

# PLANNING GUIDELINES

## *Residential Care Homes and Nursing Homes for the Elderly*

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# TRAFFORD METROPOLITAN BOROUGH COUNCIL

## PLANNING GUIDELINES - RESIDENTIAL CARE HOMES AND NURSING HOMES FOR THE ELDERLY

### 1. INTRODUCTION

- 1.1 These Planning Guidelines are concerned with homes for the elderly, sometimes called care homes or rest homes. A definition of the terms is given in Section 3. The purpose of the Guidelines is to explain what will normally be acceptable or unacceptable when a planning application for such a use is being considered.
- 1.2 A number of other controls apply to such uses and reference to them is made in Section 5 below. However these Guidelines are concerned solely with town planning matters.
- 1.3 Whilst the Guidelines indicate what the Council normally regard as acceptable, they are guidelines only and every planning application will be dealt with on its merits, having regard to the Development Plan (see Section 2 below) and all other material considerations.

### 2. COUNCIL POLICY

- 2.1 Council Planning policy on homes for the elderly is set out in the Trafford Unitary Development Plan (UDP) adopted in May 1996, in particular Proposal H9 - Accommodation for Elderly Persons. In addition to Proposal H9, proposed developments will also need to take account of other Policies and Proposals in the UDP, including Proposals D1 - All New Development, D2 - Vehicle Parking, and any others which may be relevant to the particular site proposed.
- 2.2 These Guidelines act as supplementary planning guidance to the Policies and Proposals in the UDP and explain in more detail how the UDP Policies and Proposals will be applied. UDP Proposals H9, D1 and D2 and an extract from the Car Parking Standards are attached as Appendices 1 to 4 to these Guidelines.

### 3. DEFINITION OF TERMS

- 3.1 It is important to establish at the outset that these guidelines are concerned only with private residential care homes and nursing homes for the elderly.
- 3.2 Residential care homes require registration with the Local Authority under the Registered Homes Act 1984. Under that Act registration is required in respect of any establishment "which provides or is intended to provide, whether for reward or not, residential accommodation with both board and personal care for persons in need of personal care by reason of old age" (or other disabilities). This type of accommodation is frequently referred to as 'rest homes' or simply as 'residential homes' although other variations also occur.

- 3.3. Nursing homes, where the primary purposes is the provision of nursing for persons suffering from any sickness, injury or infirmity (albeit many patients are often elderly infirm), must be registered with the Health Authority. In order to obtain registration as a nursing home, either the person registered or the person in charge must be a registered general nurse. This is an essential distinction between a care home and a nursing home. Another distinction is that patients in an elderly persons nursing home are more likely to be bed ridden than residents in a rest home.
- 3.4 It should also be noted that both care homes and nursing homes may be provided for other than elderly persons, but these Guidelines are concerned with those homes in both categories which are intended to accommodate the elderly, although broadly similar considerations would also apply in the case of care homes for other persons, e.g. those with mental health problems.
- 3.5 Hospitals providing geriatric ward care are not covered by these Guidelines. Also excluded are dwellings designed for occupation by the elderly. Such accommodation is provided by both the private and the public sectors in the form of flats, sometimes by conversion, but more frequently by new-build; an on-call warden system and a communal lounge are often provided. This type of accommodation is often called "sheltered housing". Such accommodation does not require registration.

#### 4. OTHER CONTROLS

- 4.1 Residential care homes need to be registered with the Council, as required by the Registered Homes Act 1984. Registration is completely separate from the need for planning permission or the handling of any planning application. However, since it is inappropriate to use planning legislation to deal with matters which the legislation clearly intends should be dealt with by other means such as registration, a brief outline of topics covered by the registration process is given below. A booklet advising in detail on minimum registration requirements in Trafford is available from the Inspection and Quality Assurance Unit of the Social Services Directorate of the Council.
- 4.2 Some of the main aspects covered by the registration process are as follows:
- suitability of the owner/manager;
  - suitability of the building, including:
    - fire safety aspects;
    - environmental health aspects;
    - situation.
  - acceptability of services and facilities, including:
    - room sizes;
    - facilities provided e.g. toilets, bathrooms, furniture, lounge and dining room space, lifts, room temperatures, etc.;
    - number of residents;
    - competence of staff;
    - conduct of home;
    - sitting out area;
    - records.

4.3 Building Regulations approval is also likely to be required. For homes formed by building conversion this is mainly concerned with:

- fire resistance and means of escape;
- structural safety.

