

Full Planning Application

For the conversion of an existing restaurant to a Children's Day Nursery and Education Centre, including the creation of outdoor play areas and changes to the parking arrangements.

The Bird at Birtle, 239 Bury And Rochdale Old Rd, Heywood OL10 4BQ.

1.0 Introduction and Purpose of the Application

1.1

This Planning Statement and Design & Access Statement is submitted in support of a full planning application for the change of use of The Bird at Birtle, 239 Bury and Rochdale Old Road, Heywood, OL10 4BQ, from a restaurant (Use Class E(b)) to a mixed-use Children's Day Nursery and Education Centre (Use Classes E(f) and F1(a)), together with external alterations to form outdoor play areas and the reconfiguration of car parking.

1.2

The applicant, Heaton Park View Nursery Limited, is an Ofsted Outstanding childcare provider with an established track record of delivering high-quality early years care and educational enrichment. The proposed development will allow the building to operate as a day nursery for children aged 0–5 alongside ancillary educational provision and wraparound childcare for children up to 11 years old, including before- and after-school sessions and school holiday programmes. These activities fall within Use Class E(f) (day nursery) and Use Class F1(a) (education), and are combined in a unified, integrated facility.

1.3

A parallel application for a Lawful Development Certificate (Proposed Use) has been submitted to establish the lawful use of the premises as a children's nursery within Class E(f), enabling immediate occupation of the building. This full application seeks permission for the external operational development and the introduction of educational activities, providing long-term operational flexibility and enhanced community benefit.

Storah Architecture Ltd
Chartered Architects : Historic Building Consultants

46 Halifax Road
Todmorden
OL14 5QG
T 01706 813214
mail@storah.com
www.storah.com

Directors:
J. David Storah Arch. Tech. Cert.
Richard A. Storah Dip. Arch. MA Cons. RIBA AABC SCA IHBC



Company Registered in
England. No: 9547619

1.4

The proposed development will bring a vacant and increasingly vulnerable property back into beneficial use. The former restaurant use generated late-night activity, traffic, and general disturbance. In contrast, the proposed mixed Class E(f) and F1(a) use will operate solely during daytime hours, Monday to Friday, delivering a significantly lower impact on local residential amenity.

1.5

The application includes:

- Formation of outdoor play areas required to meet Ofsted Early Years Foundation Stage (EYFS) standards;
- Installation of safeguarding boundary treatments;
- Introduction of soft landscaping and play surfacing; and
- Reconfiguration of the existing car park to provide 15 parking spaces with dedicated drop-off/pick-up bays.

1.6

The proposal will provide critical community infrastructure, meeting evidenced local demand for childcare and educational support services arising from Government expansion of funded childcare and wraparound care entitlements. The development will create local employment, support working families, and contribute positively to local economic and social objectives.

2.0 Site and Surroundings

2.1

The application site comprises a substantial two-storey detached building and associated car park, located at The Bird at Birtle, 239 Bury and Rochdale Old Road, Heywood, OL10 4BQ. The building occupies a prominent position along the B6222, a main commuter route between Rochdale and Bury, and is set within a generous commercial curtilage, including hardstanding previously used for customer parking.

2.2

The site lies within a semi-rural setting characterised by a mix of residential properties, farmland, and dispersed commercial premises. The building is not listed, is not located within a conservation area, and is free from any restrictive designations, including Article 4 Directions.

2.3

The premises were last lawfully used as a restaurant falling under Use Class E(b). Following the cessation of trading, the building has remained vacant. During this period of inactivity, the site has been subject to incidents of anti-social behaviour, including damage to windows and external walls. The current vacancy poses an increasing risk to the condition of the building, its visual contribution to the area, and local amenity.

2.4

The proposed reuse as a Children's Day Nursery and Education Centre will secure the building's future, prevent further deterioration, and provide an immediate positive presence on the site. Reoccupation will mitigate anti-social behaviour, improve security, and ensure the site is actively monitored and maintained.

2.5

Vehicular access is taken from the existing entrance on Bury and Rochdale Old Road. The current car park extends around the building and is proposed to be partially reconfigured to provide a secure outdoor play area. This will be located away from the public highway and screened from view, ensuring no perceptible change to the street scene.

2.6

The site benefits from strong public transport links, with bus stops located close to the entrance, providing regular services to Rochdale, Bury and the surrounding residential areas. The location is therefore highly sustainable and ideally suited to the provision of a Children's Day Nursery and Education Centre serving the needs of families and working parents.

