

Officers Report

Case Reference: 25/01021/FUL
Location: 28 Hillside Walk Rochdale OL12 6ED
Proposal: Change of use from a dwellinghouse (Use Class C3a) to a residential care home for up to two children (Use Class C2)
Recommendation: Approve with Conditions
Officer: Bob Melling

SITE DESCRIPTION AND CONTEXT

The application relates to no. 28 Hillside Walk; a semi-detached dormer bungalow located along a cul-de-sac in Shawclough, approximately 3.2km north of Rochdale town centre. Hillside Walk forms part of a residential estate comprising houses of a similar design and material palette. The wider area is typically suburban, consisting of medium density housing, quiet streets, and patches of greenery. The estate was influenced by the Radburn layout principle, with rear parking courts and limited frontage parking. However, the estate has matured, and many properties now have front driveways.

No. 28 faces southwest, overlooking a typical front garden, beyond which is the public highway. The application property adjoins no. 30 to the northwest and is adjacent to no. 26 to the southeast. The rear boundary faces northeast and borders the rear garden of no. 149 Shawclough Way. The rear garden of the application property contains a garage which fronts onto a rear courtyard. This courtyard also provides access to the rear gardens and garages of several properties on Shawclough Way.

PROPOSAL

Permission is sought for the conversion of a residential dwellinghouse (C3) into a children's care home (C2), accommodating two children, ages 8-17, and a minimum of two staff members working on a shift pattern. No external works are proposed.

RELEVANT PLANNING AND ENFORCEMENT HISTORY

N/A

RELEVANT PLANNING POLICIES

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Regional Guidance

Places for Everyone (PfE) 2024:

JP-P1 Sustainable Places.

Adopted Rochdale Core Strategy (CS) 2016:

DM1 General development requirements

C1 Delivering the right amount of housing in the right places

C3 Delivering the right type of housing

C6 Improving health and well being

P1 Improving image

P2 Protecting and enhancing character, landscape and heritage

P3 Improving design of new development

T2 Improving accessibility

Saved Rochdale Unitary Development Plan (UDP) 2006:

G/D/1 Defined Urban Area

Supplementary Planning Document 'Guidelines and Standards for Residential Development' (SPD) 2016

PUBLICITY

Site Notice: 22/11/2025

Press Notice: N/A

Neighbour notification letters: 21/11/2025

ASSESSMENT

Principle of Development

NPPF Paragraph 96 seeks to promote healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other. Paragraph 98 aims to provide the social facilities and services the community needs, taking an integrated approach to considering the location of housing, economic uses and community facilities and

services. The most recent update to the NPPF in December 2024 has included additional text at Paragraph 63 to highlight some of the specific housing needs for different groups which must be accounted for in planning policies. This new wording includes 'looked after children' as one of the specific groups to be planned for in assessing housing need.

PfE Paragraph 9.4 aims to promote greater inclusion, including enabling all residents to lead healthier lives in safer places with good access to facilities that support health and wellbeing. Moreover, Paragraph 9.9 reads that it is vital to design neighbourhoods which enable residents to live healthier, happier and more fulfilling lives, with the barriers to doing so minimised as far as possible. This must include recognising and responding to the difficulties that people may face due to age, disability, illness or financial circumstances.

CS Policy C1 seeks to deliver the right amount of housing in the right places. Policy C3 notes that the Council will seek to ensure that new development provides housing types that take account of local needs and support the provision of housing on appropriate sites to meet the needs of specific groups including older people and other vulnerable groups.

The application seeks to change the use of 28 Hillside Walk to a residential care home for up to 2 children aged 8-17 years old together with a minimum of 2 permanent carers on a rotating shift basis. The property is situated on a cul-de-sac in a residential neighbourhood which benefits from good access to green spaces, quiet streets with minimal vehicle traffic, and nearby bus routes into Whitworth and Rochdale. The property itself is semi-detached and has a moderate rear garden space.

Considering the aforementioned policy and the character of the area, 28 Hillside Walk is deemed to be an appropriate location for a residential children's care home. It would provide safe and pleasant living accommodation for two looked after children. Being in a familial setting would ensure that the children are integrated within a stable community which supports the conventional daily routines of childhood, including attending local schools and spending time with friends and neighbours.