Other issues may be relevant to particular developments.

4.4 The division of responsibilities for the control of private nursing homes is similar to that for private care homes except that it is the Health Authority which registers nursing homes. Nursing homes are not of course exclusively for elderly persons, although many of those proposed are expressed to be for this purpose. Broadly similar considerations apply at the various stages, i.e. Planning, Building Regulations, Registration as set out above for care homes. In respect of registration requirements, a copy of guidelines issued by Salford/Trafford Health Authority setting out the standard required for registration is available from the Health Authority.

4.5 It is also possible for premises to be dually registered with the Health Authority as a nursing home and with Trafford Borough Council as a care home. A note entitled Dual Registration, which also contains useful guidance about deciding the level of care which a person requires, is available from the Health Authority.

## 5. THE NEED FOR PLANNING PERMISSION

5.1 Elderly persons residential care homes and nursing homes normally fall within Use Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, which is as follows:

"Class C2. Residential institutions

Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses).

Use as a hospital or nursing home.

Use as a residential school, college or training centre."

Unless the premises concerned already has a use within Class C2, use of existing premises as a care home or nursing home will need planning permission as a material change of use.

5.2 If the permitted use of the premises already falls within Class C2, a planning application will not be necessary to change the use to a care home or nursing home unless the normal freedom to do this has been withdrawn by a condition on the planning permission for the existing use. For instance on some occasions in Trafford it has been decided when granting planning permission for care homes or nursing homes to withdraw this right to change from one use to the other. This is done in order to retain control of future changes of use, primarily because otherwise the home could be used as a hospital or as a residential school, college or training centre, which are also within the same Use Class, without requiring a further planning permission and it is considered that these uses, because of traffic generation and parking demand, would not in those cases be acceptable in the same locations as a care home or a nursing home.

5.3 Change of use from a single dwellinghouse to a dwellinghouse used by not more than 6 residents living together as a single household (including a household where care is provided for residents) comes within Class C3 of the Use Classes Order and no planning application is needed.

5.4 Planning permission is likely to be needed for any physical works involved, e.g.

- a new building or a building extension;
- alterations to the external appearance of the building;
- alterations to drives or parking areas;
- alterations to a vehicular access to the highway.

5.5 Planning permission may also be needed if there are changes to an existing home if this would be contrary to a condition on the existing planning permission. For instance if there was a condition on the permission setting a limit on the total number of bedspaces, then planning permission would be needed for the number of bedspaces to exceed that limit.

## 6 GUIDELINES

- (i) The preferred type of building for conversion will be a detached property, or a pair of semi detached properties, with space on all sides. The conversion of a terraced house or one of a pair of semi-detached houses or a detached property closely abutting or linked to its neighbours will normally be considered unsuitable.

Explanation: Care homes are likely to involve an intensification of activity, both inside and outside the building, compared with use as a dwelling. The number of occupants is likely to be considerably higher and there will be the comings and goings of the care staff, visitors and deliveries. This is likely to be unduly disturbing especially if the property shares a party wall with the neighbouring property, or if because of lack of space around the building activity has to take place close to the boundaries. Space around the building is also likely to be needed for extra parking (see Section 6(vi)).

Smaller properties may be acceptable as care homes as exceptions to this Guideline if the number of residents is particularly small. However, this seems less likely with elderly persons care homes than with other types of care home.

- (ii) The general layout of the site must be such that the activity associated with a care home or a nursing home does not cause undue noise nuisance to neighbouring residents.

Explanation: If the vehicular usage of the site is significantly increased this could cause disturbance to neighbouring dwellings unless the access, parking and manoeuvring areas are appropriately sited.

- (iii) The proportion of houses within 200m in the same residential road on both sides which have been converted to institutional or commercial uses should not exceed 20%.

Explanation: Uses such as elderly persons homes, guest houses, day nurseries, etc. are commonly found in converted houses in residential areas. Whilst they may be acceptable individually (in appropriate cases), adverse effects on the area can arise if too many such uses are concentrated in one residential road.

These uses are likely to be managed by people whose priorities are not always the same as those of private householders and who are frequently not residents themselves. This is usually reflected in such characteristics as advertising boards, a high proportion of hard surfacing, a utilitarian approach to choice of such things as paint colours, garden layout and boundary treatment, commercial types of refuse bins and additions such as fire escapes or extensions in a form which would be unlikely to occur on a private house. Traffic to and from such places is likely to be mainly by people who do not live there. Noise from individual TV's, at a volume suitable for the hard of hearing, is also a cause of complaint, especially in the summer.