2.7

The surrounding residential properties are positioned at a sufficient distance such that the proposed external play space will not result in visual intrusion or loss of privacy. Use of the external areas will be managed during standard daytime hours only, representing a significant reduction in impact compared to the historic evening and late-night use of the premises as a restaurant

3.0 Existing Use and Planning History

3.1

The application site has an established and long-standing commercial use. It most recently operated as The Bird at Birtle, a high-capacity destination restaurant under the ownership of the Nutter family. Planning permission ref. 15/00158/FUL, granted by Rochdale Metropolitan Borough Council, authorised the alteration and extension of the premises to form a bar and restaurant. This use was fully implemented and actively operated until the business ceased trading.

3.2

Following the 2020 amendments to the Town and Country Planning (Use Classes) Order 1987, the former A3/A4 use now falls within Use Class E(b). The current lawful use of the building is therefore established as Use Class E(b), with associated permitted development rights allowing change of use to other uses within Class E, including Class E(f) (day nursery).

3.3

A parallel application has been submitted for a Lawful Development Certificate (Proposed Use) to confirm that the change of use from Class E(b) to Class E(f) is permitted development under Schedule 2, Part 3, Class E of the General Permitted Development Order (GPDO) 2015 (as amended). The purpose of the LDC is to enable the lawful use of

the building as a day nursery without delay, thereby bringing the building back into beneficial use.

3.4

This full planning application seeks to extend the lawful use established under Class E(f) to include ancillary educational provision under Use Class F1(a). This will allow the applicant to offer structured learning, enrichment programmes and wraparound childcare for children aged 5–11, in addition to early years provision for children aged 0–5.

3.5

The application also seeks permission for external alterations to form outdoor play areas and the reconfiguration of the car parking layout. These works are necessary to meet Ofsted Early Years Foundation Stage (EYFS) outdoor space standards and to facilitate the dual nursery and education centre operation. No external changes are proposed to the building itself.

3.6

Since becoming vacant, the site has experienced increasing levels of anti-social behaviour, including vandalism to windows and graffiti on external walls. The prompt reoccupation of the premises is therefore in the public interest, both in terms of preserving the building and improving local amenity.

3.7

The proposed mixed-use development will deliver a significant reduction in traffic generation, noise and disturbance compared to the existing lawful fallback use as a restaurant, which historically operated late into the evening and at weekends. The development represents a sustainable, community-focused re-use of the site, aligned with both national planning policy and local service needs.

4.0 Proposed Development

4.1

This application seeks full planning permission for the change of use of the premises from a restaurant (Use Class E(b)) to a mixed-use Children's Day Nursery and Education Centre (Use Classes E(f) and F1(a)), together with external alterations to provide outdoor play space and the reconfiguration of existing parking arrangements.

Use Classes and Operational Model

4.2

The proposed use falls under two complementary planning use classes:

- Use Class E(f): Provision of day nursery facilities for the care of children aged 0–5, with extended wraparound childcare for children up to 11 years old, including breakfast clubs, after-school clubs and holiday childcare.
- Use Class F1(a): Provision of education, allowing structured learning, enrichment, and intervention programmes for children of primary school age. This educational function is

ancillary to the core childcare use and will be delivered in small groups as part of a regulated programme of child development and support.

4.3

The proposed facility will therefore operate as an integrated childcare and learning centre, offering a seamless and flexible service to meet the needs of working parents, children in early years education, and those accessing structured learning during school holidays or wraparound sessions. No formal school use is proposed, and the building will not operate as a registered school under Class F1(b).

Operational Details

4.4

The maximum number of children on site at any one time will be 80, managed in accordance with Ofsted ratios. The age range will be 0–11, with early years care forming the primary use and educational activities forming a secondary, complementary element.

4.5

The facility will be staffed by approximately 12–15 employees, including nursery practitioners, early years teachers, and qualified education support staff. All operations will be fully Ofsted registered and compliant with the Early Years Foundation Stage (EYFS) framework.

4.6

Opening hours will be 07:30 to 18:30, Monday to Friday only. There will be no evening or weekend use, representing a significant reduction in intensity compared to the historic restaurant use.

External Works

4.7

The proposed development includes the formation of an outdoor play and learning area within the existing curtilage of the site, achieved by reconfiguring the current car parking provision. The play area is required to meet statutory Ofsted and EYFS requirements and will be used for both nursery and educational purposes.

