

Application Reference	DC/092780
Location:	2 Greenhythe Road, Heald Green, Cheadle, Stockport, SK8 3NS
PROPOSAL:	Change of use from dwelling (C3) to a residential care home (C2) to provide accommodation for a maximum of three young people and widening of existing crossing, provision of car/cycle parking.
Type Of Application:	Full Application
Registration Date:	26.07.2024
Expiry Date:	20240920
Case Officer:	Dominic Harvey
Applicant:	S & M Care Ltd
Agent:	A.E. Planning Consultants

DELEGATION/COMMITTEE STATUS

Cheadle Area Committee - application referred to Area Committee for determination due to the receipt of 6 letters of objection, contrary to the Officer recommendation to grant permission.

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for a *“Change of use from dwelling (C3) to a residential care home (C2) to provide accommodation for a maximum of three young people”*. The internal layout of the property is proposed to remain as existing, comprising two lounges, a dining room, kitchen, wc and four bedrooms including an ensuite bedroom, together with a bathroom and wc at a first-floor level. The existing predominantly hard surfaced amenity area and forecourt parking area, along with the detached outbuilding, within the site curtilage, together with the existing vehicular access onto Greenway Road widened with three car parking spaces accommodated within the hardstanding, secure cycle storage for two cycles would be accommodated within the existing outbuilding and an EV charger is proposed to be mounted on the side elevation of the house. The Supporting Planning Statement confirms that: -

“The proposed change of use from C3 to C2 would provide a home for up to 3 children aged between 6 and 17 who are no longer able to live with their own family for a variety of reasons. The children would live in the home cared for by a highly skilled and dedicated staff team. 2 staff would remain at the home 24 hours per day and live as a family unit with the children. Staff would change over each day at 11am which is outside busy times and when the majority of neighbours are at school or work. The staff would be supported by a manager who would call and be present at the home at various times throughout the week. The residential staff role is comparable to that of a parent or foster carer by cooking meals, assisting with schoolwork, emotional and physical support and sharing activities etc.

The staff team would be made up of a maximum of 10 who work on a rota basis and does not include visiting professionals. Two staff would come onto shift at 11am and remain at the home until 11am the next day when they would be replaced by two further staff and so on. The manager works floating, mainly daytime, hours and would be at the home various times throughout the week. The maximum staff on shift, and present at the site at the same time would, therefore, be 3. The only other visitors would be a social worker and therapist who visit separately, by appointment, once a month for the social worker and once a fortnight for the therapist for around one or two hours.

The home would be registered and regulated by Ofsted following a rigorous vetting process to ensure the safety of young people, the suitability of the carers and the environment all meet the needs of the children living in the home. Visitors to the home are infrequent and all during the daytime, by appointment only and usually outside peak hours. A social worker may visit at a maximum of once per month and a therapist fortnightly for 2 or 3 hours. The children would access all other services e.g. health and education in the community as would any other family.

The children and staff would function as a typical family living together as a household. They would shop and cook meals together with staff providing positive role models in the absence of parents living with children.

There would be no physical changes to the interior or exterior of the building. The house is very well furnished and presented giving each young person their own private bedroom and shared kitchen, living and bathroom space. There is a good-sized private garden and ample spacious parking for 3 cars”.

The application is supported by the following documents:

- Application Form
- Location Plan & Block Plan
- Existing and Proposed Floor Plans
- Photographs, Ref.AE01
- Proposed Parking Provision, DRG No TR.1AE01
- Planning Statement.

The plans and drawings submitted with the application are appended to the report.

SITE AND SURROUNDINGS

No.2 Greenhythe Road situated on the corner of Greenhythe Road and Greenway Road comprises a detached 5-bedroom house with car parking at the side for 3 cars and enclosed by a dwarf brick wall with railings above and back planted with a hedgerow together with entrance gates, there is an outbuilding within the rear garden. The site lies within an 'Predominantly Residential Area' as identified on the Proposals Map of the Stockport Unitary Development Plan.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. Case law (R. Cummins v Camden LBC 2001) has established that for a proposal to be in accordance with the Development Plan it is not necessary for it to accord with each and every policy, rather it should conform to the plan as a whole.