These effects are not always particularly noticeable and some of them occur in houses and flats as well. Nevertheless where a number of institutional uses are concentrated in one road this can affect the character of the area. If there are too many such uses, the road can take on the character of a place which is used rather than one where people live.

An appropriate limit needs to be high enough for the potential effects to be material, but low enough to safeguard essential character. A figure of 20% of the properties in any road length (taking both sides of the road together) is considered to strike this balance. Above this figure it is likely that half or more properties would be next to or opposite an institutional use and such uses would become a noticeable proportion in the road. The appropriate length for consideration is the entire road if it is a short one, or a 400m length if it is a long one.

There are many roads in Trafford where there are properties of a type which lend themselves to conversion and the imposition of a limit as set out above still leaves considerable areas of opportunity.

- (iv) The site must be capable of providing a landscaped private garden area plus landscaping to the vehicular access and parking areas, sufficient to remain in character with the area.

Explanation: The issue of the adequacy of the amount of garden space for the needs of the residents is a matter for the registration process. However the overall appearance of the property and whether it is in character with the area are matters of planning concern. Most care homes are situated in residential areas and such areas will normally be characterised by a certain level of garden area and proportions of planted area to building area. Proposed care homes will need to respect these characteristics including after any proposed building extensions or additions to parking and turning areas have been taken into account.

- (v) It must be possible to provide safe, adequate and convenient access and egress into and from the site, in a way which does not impair the character of the area, for all types of vehicle likely to visit the site.

Explanation: Care homes created by a building conversion will normally involve more frequent use by vehicles, such as for staff, visitors and deliveries. Consequently the adequacy of the vehicular access is an issue that will be considered on any planning application. The detailed requirements will depend on the type of road, the size of the home and its situation. For the larger homes a 4.5m width of access with 4.5m kerb radii will normally be required, together with adequate sight lines.

- (vi) The site must be capable of accommodating, separate from the landscaped private garden area, space for cars in accordance with the standards for the time being adopted by the Council, together with space for ambulances and delivery vehicles and sufficient turning space to enable all vehicles to enter and leave the site in a forward gear.

Explanation: This is to avoid problems of highway safety and convenience and loss of amenity which would be caused by on-street parking and manoeuvring. The need for adequate off-street space for vehicles is set out in the Trafford Unitary Development Plan Proposal D2 - Vehicle Parking (see Appendix 3), and the Council's Car Parking Standards are set out in Appendix J of the UDP; the relevant extract from the Standards is attached as Appendix 4 to these Guidelines. Any sizeable parking area will normally need to be well screened by planting particularly if it is in front of the building line. Hard surfacing should preferably allow some planted areas to be retained adjoining the building.

- (vii) The design of any new building, extension or alterations will be expected to be in character with and complementary to existing neighbouring development and/or the existing building.

Explanation: This is in line with Unitary Development Plan Proposal D1 - All New Development and is required to safeguard the amenities of the area. As well as the larger building works, features such as access ramps for the disabled and fire escapes can have a significant visual impact. Information on the need for these should be provided with any conversion application.

Joining different properties to form one large unit can result in development which is out of character with its surroundings. It is normally preferable to make any such building links unobtrusive. There will be particular problems if the buildings to be linked are of different designs. Uninterrupted hard surfaced areas linking the properties at the front are also best avoided.

Special attention will be given to development in Conservation Areas where it is essential that all proposals preserve or enhance the character of the Conservation Area.

- (viii) All fenestration must be so designed so that it ensures adequate privacy for the occupants and for neighbouring residents.

Explanation: Adequate privacy is required, in accordance with Unitary Development Plan Proposal D1 - All New Development. This will mean adequate distances, or effective screening, between care home windows and windows of any nearby properties and their private garden areas. Conversions of buildings may involve changes in the use of different rooms, or intensification of their use, and the effect of this on privacy will need to be assessed.

Use of obscured glazing may be effective for bathrooms and ancillary windows but not for the main windows of bedrooms or living rooms, as these residents need an outlook. Screening by vegetation will rarely in itself be effective, especially if deciduous, as deciduous planting only gives partial screening for part of the year and it does not reduce sound transmission.