4.8

The outdoor space will include:

- Soft play surfacing and artificial grass
- Temporary and moveable play and learning equipment (no fixed structures)
- A 1.8m high painted timber fence to provide safeguarding and separation from the parking area

4.9

The proposed reconfiguration reduces parking provision from 27 spaces to 15 spaces. This level of provision is appropriate given the staggered nature of drop-off and collection

times, the daytime-only operation, and the significantly lower parking demand compared to the restaurant fallback use. Dedicated short-stay drop-off bays will be provided at the front of the building, including an accessible parking space.

Building and Street Scene

4.10

No external changes are proposed to the building itself. The existing elevations, materials, and architectural character will remain unchanged. All alterations are limited to areas within the established curtilage, located away from the public highway. The proposal will have no perceptible impact on the street scene.

5.0 Design, Access and Sustainability Considerations

Design Principles

5.1

The proposal has been designed to sensitively introduce a mixed-use children's day nursery and education centre while retaining the existing building's architectural character. No changes are proposed to the external appearance or materials of the building, and the street-facing elevations will remain entirely unaltered.

Outdoor Play and Learning Areas

5.2

The proposed external play area is required to meet statutory Ofsted and Early Years Foundation Stage (EYFS) standards for outdoor learning and child development. The space will be located within the existing curtilage, screened from public view, and surfaced using a combination of soft surfacing and artificial grass to provide a safe and stimulating environment.

5.3

All play equipment will be temporary and moveable, ensuring flexibility and minimising visual and environmental impact. The area will be enclosed with a 1.8m high painted timber fence, providing secure safeguarding while complementing the natural character of the site.

Parking and Movement

5.4

Vehicular access will continue to be taken from the existing entrance on Bury and Rochdale Old Road. The car park will be reconfigured to provide 15 parking spaces, including dedicated short-stay drop-off/pick-up bays and one accessible parking space. Drop-off and collection times will be staggered throughout the day, ensuring efficient circulation and preventing congestion on the local road network.

Pedestrian Access and Inclusivity

5.5

The building benefits from level access, ensuring full compliance with Part M of the Building Regulations. The proposed use is inclusive and accessible to all users, including those with mobility needs, in line with national and local policy objectives promoting equality of access.

Security and Safeguarding

5.6

The development has been designed to meet the highest safeguarding standards required by Ofsted. All outdoor areas will be fully enclosed and supervised, with controlled access for children and staff only. Reoccupation of the site will also prevent further vandalism and anti-social behaviour associated with vacancy, improving local security and amenity.

Sustainability and Environmental Enhancements

5.7

The proposal represents a highly sustainable form of development, delivering substantial environmental benefits through the retention and adaptive reuse of an existing building, rather than demolition or redevelopment. This approach conserves embodied carbon and aligns with the sustainability objectives of the National Planning Policy Framework.

5.8

The reconfiguration of the car park to form outdoor play areas introduces soft landscaping and permeable surfaces, enhancing biodiversity and reducing surface water run-off. The development will incorporate natural play elements and planting wherever possible to promote environmental education and improve the ecological value of the site.

5.9

The location of the site on a strategic commuter route, combined with public transport accessibility, supports sustainable travel patterns and reduces the need for longer journeys to alternative childcare and education facilities.

6.0 Highways, Access and Parking Impact

Existing Lawful Position

6.1

The premises benefit from an established lawful use as a restaurant (Use Class E(b)), which could operate seven days a week, including late evenings and weekends, attracting significant vehicular movements and high levels of parking demand from customers, deliveries and taxi collections.

6.2

The existing lawful fallback use has the potential to generate substantial peaks in traffic, particularly during evenings and weekends, with customer dwell times of one to three hours. In contrast, the proposed nursery and education use will generate significantly lower traffic volumes, restricted to weekday daytime hours only.

Proposed Parking Provision

6.3

The proposed development reduces on-site parking from 27 to 15 spaces to allow for the formation of outdoor play and learning areas. This level of provision is appropriate for the proposed use due to the following operational characteristics:

- Staggered drop-off and pick-up times, resulting in a dispersed pattern of vehicle arrivals and departures
- Short dwell times (typically 5–10 minutes per drop-off)
- No evening or weekend operation
- Lower vehicle occupancy compared to restaurant use

6.4

Dedicated short-stay drop-off/pick-up bays will be located directly in front of the building, including one accessible parking bay. Staff parking will be accommodated within the remaining spaces.