Other material considerations include the National Planning Policy Framework ('the Framework') and associated Planning Practice Guidance ('the Guidance'), as well as Supplementary Planning Guidance documents.

The Development Plan includes-

Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &

Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved Policies of The SUDP Review

CDH1.3: CARE AND NURSING HOMES

HP1.3: AVOIDANCE OF LOSS OF DWELLINGS

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

H-1: Design of Residential Development

CS8: SAFEGUARDING AND IMPROVING THE ENVIRONMENT

SIE-1: Quality Places

SIE-3: Protecting, Safeguarding, and Enhancing the Environment.

CS9: TRANSPORT AND DEVELOPMENT

CS10: AN EFFECTIVE AND SUSTAINABLE TRANSPORT NETWORK

T-1: Transport and Development

T-2: Parking in Developments

T-3: Safety and Capacity on the Highway Network

Supplementary Planning Documents and Guidance

Supplementary Planning Guidance (Saved SPG's & SPD's) does not form part of the Statutory Development Plan: nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

'Transport & Highways in Residential Areas' (2006), Adopted Parking Standards (Appendix 9).

Stockport Climate Action Now (Stockport Can)

The Council declared a climate emergency in March 2019 and agreed the ambition to become carbon neutral by 2038. Subsequently, in December 2020 the Council adopted the Stockport CAN Climate Change Strategy, it sets out the initial actions that Stockport Council will take to make a difference on climate change over the next five years as it begins the journey to net- zero 2038. This document is read alongside current planning policies and is being used to inform work in developing a new local plan.

National Planning Policy Framework

A revised National Planning Policy Framework (NPPF) published by the Secretary of State for Levelling Up, Housing and Communities on 19th December 2023 replaced the previous revised/updated NPPFs. 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 is central government planning policy that should be taken into account in dealing with applications.

Planning Practice Guidance

The Planning Practice Guidance is a web-based resource which brings together planning guidance on assorted 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

None

NEIGHBOUR'S VIEWS

The owner/occupiers of neighbouring/surrounding properties have been notified. To date six representations expressing objection have been received raising the following concerns: -

- Impact on local living conditions of the residents.
- Increased noise, foot traffic, and potential emergency vehicle presence associated with a care facility are incompatible with the character of our neighbourhood.
- Parking is already a significant concern in our area, and the introduction of a residential care facility would exacerbate this problem.
- Increased traffic not only affects the residents' convenience but also poses a safety risk to pedestrians, particularly children and the elderly.
- The location of this property is not suitable for a residential care facility due to the lack of appropriate infrastructure and amenities necessary to support such a service.
- Additionally, the property's prolonged vacancy raises concerns about its current condition and suitability for housing vulnerable individuals.
- Stockport is already well-served by existing residential care facilities, and there is no demonstrated need for an additional one in our community.
- The saturation of care facilities in the area means that resources such as healthcare services, emergency response, and social support are already stretched thin. Introducing another facility could overburden these services, to the detriment of both the care home residents and the wider community.
- The property in question has been vacant for at least six months, contrary to the information provided in the application. This misrepresentation raises serious concerns about the integrity of the application process and the applicant's suitability to operate a care facility.
- The planning statement claims that the care home's activity level would be similar to a typical family home, but this overlooks the operational realities.

- Unlike family homes, care facilities require a rotating staff presence, with at least two staff members on-site, increasing daily vehicle movements and potentially causing noise disturbances during quiet hours.
- The facility will have regular visitors, such as social workers and therapists, adding to traffic and parking demands, and further increasing noise levels.
- Given the vulnerable young people in care homes, there may be situations requiring emergency services.
- This intensified use directly conflicts with Policies CS8, SIE-1, and SIE-3, which protect the character and amenity of residential areas.
- Policy CDH1.2 states that new developments in predominantly residential areas should maintain or enhance the residential character, avoiding significant increases in noise, traffic, or disturbances that could harm residents' quality of life.
- Policy CDH1.3 sets criteria for converting a dwelling into a care home. A key requirement is that care homes must not negatively impact neighbouring properties. This means the proposed care home should blend seamlessly with the surrounding residential area without disrupting the community's character.
- In family-oriented neighbourhoods, a care home could disrupt the social fabric, especially in areas with single-family homes and little commercial or institutional use. The proposal could alter community dynamics, raising concerns about increased noise, activity, and potential loss of privacy for nearby residents.
- Policy CDH1.3 requires care homes to be within reasonable walking distance of local amenities like shops, healthcare, and recreational facilities. This site lacks adequate access to such facilities, making it potentially unsuitable for a care home. This could lead to increased resident isolation or more traffic as staff and visitor's commute.
- The proposal raises serious concerns about traffic and parking, which are already pressing issues in our neighbourhood. The planning statement claims the care home will have minimal impact on local traffic and parking, but this overlooks the cumulative effects of the development.
- The care home will need a team on-site 24/7, with daily shift changes. This means at least two additional vehicles will arrive and depart each day, along with those of visiting professionals like social workers and therapists. The added traffic can lead to congestion, especially on the narrow residential roads in the area. The regular traffic from staff and professional visits could worsen conditions during peak times, particularly with shift overlaps or unforeseen circumstances.