- (ix) **Proposals should take account of the needs of crime prevention in their design and detailing.**

Explanation: This is in line with Unitary Development Plan Proposal D1(x). Police Crime Prevention Officers are able to give free advice in relation to this issue including effects of matters such as lighting, landscaping, surveillance and visibility, and any other security needs.

## 7 CONDITIONS

Imposing conditions on a planning permission can enable a development to proceed where it would otherwise be necessary to refuse planning permission. The following conditions are among those which may sometimes be appropriate for care homes:-

- a restriction on future changes of use within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (see Section 5 above); care homes and nursing homes will often be in residential surroundings where other Class C2 uses such as a hospital would not be acceptable because of their higher levels of activity and traffic generation;
- an upper limit on the number of bedspaces to be provided within the premises; many care homes and nursing homes have limited space for car parking and an increase in the number of bedspaces could result in the parking space becoming inadequate; there may also be a limit on the number of residents as part of the registration procedure; this may be a different figure as it will be based on different considerations; the home will need to comply with both figures (i.e. whichever is the lower);
- a condition to ensure that the proposed provision for vehicles is carried out and retained thereafter;
- a condition regarding retention of trees and/or provision of new planting and landscaping.



## 8 CONTACTS FOR ADVICE

Contacts for advice are as follows:

- **Planning:**

Development Control - Tel: 0161 912 3149  
Email: [development.control@trafford.gov.uk](mailto:development.control@trafford.gov.uk)

- **Building Control:**

Building Control - Tel: 0161 912 3015/5870/5871  
Email: [building.control@trafford.gov.uk](mailto:building.control@trafford.gov.uk)

Trafford Direct - All Departments - Tel: 0161 912 2000  
Email: [trafford.direct@trafford.gov.uk](mailto:trafford.direct@trafford.gov.uk)

EXTRACT FROM TRAFFORD METROPOLITAN BOROUGH COUNCIL'S  
UNITARY DEVELOPMENT PLAN (ADOPTED MAY 1996)

**H9 ACCOMMODATION FOR ELDERLY PERSONS**

Within the built up area the Council will normally grant planning permission to convert property to residential care homes and nursing homes for the elderly only where they are satisfied that:-

(i) the site and property in question is of sufficient size to accommodate adequately the proposed use and all necessary ancillary facilities for prospective residents and can comply with the relevant provisions of Proposals D1 and D3 and where appropriate Proposals ENV27, ENV28, and ENV24;

(ii) the concentration of similar uses in the immediate locality has not reached an unacceptable level.

**Justification**

As a general principle the Council wishes to encourage all types of accommodation for the elderly in locations that allow them to maintain easily their links with the rest of the community and the services that they require.

In recent years the number of residential care homes and nursing homes for the elderly has considerably expanded. They can make a considerable impact on surrounding residential property if their development is not properly planned..

The Council has produced Planning Guidelines for Residential Care Homes and Nursing Homes for the Elderly to give further guidance to prospective developers of this type of accommodation.

EXTRACT FROM TRAFFORD METROPOLITAN BOROUGH COUNCIL'S  
UNITARY DEVELOPMENT PLAN (ADOPTED MAY 1996)

**D1. ALL NEW DEVELOPMENT**

The Council will seek to ensure that all new developments are of a high standard of design and layout and will normally grant planning permission for development proposals that do not conflict with other Policies or Proposals of this Plan, and:-

- (i) are compatible with the character of the surrounding area and do not prejudice the amenity of the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour or in any other way;
- (ii) do not suffer themselves from a poor level of amenity due to the nature of existing surrounding land uses;
- (iii) do not adversely affect the street scene by reason of scale, height, layout, elevational treatment or materials used;
- (iv) where appropriate, provide good quality hard and soft landscaping as an integral part of the development scheme, and retain existing landscape features such as trees;
- (v) do not generate so much traffic as to prejudice the free and safe movement of traffic on surrounding roads, or have an adverse effect on neighbouring uses;
- (vi) incorporate vehicular access and egress which is satisfactorily located and laid out having regard to the need for highway safety and the amount of traffic likely to be generated by the proposed development;
- (vii) provide sufficient off street car parking, manoeuvring and operational space;
- (viii) provide, where appropriate, for the needs of public transport and cyclists;
- (ix) where appropriate (in workplaces and buildings to which the public has access), provide suitable access for people with disabilities;
- (x) take account of the needs of crime prevention in their design and detailing;
- (xi) are (a) served by satisfactory arrangements for the proposal of foul sewage effluent into a system with sufficient capacity to deal with the likely level of discharge, and (b) do not give rise to substantial changes in the quantity and/or quality of surface water run-off without incorporating appropriate measures for dealing with such changes.