Traffic Generation and Impact

6.5

Trip generation associated with the proposed use will be lower than the fallback use due to:

- Reduced hours of operation (weekday daytime only vs seven days including late evenings)
- Fewer vehicle movements overall
- Removal of taxi and delivery movements associated with restaurant use
- Elimination of peak evening traffic periods

6.6

A children's day nursery and education facility naturally disperses traffic due to staggered attendance patterns. This contrasts with the concentrated peak demand patterns of restaurant use, where arrivals typically occur within short periods.

Access and Highway Safety

6.7

Vehicular access will continue to be taken from the existing established entrance on Bury and Rochdale Old Road. No alterations are proposed to the access arrangement. Visibility is excellent in both directions, and vehicle speeds are moderated by the existing road layout.

6.8

There will be no overspill parking onto the public highway, as all parking and drop-off activity will be contained within the site. The operational model ensures that vehicle movements are controlled, predictable, and easily accommodated within the existing access and parking layout.

Comparison to Existing Lawful Fallback

Impact Category	Existing Restaurant (Lawful Use)	Proposed Nursery + Education Use	Result
Days of operation	7 days, including weekends	5 days, Mon–Fri only	Reduced impact
Operating hours	10:00 – 01:00 (late evening/night)	07:30 – 18:30 (daytime only)	Reduced impact
Traffic pattern	Concentrated peaks, long dwell times	Staggered arrivals, short dwell times	Reduced impact
Parking demand	High, sustained occupation	Lower, short-term movements	Reduced impact
Noise/activity	Evening disturbance likely	Limited to daytime child activity	Reduced impact

6.9

Accordingly, the proposed development represents a significant improvement in terms of highway safety, traffic generation and parking demand when compared with the existing lawful fallback position. The proposal fully complies with relevant local and national transport policies.

6.10

National travel behaviour statistics published by the Department for Transport (DfT) and the Department for Education (DfE) confirm that the majority of journeys associated with childcare settings are linked to existing commuter trips, rather than new or standalone car journeys. Parents typically drop children off on their route to work, resulting in no net increase in peak highway traffic. Dwell times are short (usually under 10 minutes), and visits are staggered throughout the morning and afternoon. As such, nurseries generate fewer total trips and significantly less concentrated parking demand than restaurant uses, which attract single-purpose journeys with prolonged dwell times and peak evening arrivals.

7.0 Residential Amenity and Noise Management

7.1

The existing lawful use of the premises as a restaurant (Class E(b)) permitted operation late into the evening and at weekends, generating significant levels of vehicular activity, customer noise, alcohol-related disturbance, and associated impacts on residential amenity. In contrast, the proposed mixed-use Children's Day Nursery and Education

Centre (Use Classes E(f) and F1(a)) will operate on a weekday daytime-only basis, with no evening or weekend activity, resulting in a substantial overall reduction in impact on surrounding occupants.

Outdoor Activity and Safeguarding Controls

7.2

Outdoor play and learning activities are an essential part of early years development and are required to meet Ofsted and EYFS statutory standards. However, such activities will be strictly limited to daytime hours and undertaken under continuous staff supervision.

7.3

The applicant is willing to accept a planning condition limiting the use of the outdoor play areas to 09:00–17:00, Monday to Friday only, ensuring that no activity occurs during sensitive morning, evening, or weekend periods.

7.4

Play equipment will be temporary and moveable, minimising noise from fixed installations and reducing the duration and intensity of use within any one zone.

Comparison of Noise and Amenity Impacts

Impact Category	Restaurant Use (Existing Lawful Use)	Proposed Mixed Nursery & Education Use	Overall Change
Operating hours	Until 01:00, including weekends	07:30–18:30, weekdays only	Significant reduction
Noise source	Customer activity, alcohol consumption, music	Children's play in daytime only, fully supervised	Significant reduction
Vehicle arrivals	Concentrated evening peaks and taxi traffic	Staggered daytime drop-offs and pick-ups	Reduced impact
Amenity sensitivity	Disturbance at night when residents are at home	Daytime use when ambient noise levels are higher	Significantly improved

Mitigation Measures

7.5

The outdoor play area will be enclosed by a 1.8m high painted timber fence, helping to contain sound and ensure privacy. The position of the play area has been carefully selected within the rear curtilage, away from public view and screened from neighbouring residential properties.