- The property has space for only two vehicles, which may not meet the needs of staff, visitors, and service vehicles. The planned yellow lines on nearby streets will further limit on-street parking, already in high demand due to local housing density and religious facilities. The limited parking may force vehicles onto adjacent streets, worsening congestion for residents.
- The rise in traffic and parking demand poses significant safety risks to pedestrians, especially vulnerable groups like children, the elderly, and individuals with disabilities. The residential nature of the neighbourhood means many people, including schoolchildren and older residents, walk through the area daily.
- Increased traffic from vehicles unfamiliar with the area raises the risk of accidents and collisions, particularly on narrow roads and at junctions with limited visibility. Adding more vehicles, often manoeuvring in and out of tight parking spaces or accessing the care home during off-peak times, could jeopardise pedestrian safety.
- Conflict with Section 9 of the NPPF, which highlights the importance of sustainable transport and the need to avoid severe impacts on highway safety from developments. The NPPF states that development should only be prevented on transport grounds if its cumulative impacts on the road network would be severe. The proposed care home, by increasing traffic and reducing parking, risks creating such severe impacts, especially given the existing pressures on local infrastructure.
- Policies T-1, T-2, and T-3-emphasize the importance of developments that promote sustainable travel and ensure the safety and capacity of the highway network. The additional traffic from the care home, coupled with limited parking availability, contradicts these objectives by potentially hindering traffic flow and increasing road safety risks.
- Additionally, policy CDH1.3 states that car parking should comply with Policy TD1.4 and should be screened from public view with existing trees and mature plants when possible. A landscaping scheme acceptable to the Council should be implemented within one planting season to achieve this; however, this has not been done and is not feasible.
- The proposal raises serious health and safety concerns, considering the specific needs of vulnerable young individuals who would live there.
- Introducing a care facility in a residential area poses potential safety risks to the local community. Vulnerable young people, especially those with behavioural or mental health challenges, may need interventions that could disrupt the neighbourhood.

- The care home will require security and monitoring to ensure the safety of residents and the public, but there is no clear plan indicating that these measures will sufficiently address all potential risks. This uncertainty creates anxiety among residents, who may worry about their safety and that of their families due to the facility's presence.
- Section 8 Paragraph 96, B of the latest NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which: b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".
- Policies SIE-1 and SIE-3 require that developments contribute positively to the quality of life for all residents, ensuring that any potential negative impacts on health and safety are thoroughly mitigated. The current proposal doesn't provide sufficient evidence that these requirements have been met, particularly regarding the infrastructure needed to support the care facility and its integration into the community.
- The planning application does not provide clear evidence of a specific need for an additional care home in this area. Stockport Council emphasizes the importance of ensuring that new care facilities are developed with a demonstrated local need.
- Without clear evidence showing that the current facilities are insufficient or that there is a particular gap in services that this new care home would fill, the justification for adding another care facility becomes questionable.
- National and local planning policies, stress the importance of meeting community needs and avoiding unnecessary strain on local resources.
- There are already ample facilities for children with learning disabilities and difficulties in the area with the Seashell Trust offering far superior resources less than half a mile from this house. School places, healthcare services and police presence are already stretched in the area and the additional strain that a foster home will place on these will be detrimental to all residents, including those living in the facility.