As such, it is considered that the proposal would meet with the objectives of the Core Strategy and Places for Everyone, and would play an important role in facilitating the development of an inclusive community comprising an integrated approach to the location of housing, community facilities and services in accordance with the NPPF.

Impact on Amenity

CS Policy DM1 requires that proposals do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Also, impacts including noise, air, dust, light and odour pollution are required to be mitigated where necessary.

The site is currently in use as a residential dwelling and is recognised to provide a suitable level of occupier amenity for existing and future residents. No external works are proposed and, therefore, it is not considered the change of use would result in any detriment to the visual amenity of the site and surrounding area.

The considerations in respect of amenity therefore relate to the impact of the development through noise and disturbance by virtue of the proposed use as a children's care home.

Residents have raised concerns about the 'comings and goings' of staff and professional visitors and the potential noise and disturbance that this may cause. In assessing the impact of 'comings and goings' on the amenity of neighbouring occupants, a judgement is made on whether the proposed use as a care home for two children would have a materially greater impact on the living conditions of neighbours than the existing C3 dwellinghouse.

Details of how the property would operate are provided in the supporting 'Statement of Purpose' (Brooks & Brooks Recruitment, 04/09/2025). Both children will live permanently in the house together with a minimum of two members of staff who will work a rotating shift pattern. However, the statement of purpose outlines that "the home provides services to meet the needs up to two children who has social, emotional and behavioural difficulties (EBD)". As such, it would be reasonable to assume that additional professional visits would be a relatively common occurrence. Residents have voiced their concerns about the levels of noise and disturbance associated with additional visitors, professional or otherwise.

The increase in visitors compared to that of a C3 residential dwelling would be marginally different on a typical daily basis, with movements of workers to and from the site largely reflecting the movements of workers/commuters/deliveries to and from a typical dwellinghouse, which would be unrestricted in the case of a C3 use. This difference would not lead to any significant intensification of the use of the site, and any discernible increase in visitors and disturbance is not considered so notable as to have a material impact on the amenity of surrounding residential properties.

Residents have also raised concerns regarding a potential increase in noise and disturbance associated with the circumstances and behaviour of the children in care. While it can be reasonably assumed that the children in care may have specific emotional and behavioural difficulties, it would not be reasonable to assume that this would transpire into unmanaged levels of noise and disturbance which would negatively affect the quality of life for residents on Hillside Walk and Shawclough Way.

In addition, concern has been raised regarding the change of use to a 'commercial' property being inappropriate in a residential setting. While the use of the property would have a managed and commercial element, it is still as a matter of course a residential use. In line with NPPF requirements to recognise housing needs of specific groups, such facilities should clearly be accommodated within residential areas as opposed to 'commercial' areas in order to provide good quality accommodation which is as close as possible to a typical childhood home.

The 'Guidelines and Standards for Residential Development SPD' (2016) sets out how it is important for sufficient garden space to be retained for playing and sitting out. The garden is considered an appropriate size in relation to the dwelling, and no changes are proposed to reduce its size.

In light of the above, it is considered that the proposals would not unduly impact the amenity of neighbouring occupants or surrounding occupiers to a greater extent than the existing C3 use of the site. The proposals would accord with the requirements of CS Policies DM1 and G9 and the NPPF.

Crime and Anti-Social Behaviour

NPPF Paragraphs 96 and 135 aim to achieve development which is safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. CS Policy DM1 seeks to minimise opportunities for crime against people or property.

Some local residents have referred to the potential for crime and anti-social behaviour to arise should planning permission be granted. Objectors have highlighted the potentially negative impact that this may have on their health and wellbeing, particularly in relation to stress and anxiety. Some objectors also referenced children's care homes within the area that have experienced issues with anti-social behaviour, notably on Shawclough Road, approx. 0.8km from the site.

Greater Manchester Police were invited to comment on the application and the Missing From Home Officer advised that "reports of crime and ASB is not the main concern" and instead noted that the main issue is the lack of resources to deal with issues such as missing from home episodes given the number of children's homes in the borough.

While it is acknowledged that such uses can result in instances of anti-social behaviour, the effective management of properties is regulated outside of the planning process which must consider the planning land use as its assessment. The management of other specific properties, or behaviour of individual residents in such properties, cannot be assumed as applicable to all properties in the same planning use class, many of which may operate without incident. With no clear or robust evidence identifying a link between the proposed use, the site location, and the cases referenced by local residents, the following case law is relevant.