7.6

All operations will be managed in accordance with an Ofsted-approved safeguarding and supervision policy. Noise levels will be typical of any small-scale childcare facility and significantly lower than the lawful fallback use.

Conclusion on Amenity

7.7

The proposed development represents a substantial improvement to residential and local amenity compared to the existing lawful use. The removal of evening and weekend activity, combined with supervised daytime use and limited external play hours, ensures the proposal will not give rise to adverse amenity impacts. Accordingly, the development complies with national and local planning policies relating to noise, amenity and the protection of residential environments.

8.1 National Planning Policy Framework (NPPF)

The NPPF places strong emphasis on the provision of community facilities and early years provision:

- Paragraph 8 – stresses the importance of supporting strong, vibrant and healthy communities, with accessible services and facilities.
- Paragraph 92 – requires planning decisions to plan positively for facilities such as childcare and education to enhance the sustainability of communities.
- Paragraph 95 – states that local planning authorities should take a proactive and positive approach to the expansion of childcare and educational facilities.
- Paragraph 81 – supports economic growth and job creation through sustainable development.

8.2 Local Planning Policy (Rochdale Core Strategy)

The proposal aligns with key objectives of the Rochdale Core Strategy, including:

- Policy C1 – Delivering Community Facilities

Supports development that improves access to childcare, education, and community services.

- Policy T2 – Reducing the Need to Travel

Promotes accessible locations for essential services, such as nurseries and education centres, reducing reliance on car travel.

- Policy P3 – Improving Design

Promotes high quality sustainable development that enhances the built environment without harm to local character.

- Policy G9 – Reducing Pollution

Supports development that minimises noise and air pollution, achieved here through the removal of late-night commercial use.

The proposal meets or exceeds all relevant policy objectives.

8.3 Planning Benefits

The development provides significant and demonstrable benefits, including:

- Community and Social Benefits
- Delivers essential childcare provision and educational support services within a sustainable and accessible location.
- Enables parents to access employment and training, supporting economic participation.
- Provides structured learning and enrichment for children aged 5–11.
- Economic Benefits
- Creates 12–15 direct local jobs.
- Reuses a commercial building and prevents further vacancy and decline.
- Supports local economic growth through improved childcare infrastructure.
- Environmental Benefits
- Secures the reuse of an existing building (low carbon approach).
- Reduces traffic generation relative to the fallback restaurant use.
- Introduces soft landscaping and improves the visual quality of the rear of the site.
- Amenity Benefits
- Removes late-night operation and associated disturbances.
- Limits activity to supervised daytime hours only.
- Mitigates anti-social behaviour risks associated with long-term vacancy.

8.4 Planning Balance Conclusion

Taking account of:

- The lawful fallback use of the site as a restaurant with significantly higher amenity and traffic impacts;
- The statutory need for high-quality childcare and educational provision;
- The strong policy support at both national and local level;
- The substantial community, social, economic and environmental benefits;

9.0 Conclusion

9.1

This application proposes the change of use of a long-established commercial premises to a mixed-use Children's Day Nursery and Education Centre (Use Classes E(f) and F1(a)), together with external alterations to form outdoor play areas and reconfiguration of existing parking provision. The proposal represents a sustainable and appropriate re-use of the building, securing its long-term future and preventing further deterioration associated with vacancy.

9.2

The development will deliver essential community infrastructure, providing early years childcare, wraparound care, and educational enrichment for children aged 0–11, aligned with national and local priorities to improve access to childcare and support working families. It will also create local employment opportunities and contribute positively to the social infrastructure of the area.

9.3

The mixed-use operation has been designed to operate wholly within daytime hours, resulting in a significantly lower level of traffic generation, noise and general activity than the established lawful fallback use as a restaurant. No changes are proposed to the external appearance of the building, and all works associated with the outdoor play area are contained within the existing curtilage, resulting in no perceptible impact on the character of the area or the street scene.

9.4

The proposal accords with the National Planning Policy Framework and the Rochdale Core Strategy, particularly in relation to sustainable development, provision of community facilities, and the reuse of previously developed land. It delivers tangible community, social and economic benefits, and provides a marked improvement in amenity terms compared with the existing lawful use of the premises.

9.5

In summary, the development represents a logical, policy-compliant and beneficial re-use of an existing commercial building in a sustainable location, meeting an identified local need while safeguarding residential amenity and enhancing the overall quality of the site.