CONSULTEE RESPONSES

Environmental Health Officer (Noise and Amenity): The proposal has been assessed in relation to impact upon the environmental quality of life to:

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

AE Planning Consultants, Planning Statement, 2 GREENHYTHE ROAD, HEALD GREEN, CHEADLE, SK8 3NS PROPOSED CHANGE OF USE FROM DWELLING (C3) TO A RESIDENTIAL CARE HOME (C2) TO PROVIDE ACCOMMODATION FOR A MAXIMUM OF THREE YOUNG PEOPLE.

Section 5.2, The proposed change of use from C3 to C2 would provide a home for up to 3 children aged between 6 and 17.

Section 5.2 staff would remain at the home 24 hours per day and live as a family unit with the children. Staff would change over each day at 11am which is outside busy times and when the majority of neighbours are at school or work. The staff would be supported by a manager who would call and be present at the home at various times throughout the week. The residential staff role is comparable to that of a parent or foster carer by cooking meals, assisting with schoolwork, emotional and physical support and sharing activities etc.

2 Greenhythe Road, Heald Green, is a detached residential property, located within a predominantly residential area. The proposed change of use from C3 to C2 would provide a home for up to 3 children aged between 6 and 17. Staff would remain at the home 24 hours per day and live as a family unit with the children.

To assist the planning officer, planning balance assessment of the proposals:

- There is no history of children's care/young adult facility generating noise complaints to this service. Primarily as such facilities have adequate staff supervision 24/7, to immediately resolve/ manage any issues as they arise.
- The Housing & Environment Team Manager has previously confirmed that Class C2 use, as it has an element of care, is exempt from the housing licensing regime.
- The application is a detached property. The proposed change of Use of Dwellinghouse (C3) to Class C2 residential institution, is not considered that the layout shall introduce unreasonable or excessive noise sources, not usually associated with domestic residential use.

Senior Highway Engineer: The proposed occupancy is broadly similar to that which would be expected from continued residential use as is overall level of traffic to and from the site, but I appreciate concerns expressed by objectors and requested additional information from the applicant to better judge the likely impact of the proposals. This additional information has now been provided and alterations to proposed operation put in place to reduce parking demand at staff shift changes. There is existing vehicular access onto Greenway Rd., which is to be widened, as is the parking area. Details of proposed works are to be provided and secured by condition which would be adequate for the temporary demand at changeover and would accommodate visitors at other times of the day. Permissions beyond any approval

under planning are required to undertake works on the highway. In supporting sustainable transport modes for staff secure cycle storage is provided for two cycles. Details to be conditioned. EV charge provision is also made. Details will be required. Recommendation no objection subject to conditions

Condition (Amended dropped-kerb access/s)

No work shall take place in respect to the construction of the approved access/s until a detailed drawing of the access/s, which shall include:

- 1) Details of proposals to provide 1m by 1m pedestrian visibility splays at either side of the access/s.
- 2) Details of proposals to provide a dropped kerb footway crossing/s has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied / the approved access shall not be brought into use until the access/s has/have been constructed in accordance with the approved drawing and is/are available for use. No structure, object, plant, or tree exceeding 600mm in height shall subsequently be erected or allowed to grow to a height in excess of 600mm within the pedestrian visibility splays.

Reason

In order that the site will benefit from safe and practical access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition (Servicing method statement)

A method statement detailing how the development will operate shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of times of shift/staff changes and levels of staffing. The development shall only operate in accordance with the approved method statement.

Reason

To ensure that the development is serviced in a safe manner, having regard to Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition (Parking: details to be submitted)

No work shall take place in respect to the construction of the approved driveway / extended driveway until a detailed drawing of the driveway has been submitted to and approved in writing by the Local Planning Authority. Details shall include how the driveway will be surfaced (which shall be tarmac, block paving or other non-loose

material) and drained (which must be to a soakaway / SuDS system). The approved development shall not be occupied until the driveway has been provided in accordance with the approved drawing and is available for use. The driveway shall thereafter be kept clear and remain available for parking of vehicles for the development.

Reason

To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

Condition (Electric vehicle charging point)

A charging point for the charging of electric vehicles shall be provided for the approved accommodation. Prior to its provision, details of the charging point shall be submitted to and approved in writing by the Local Planning Authority. The charging point shall thereafter be retained (unless they are replaced with an upgraded charging point in which case that should be retained).

