visual amenity of the area, in accordance with saved UDP policies CDH1.4 and Core Strategy DPD policies H-1 and SIE-1.

It is noted that the proposed private amenity space to serve the proposed development would be sited to the North and South of the existing building close, to the boundaries with neighbouring residential properties and the neighbour objections raised are acknowledged. However, such a relationship of proposed gardens/private amenity space adjoining existing gardens/private amenity space of neighbouring properties are commonplace within residential areas. Furthermore, it is noted that no objections are raised to the proposal from the Council Environmental Health Officer. As such, it is considered that a refusal of the application on the grounds of loss of residential amenity from use of the proposed private amenity space would not be sustainable.

Concerns raised by neighbouring residents with regard to noise disturbance and antisocial behaviour are noted and acknowledged. Given that the occupants of the proposed HMO will be active, there will be a level of noise and disturbance created by the occupants as they go about their daily business, moving to and from the site and as they use the building. However, it is not considered that the use of the property as a 16 bed HMO would result in neighbouring land users experiencing a reduction in the level of amenity they can reasonably expect to enjoy, by virtue of them being exposed to an unacceptable increase in noise and disturbance. No objection to the proposed use has been raised by the Environmental Health Officer with regards to noise.

A number of the letters of objection have raised concern with regard to potential anti-social behaviour and use of the premises as a bail hostel or half-way house. According to the submitted supporting information to accompany the application, the target for the HMO will be single private residents seeking affordable housing within the local area, for example young professionals and key workers. A property manager would visit the premises each day and a cleaning company would be appointed to clean communal areas and deal with refuse and bins. There is no demonstrable evidence that any fears relating to an increase of crime or anti-social behaviour would arise. However, if issues did arise in the future, the Local Authority and the Police, who have legal powers to tackle anti-social behaviour, would need to be contacted. It should also be noted that use as a residential institution where care is required, or use as a secure residential institution would require planning permission as this falls within a separate use class. Members should be aware that the building is currently vacant, and if this were to continue for a period of time also has the potential to lead to anti-social behaviour.

In summary, the neighbour objections raised on the grounds of loss of residential amenity by reason of noise and disturbance resulting from the proposed use are noted and acknowledged. However, on the basis of the submitted information, in the absence of objections from the Environmental Health Officer and subject to conditional control, it is considered that the proposed use could be accommodated on the site without causing an undue loss of residential amenity to surrounding properties, by reason of noise and disturbance, that would justify the refusal of the application. As such, the proposal is considered to comply with Core Strategy DPD policies CDH1.4, SIE-1 and SIE-3.

Highways Considerations

The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

The Highway Engineer notes that the use of the property as a 15 bedroomed HMO will not significantly differ from that for the previous care home use in terms of traffic generation impact. As such, the impact on the highway network resulting from the development could not be considered as severe and therefore the highway engineer does not consider an objection on traffic generation grounds would be reasonable or sustainable.

The site is accessible with public transport, shops, employment and other facilities available within reasonable walking bills and by cycle.

Concerns raised within the objections received from neighbouring properties relating to concern regarding the number of parking spaces proposed resulting in on street parking are noted. Policy guidance requires 0.5 spaces for HMO bedroom which reflects the generally low levels of vehicle ownership with this type of development. 7 parking spaces are proposed by way of hardstanding to the front and rear of the site. Whilst the 7 spaces would fall slightly short of 0.5 spaces per room, a parking survey was undertaken which confirmed that there would be adequate on street parking available to accommodate any overspill given the limited amount of on street parking currently taking place.

In order to alleviate concerns relating to the provision of satisfactory visibility for drivers using the site entrance, the developer is required to fund a traffic regulation order and road marking preventing parking in this area. This will be secured by a S106 agreement.

The highway engineer considers that the cycle parking and EV charging facilities illustrated would be appropriate for the proposal. The cycle parking and EV charging would also be secured by condition.