It is an established principle in law (Smith V First Secretary of State [2005]) that fear of crime can be a material consideration in planning (as an element of public safety) but that fear itself is not enough. That fear has to be objectively justified rather than just perceived. So in order to take criminal incidents into account it is necessary not only to attribute them to the individuals concerned but also to the use of the land. If the concern for the future rests at least partly on assumption not supported by evidence as to the characteristics of the future occupiers, it cannot be taken into account.

In light of the above, the planning application has to be determined on land use planning considerations. The comments of local residents are noted, however the fear of crime in this instance cannot be taken into account as the case officer has not been provided with any evidence that robustly demonstrates that the proposed change of use in this location on Hillside Walk will lead to an increase in crime and harm to public safety. As per the aforementioned case law (Smith V First Secretary of State [2005]), the fear of crime has not been objectively justified or attributed to the land use in order for it to be deemed a material planning consideration. As such, the proposal is in accordance with the NPPF and CS Policy DM1.

Highways

CS Policy T2 sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and, in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Maximum Car Parking Standards as set out in Appendix 5 of the Core Strategy.

The Council's Highways Department was consulted as part of the application process and raised an objection to the scheme due to the safety issues posed by a lack of parking provision.

Officers acknowledge that the lack of off-street parking is not ideal for the proposed use. It is also recognised that the site will attract an intensification of vehicles during staff handover and with additional visitors. However, traffic congestion and parking demand are considered to be reasons for refusal only if they pose a risk to highway safety. There are regular bus routes within a short walk of the site which would provide opportunities for staff to travel by public transport. The number of vehicles visiting the site at any one time is not considered to present an unacceptable impact on highway safety. It is typical along Hillside Walk and adjoining streets for cars to be parked on the driveway and on the roadside, and therefore the assessed parking arrangements would be consistent with the existing uses.

Overall, the proposed parking arrangements would be acceptable, and similar in terms of parking demand to the current use as a dwellinghouse, as well as the surrounding properties. As such, the impact on highway safety accords with CS Policy T2 and relevant NPPF policies.

SUMMARY OF THIRD-PARTY REPRESENTATIONS

37 objections were received from 30 addresses. These objections are summarised below:

1. Noise and disturbance generated by:

- Comings and goings of carers and professional visitors;

- Potential anti-social behaviour by the children in care, particularly in relation to any possible emotional and behavioural challenges that they might have;
- Unregulated visits from the children's family members leading to upheaval;
- Potential visits by the police and emergency services.

2. Fear of crime and anti-social behaviour, particularly in relation to the potential emotional and behavioural challenges associated with the children in care. Residents have referred to the potential negative impact on their health and wellbeing associated with the stress and anxiety that having a care home in the area may cause to local residents.

3. Inappropriate to have a commercial property on a residential estate. Residents have referred to the area being quiet and family-orientated, with a high number of elderly people and children.

Officer's response: these matters will be addressed in the 'impact on amenity' and 'crime and anti-social behaviour' sections of this report.

4. The potential negative impact on property values, in turn discouraging future residents and families from moving to the estate.

Officer's response: while the officer appreciates the concerns of residents, the impact on property values is not a material planning consideration in determining the application.

5. An increase in traffic congestion and demand for parking spaces as a result of professional visitors and permanent staff. Therefore, posing a risk to the safety of children, wheelchair users, and elderly residents, as well as restricting access for emergency vehicles and waste disposal vehicles. It has also been noted that the garage is too small to accommodate a modern and that the rear courtyard is used by properties on Shawclough Way for access.

Officer's response: this will be addressed in the 'highways' section of this report.

6. The potential for the children in care to be known to local residents who work in the childcare sector. This may have implications on their professional responsibility.

Officer's response: whilst the officer appreciates the sensitive nature of such a situation, this is not a material planning consideration and would not warrant a reason for refusal.

7. References to other children's homes within the area, in particular on Shawclough Road, that have experienced issues of anti-social behaviour, noise and disturbance, and criminal behaviour.

Officer's response: these concerns are addressed in the 'crime and anti-social behaviour' section of this report.

8. Lack of clarification regarding the ages of children, staff to child ratios, shift change arrangements and the safeguarding procedure.