Reason

To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 174, 186 and 112 of the National Planning Policy Framework.

Condition (Cycle parking)

No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide a long-stay cycle parking facility for the approved unit (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of one cycle) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until the cycle parking facility has been provided in accordance with the approved details. The cycle parking facility shall then be retained and shall remain available for use at all times thereafter.

Reason

To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9

'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraph 5.6, 'Cycle Parking', of the SMBC Transport and Highways in Residential Areas SPD.

Informatives

Permission for vehicle dropped crossing.

In addition to planning permission, consent will also be required from the Highway Authority (Stockport Council) for the approved / required vehicle dropped crossing and/or closure of any redundant vehicle dropped crossing. Applications for consent can be made on-line at the Council's website (<https://www.stockport.gov.uk/dropped-kerbs>) or via the Council's contact centre. Consent must be obtained prior to the commencement of any works.

Advice on the discharge of highways related planning conditions

A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's website (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

Childrens Commissioning Team: S & M Care Ltd have not contacted us previously to ask about our needs for Stockport children, nor are they on existing regional NW contract for residential providers. We do not work closely with this provider at the moment. We request that this change of use is refused on the grounds that there is already a large over-supply of children's homes within Stockport.

The GM Childrens Sufficiency Observatory <https://greatermanchester-ca.gov.uk/what-we-do/children-and-young-people/childrens-sufficiency-observatory/gm-sufficiency-analysis/> recognises that Stockport has 3.2 times the number of external children residential placements located in Stockport compared to the number of placements that we need for Stockport children. This is the largest over-supply of children's homes when compared to all other GM authorities. 90% of all available residential children's homes placements within Stockport were filled by young people who were placed by other local authorities. This impacts on services within Stockport, such as education, health and police services.

We feel that parking could create problems as during hand-over times each day, there will be double the number of staff vehicles. There could also be additional visits from

others such as social workers, education, commissioner, police, and health professionals.

ANALYSIS

At the outset it is acknowledged that the site lies within a Predominantly Residential Area' as identified on the Proposals Map of the Stockport Unitary Development Plan.

The use of the property as a children's home (Use Class C2) would result in the loss of an existing dwellinghouse (Use Class C3) and is therefore subject to assessment against the requirements of Policy HP1.3 which considers the loss of dwellings and outlines that the Council will have regard to the balance of factors including amongst others the restricted housing land supply in Stockport; whether the change of use is for some form of community facility; whether the development is small-scale and is a source of employment or service for the local residential community.

Stockport is currently in a position of housing under-supply, with 3.78 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraph 77 of the NPPF. However, it is considered that use as a children's home would retain the nature and character of a large family house, provide residential accommodation for children in need of a home and could easily be converted back to a dwellinghouse if the use as a children's home was to cease. Use as a children's home for up to 3 children is considered small-scale and could reasonably be considered a community facility and would provide economic benefits thorough generating employment opportunities. Overall, given the balance of factors the loss of a dwellinghouse to a children's home would not have a significant detrimental effect on housing supply in Stockport and accordingly would not undermine the aims and objectives of Policy HP1.3.

Policy CS8 aims to enhance residential character, ensuring new developments are sympathetic to existing environments, Policy SIE-1 emphasizes that developments should positively contribute to the area and not detract from its character and Policy SIE-3 safeguards residential amenities, preventing unacceptable levels of disturbance for residents. With respect to care homes Policy CDH1.3 confirms that such uses are appropriately located within residential areas, provided they do not adversely affect neighbouring properties or the area and the proposal: -

- (i) provides a minimum of 15m² of amenity space per resident in one continuous usable area.
- (ii) provides car parking in accordance with Policy TD1.4. Parking areas should be screened from public view by retention of existing trees and mature planting where possible. A landscaping scheme acceptable to the Council should be implemented within one planting season to screen parking areas.
- (iii) if a change of use is proposed, is in a detached dwelling or a pair of semi-detached dwellings where both are to be converted simultaneously.

(iv) in the case of care homes, is within reasonable walking distance of local facilities.