In view of the above, in the absence of objections from the Highway Engineer and subject to conditional control and S106 agreement, the proposal is considered acceptable from a traffic generation, parking and highway safety perspective. As such, the proposal complies with saved UDP policy CDH1.4, Core Strategy DPD policies SIE-1, CS9, T-1, T-2 and T-3.

Impact on Protected Species and Ecology

The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above. The Nature Development Officer notes that the site has no nature conservation designations, legal or otherwise but notes that the site has been identified as an opportunity area for grassland planting. This shows that such areas have been prioritised for restoring and linking up habitats.

The nature development officer has considered that sufficient ecological information has been provided and has confirmed that no evidence of roosting bats has been recorded. Biodiversity enhancements are expected as part of developments and whilst the information submitted with the application states that there are no vegetation or landscaping works proposed, biodiversity enhancement measures

would be secured by way of a condition requiring the submission of a landscaping and biodiversity enhancements plan.

In view of the above, in the absence of objections from the Nature Development Officer and subject to conditional control and mitigation measure, it is considered that the proposal would not result in harm to protected species, biodiversity or the ecological interest of the site. As such, the proposal complies with Core Strategy DPD policies CS8 and SIE-3.

Impact on Trees

Existing trees on the site are protected by way of Tree Preservation Order (Birchvale Drive, Romiley No. 2 2007). The detailed comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above.

Whilst it is acknowledged that no Tree Survey has been submitted with the application, the Arboricultural Officer considers that the proposed conversion would have an impact on existing trees within the site. In order to prevent potential adverse impacts to trees during development, conditions are recommended to ensure that no existing tree is worked to and to require the provision of protected fencing to existing trees during development. A further condition is recommended to require the provision of additional/enhanced planting within the site.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable in terms of its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

Developer Contributions

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement to ensure the provision and maintenance of formal and childrens recreation facilities within the Borough to meet the needs of the residents of the development. On the basis of the number of rooms and in accordance with current practice, there is a requirement for a commuted sum payment of £47,872, which will be secured by way of a Section 106 Agreement.

Other Matters

No objections are raised to the proposal from the Council Housing Standards Team. The applicant will be advised of the requirement for a HMO License by way of informative.

A bin storage area to serve the proposed development would be provided to the Eastern side of the property, in accordance with the requirements of saved UPD policy MW1.5. The applicant will be advised of the comments received to the application from the Council Waste Management Team regarding access arrangements by way of informative.

Concern has been raised by objectors with regard to incorrect boundaries, encroachment onto neighbouring boundaries as shown on the submitted site plan. Members should be aware that matters relating to land ownership are not a material planning consideration.

A Crime Impact Statement has been submitted with the application. Whilst no comments have been received from Greater Manchester Police (Design for Security), the physical security measures to be incorporated within the proposed development, as recommended within the Crime Impact Statement, would be secured by a suitably worded planning condition.

SUMMARY

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and indicates that these should be sought jointly and simultaneously through the planning system.

Overall, the proposal is considered to be in compliance with adopted planning policy and guidance. In this instance there are benefits that weigh in support of the proposal, in particular the provision of housing and the use and occupation of a vacant property.

The proposed change of use of this property has been assessed with reference to Saved UDP policy CDH1.4, which has an aim to ensure that proposals do not result in an overconcentration of HMO's or adversely affect highway safety, as well as ensuring that future occupiers are provided with a satisfactory standard of living. On the basis of this Policy, the scheme is deemed to be acceptable for the reasons set out above.

The principle of such a use has previously been considered acceptable, with the application for conversion of the property to a 15 bed HMO approved by this committee and planning permission was granted in June 2024. This permission remains extant and is a genuine fall back position. The creation of 1 additional bedroom along with the proposed rear extension is not considered to result in any demonstrably greater impact than the previously accepted scheme.

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, subject to conditions and a legal agreement.

RECOMMENDATION

Grant.