**Justification**

The Council wishes to ensure that the Borough's environment is protected and, where possible, improved and that also, where possible, all new development enhances the character of the area in which it is located.

The attractiveness of any development depends greatly on the appearance of the surrounding space. Good landscape schemes are therefore important for all new development. Existing valuable landscape features, such as walls and trees, should normally be retained as part of any proposed landscaping scheme.

Inadequate access/egress, vehicle manoeuvring and parking space provision can adversely affect the quality and attractiveness of a development and the amenities and environment of surrounding areas, and the safety and convenience of other highway users. Proper provision for vehicles requiring access to all new development sites is therefore desirable.

EXTRACT FROM TRAFFORD METROPOLITAN BOROUGH COUNCIL'S  
UNITARY DEVELOPMENT PLAN (ADOPTED MAY 1996)

**D2. VEHICLE PARKING**

All new development should provide sufficient off street space to accommodate all vehicles likely to be attracted to or generated by a proposed development, having regard to the type and scale of development and its location. The area(s) provided should:-

- (i) be within or conveniently close to the development site;
- (ii) be laid out in such a way that each parking space is capable of functioning without interference with the use of any other space.
- (iii) have sufficient manoeuvring and standing space for the maximum number and size of vehicles likely to be required at any one time for the operational needs of the development, including space for delivering and collection of goods and/or the picking up or setting down of passengers, where applicable;
- (iv) allow for all vehicles to enter and leave the site safely in a forward gear;
- (v) where appropriate, make adequate provision for people with disabilities;
- (vi) have regard in their layout and design to the safety and security of users;
- (vii) be adequately landscaped.

The vehicle parking standards of the Council are contained in Appendix J. The Council will be flexible in applying these standards in the following circumstances:-

- (i) where a reduction in provision is necessary to allow other important planning objectives to be achieved.
- (ii) where there are several uses in one development which are not likely to have their maximum parking demand simultaneously;
- (iii) where, in the case of changes of use and alterations, an existing parking deficiency cannot be wholly rectified but is greatly improved;
- (iv) where the likely on-street parking resulting from a reduced parking provision would occur only infrequently or for a short time and would not unduly affect amenity or highway safety or convenience;
- (v) where the development is likely to be occupied or used by persons with a lower than average car ownership and where the situation is likely to continue for the life of the building;

(vi) where an existing or comparable use or development has demonstrated that less than the full parking standard is adequate and where this situation is likely to continue for the life of the development;

(vii) where the development, within a town centre, is of a minor nature and:-

- the parking deficiency is small;
- no essential parking space is removed by the development;
- no additional parking could be provided within or adjoining the site of the development;
- the location of the site is more convenient relative to public car parking than to residential streets which might be adversely affected.

### **Justification**

Whilst the Council accepts that the full manoeuvring and servicing requirement may not always be appropriate for small developments such as a single dwelling house, adequate off street vehicle parking and operational space is normally necessary to minimise the dangers to public and highway safety and the loss of amenity and convenience that can be caused by on street parking manoeuvring or servicing.

The Car Parking Standards set out in Appendix J give guidance to developers on the amount of parking that will normally be expected for different types of development. The Proposal indicates that the car parking standards will be applied flexibly in appropriate cases.

The car parking standards have already been reviewed in the light of Planning Policy Guidance Note PPG13 - Transport but a further comprehensive review is to be undertaken to consider whether any further amendments should be made to meet the aims of the Planning Policy Guidance Note and incorporated into the UDP by way of interim amendment or at First Review.

EXTRACT FROM TRAFFORD METROPOLITAN BOROUGH COUNCIL'S  
UNITARY DEVELOPMENT PLAN (ADOPTED MAY 1996)

APPENDIX J - CAR PARKING STANDARDS (EXTRACT)

- 9.1 l) **Homes for persons unlikely to be able to drive a car**  
including children's homes, homes for the mentally handicapped, and care homes and nursing homes for elderly persons

Resident staff: 1 space per residential unit

Non-resident staff: 1 space per two staff on duty at the busiest time

Visitors: 1 space for every four beds



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