In this instance the site accommodates a 5-bedroomed detached house with a hard surfaced amenity area provided to the rear of property, of a size comfortably exceeding the required 15m² per resident. The children's home would be served by an off-road parking area to accommodate 3 car parking spaces and cycle parking within the site curtilage which is enclosed/ screened with a dwarf brick wall with railings above and softened by a well-maintained privet hedge to the front/side boundaries. The site is in a sustainable and accessible residential location within reasonable walking distance of local services and facilities within Heald Green Large Local Shopping Centre to the North, along with local primary and secondary schools. Under the circumstances provided that the use of the property as a children's care home can be accommodated without causing harm to the residential character of the area and amenities of existing residents and is acceptable in respect of other material planning considerations, use as a children's home in principle amounts to a wholly appropriate use within a predominantly residential area under the provisions of Policy CDH1.3

It is however acknowledged that in planning terms children's care homes to some degree differ from that of a typical dwellinghouse given the level of care and support required for children may result in a more intensive use with carers and staff visiting the site. The Supporting Planning Statement confirms that the property would be occupied by a maximum of 3 children aged between 6 and 17 and 2 carers/staff would remain at the home 24 hours per day and live as a family unit with the children. Staff would change over each day at 11am which is outside busy times and when many residents both children and parents/carers are at school or work. The staff would be supported by a manager who would call and be present at the home at various times throughout the week. The residential staff role is comparable to that of a parent or foster carer by cooking meals, assisting with schoolwork, emotional and physical support and sharing activities etc.

Overall, the level of activity and comings and goings, is not considered significantly dissimilar to that of a typical 5-bedroomed family house. Noise and disturbance generated from the children's is likely to be not substantially dissimilar to that associated with a typical house occupied by family and would be unlikely to have any materially greater impact on the amenities currently enjoyed by neighbouring residents, moreover, the Council's Environmental Health Officer raises no objection acknowledging the Supporting Planning Statement which outlines the nature of use and given that the property is detached does not consider that the layout would introduce unreasonable or excessive noise sources, over and above those associated with a 5-bedroomed family house. Nonetheless in the interests of safeguarding the residential amenities and quality of life of neighbouring residents a condition could be imposed to limit the scale and nature of the use of the property if considered necessary, to restrict the use as a children's home to provide accommodation for up to a maximum of 3 children and for no other purpose (including any other purpose within Class C2 of the Schedule to the Town

and Country Planning (Use Classes) Order 1987 (as amended). Notwithstanding the objections raised, the use of the property as a children's home to accommodate up to a maximum of 3 children can be suitably accommodated within the predominantly residential area whilst avoiding any undue harm to the character of the area and amenities currently enjoyed by neighbouring residents and overall the proposal is considered to comply with the provisions of policies CDH1.3, CS8, SIE-1 and SIE-3.

It is noted that objections outline concerns that the children's home would require security and monitoring to ensure the safety of residents and the public, and in the absence of a management plan this uncertainty creates anxiety among existing residents, who may worry about their safety and that of their families. In this context it is noted that paragraph 96(b) of the NPPF states that planning decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible so that crime and disorder and fear of crime do not undermine the quality of life or community cohesion. Additionally, under Section 17 of the Crime and Disorder Act 1998, the Council acting as Local Planning Authority has a duty imposed upon it to have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. Moreover, it is important to recognise that the operation and regulation of children's home is not a planning matter, and it is not the remit of the planning system to regulate the character/behaviour of resident children or how a children's home is run or managed.

The planning system is limited to the consideration of the use of land and operational development. In purely land use planning terms, it is considered appropriate to locate children's homes within predominantly residential areas and it would be clearly unreasonable to speculate on the behaviour of resident children. It is noted that management of children's homes is regulated outside of the planning system Ofsted would be the regulatory body that would investigate any management issues and children placed in care for any number of reasons and the objective of any operator should be to offer the best possible care, support, and security for children in an environment which would be consistent with 'normal' residential living conditions and the regularity of daily life. Living within a community environment and providing the children with a 'normal' and stable lifestyle is one of the reasons for accommodating children within a residential area and environment near to local amenities and facilities, as is the case in this instance and it is in the interests of the applicant/operator that they integrate with neighbours and the community rather than be a cause of any disharmony.

Policy CS9 requires development to be in areas, which are accessible, Policy T-1 states that new developments should maintain and enhance the connectivity, accessibility, convenience and safety, the policy refers to the Council's adopted parking standards, including cycle parking standards. Policy T-2 requires that developments provide car parking in line with the maximum parking standards for the proposed land use, as per the adopted parking standards. Policy T-3 notes that development, which will have an adverse impact on the safety and/or capacity of the highway network, will only be permitted if mitigation measures are provided to sufficiently address such issues.

Developments are required to be of a safe and practical design, with safe and well-designed access arrangements, internal layouts, parking, and servicing facilities.

Notwithstanding the objections raised by neighbouring residents and the Council's Children's Commissioning Team relating to traffic and parking provision the level of traffic expected to be generated by the children's home for up to a maximum of three children is not considered to realistically cause any severe impact on the operation of the local highway network. Most noticeable impact would be at staff changeover where parking demand would be greatest at the shift overlap though the applicant suggests shift changes at 11.00am to minimise impact on peak traffic in the area and when demand for parking would be expected to be relatively low. There is existing vehicular access onto Greenway Rd. and applicant suggests that space is available in curtilage for 3 vehicles which would be adequate for the temporary demand at changeover and would accommodate visitors at other times of the day. In supporting sustainable transport modes for staff secure cycle storage is provided for two cycles and electric vehicle charging facilities is also offered details of which may be secured by condition.

In terms of car parking provision and highways matters para.115 of the NPPF advises that 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. This is a high policy test, and it is not considered that the proposal would be associated with severe adverse highway impacts to justify withholding permission. Overall, the Council's Senior Highway Engineer remains satisfied with the means of access, off-street parking, and servicing arrangements subject to conditional control requiring cycle storage, electric vehicle charging provision, full details of driveway/parking surfacing in accordance with the provisions of policies MW1.5, SIE-1, SD-6, CS9, CS10, T-1, T-2, T-3 and, the Sustainable Transport SPD.

The objection raised by the Council's Children's Commissioning Team in respect of an over-supply of children's homes with Stockport having 3.2 times the number of external children residential placements compared to the number of placements that are needed for Stockport children is acknowledged. This is the largest over-supply of children's homes when compared to all other Greater Manchester authorities. 90% of all available residential children's homes placements within Stockport were filled by young people who were placed by other local authorities, which impacts on services within Stockport, such as education, health, and police services. Notwithstanding that over-supply and/or a concentration of children's homes within a particular locality could theoretically impact on the character of an area and the amenities of neighbouring residents, Stockport's Local Development Scheme does not include any policy which requires consideration of restricting the number of children's homes, and in the absence of national planning policy/guidance regarding over-supply withholding permission on such grounds of over-supply would be unreasonable.

The purpose of the planning system is to contribute to the achievement of sustainable development, which is multi-faceted, encompasses three overarching objectives - economic, social, and environmental, which are interdependent and need to be pursued

in mutually supportive ways. Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should consider local circumstances, to reflect the character, needs and opportunities of each area. Overall, when the range of considerations are weighed in the overall planning balance there are no adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal amounts to Sustainable Development in accordance with the Development Plan, where Section 38(6) requires the grant of permission subject to conditions.

RECOMMENDATION

Grant

UPDATE FOLLOWING THE MEETING OF CHEADLE AREA COMMITTEE ON 29th OCTOBER 2024

The Planning Officer introduced the application. Members asked if the Police had been consulted, and if there was a reason why not. The Planning Officer advised that the Police are usually consulted on larger schemes or those supported by a Crime Impact Statement. In this instance, the Planning Officer had not considered it necessary to seek the view of the Design for Security Team.

Members asked if there were any concerns with the shops being so close to the site and the antisocial behaviour that has been experienced at the shops. The Planning Officer advised that, due to the scale and nature of the proposed development, Officers had not raised a concern in that regard.

There were no registered speakers either in objection to, or in favour of, the proposal, however the Applicant and Agent were in attendance and available for any questions that Members had. Members asked about the care provider and its current provision, experience in the field, how long it has been in existence and its track record. The agent advised that there is no track record as such as this would be the first enterprise as a children's care home and provided some additional information around the Applicants' experience in social care and law enforcement. Members asked how the Applicant would ensure the safety of those placed in the home, and the Agent advised that the home would be always supervised by a manager with two members of staff on site, so any issues would be dealt with on site. Members noted that the Children's Commissioning Team were not consulted and asked why that was. The Agent advised that it was thought best to establish the principle of having a care home in this location, and if the planning application is successful, the applicant would then approach the Commissioners. Members noted that the Commissioning Team commented that there is no need for this additional provision and suggested that there could be an intent to bring children in from out of the area. The Agent advised that the intention would be to make provision for children on the list of the Children's Commissioner, at that point in time and as the need arises.

The Planning Officer reminded Members that only the use can be controlled through the planning process, not the operator. Whilst it is helpful to have the additional information about the operator, the planning permission would relate to the use and would not restrict who operates it. The Planning Officer also noted that there had been comments around the need for the proposed use. The Officer report notes that there is not a planning policy requirement for the applicant to demonstrate need.

Members noted their understanding that buildings in cul-de-sac roads cannot be used for Local Authority provision, and asked the Planning Officer if this is relevant as the site is in a cul-de-sac. The Planning Officer advised that this may relate to policies or requirements of other teams rather than being a planning policy requirement, so it may be a hurdle for the Applicant to overcome in registering the property, but there would not be a planning policy reason to object on that basis.

Members debated the application. Members raised concerns around the conflict between the comments of Childrens Services and the planning policy position due to not having an up-to-date Local Plan. Members commented that they would not support the application as the Childrens Commissioning Team advises that this development is not necessary and is not right for the Borough.

Members raised concerns regarding antisocial behaviour on adjacent roads and young people congregating, noting the reference within the report to Paragraph 96(b) of the NPPF.

Members also noted the recommendation for refusal from the Childrens Commissioning Team.

Members raised concerns regarding the private care market and the need for reform. Members also commented that they struggle to disregard the comments from the Childrens Commissioning Team. Concerns were raised around the track record of the provider.

Members raised concerns that society's most vulnerable people could be placed here from out of area, as the local Commissioning Team do not have a need for this service.

Members also noted that a later item of the agenda deals with parking issues in the local area.

Members resolved to refer the application to the Planning and Highways Regulation Committee with a strong request for a site visit (to focus on the shops, parking and location in a cul-de-sac), a request that the Childrens Commissioning Team is engaged, and a request that the Design for Security Team at Greater Manchester Police is consulted regarding anti-social behaviour.

Members were advised that the application may not be considered at the next meeting of the Planning and Highways Regulation Committee due to the timescales associated

with the additional consultations, and no objections were raised.

FURTHER UPDATE FOLLOWING THE MEETING OF CHEADLE AREA COMMITTEE ON 29th OCTOBER 2024

Following the receipt of a supporting statement (appended) GMP (Design for Security Team) and the Children's Commissioning Team have been re-consulted.

Whilst the Children's Commissioning Team have not provided a further representation to the one outlining concerns, GMP (Design for Security Team) have responded as follows: -

"I have reviewed the plans and supporting information submitted in support of the application and carried out a desktop study of the site using Google maps and scrutinised Stockport's Planning Portal (to gain information relating to other developments in the vicinity of the site).

It appears to me that the proposed care home has several features in its favour:

- *It will not be located in a neighbourhood where there appear to be a number of similar uses.*
- *The neighbourhood is an appropriate location for such a facility, being largely free of features that might be a risk to children, and with access to transport, education, and health services.*
- *The property is detached and in a good state of repair.*
- *An enclosed garden provides sufficient space for children to play outdoors safely.*
- *There is adequate parking on the site.*
- *There will only be three children resident at the property.*
- *There will always be at least two members of staff present.*

I am happy for the Local Planning Authority to determine the application in accordance with local policies and the National Planning Policy Framework. If minded to approve the application, I recommend the inclusion of conditions that: a) restrict the use to that of a children's residential care home and for no other use within Class C2; b) restrict the number of children resident at the property; and c) require the submission, approval and adherence to, an operations/management plan that includes, inter alia, details of staffing levels and shift patterns, and a commitment to appropriately regular, liaison with the Neighbourhood Police Team".