Officer's response: the applicant has provided a 'Statement of Purpose' (dated 04/09/2025) and explained that the children will be between the ages of 8-17. The 'Statement of Purpose' includes information on safeguarding and staffing structure. It is considered that the applicant has provided sufficient information for the purposes of this application, and the number of children would be controllable by planning condition. Should the applicant look to increase the numbers of children in care, they would be required to seek further planning permission.

9. Extensive renovation works have already taken place at the property.

Officer's response: the property is not a listed building or in a Conservation Area and, therefore, it is unlikely that the works described by objectors would require planning permission.

10. There are no play areas, youth clubs or shops within walking distance of the property and the rear garden is not big enough to allow recreational activities.

Officer's response: the existing property could reasonably be expected to accommodate a family with two children. The proposed children's home would accommodate a maximum of two children, and, given the existing schedule of accommodation, it is not considered that the rear garden would be insufficient for two carers and two children.

SUMMARY OF CONSULTATION RESPONSES

Children's Services 12/12/2025:

The application does not provide the name of the organisation who are wanting to convert this to a children's home and there has not been a consultation with me in respect of the need for a further dual registered children's home in the borough. Rochdale has an oversupply of private children's homes in the borough and this has a significant impact on health, education, police and other services. As the provider has not been noted in the application, I would be concerned on who is wanting to open this without detailed information from the local authority.

The location of this home is also extremely close to other homes including a Rochdale home. I would therefore not be supportive of this location for another home.

Officer Response:

Issues relating to an oversupply of childcare provision do not relate to the proposed land use and therefore do not warrant material planning consideration.

Further to the response from Children's Services, the applicant has provided detailed information about the organisation, including a 'Statement of Purpose'.

Highways 04/02/2026 (Amended Comments):

The applicant has amended their plans to retain the garage at the rear of the property. On each visit to the property this garage has been inaccessible and is obstructed and in reality it is unlikely this garage space will be used. We must however accept this as parking for one vehicle. We would therefore expect 1 or 2 vehicles parked on street.

We would expect to the narrow carriageway these vehicles would park straddling the footway as is common at present and due to the position on the road this would most likely be on the bend which creates a safety issue adjacent to a facility for vulnerable young people.

We have suggested to the applicant the addition of a driveway to the front of the property but the applicant is unwilling to make this adaptation and feels it unreasonable.

We cannot support these proposals due to the insufficient parking proposed. Whilst this may not be sufficient reason alone to sustain an objection to the proposals we do think this proposal is likely to exacerbate the existing on street parking problem.

Greater Manchester Police 03/02/2026:

For me as the missing from home officer for Rochdale I feel we are at saturation point with having 83 carehomes / semi independent placements within the borough (and a lot of foster carers) who mostly look after out of area children. Resources in my eyes are already stretched on response Policing so any extra homes with children going missing, having mental health episodes or incidents that need attending by Police will only strain us further. Two opened last month and I only found out when a child started to go missing from the placement.

So unfortunately I feel I need to object to any further homes based on resources and an already saturated division with regards to placements. Roughly half of our homes and placements are carehomes rather than semi independent placements and when you compare this to other divisions with one having just 7 homes I feel it is not proportionate to carry on opening homes in our division. I am the only officer doing my job on this division and so every child that has 3 missing from home episodes within 30 days requires a strategy meeting that I also then need to sit on and potentially trigger plans creating by myself for when they go missing .

I believe from my experience of homes on our division the reports of crime and ASB is not the main concern and the main reasons are as above. The children that reside in the homes , if they are involved in ASB, don't tend to conduct this on the street they reside as a general rule and very few actually commit crimes and again the ones that do don't tend to do it on their own doorstep unless within the home itself such as criminal damage when not allowed to do something (of course there are exceptions

to these rules and crime and ASB can occur but as stated believe this minimal compared to resources and missing from home episodes etc)

PROCEDURAL STATEMENT

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application, and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Human Rights and Public Sector Equality Duty

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.

In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application. In particular due regard has been afforded to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers are satisfied that the application material and Officers' assessment has taken into account these issues.

The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – Embracing All Voices (2024-2026), which seeks to promote a culture of equity, diversity and inclusion that benefit the community as a whole.

Recommendation: Approve with Conditions

Condition(s) (3)

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans and documents:

- Existing and Proposed Plans. Dwg no. 01. Rev 03
- 'Statement of Purpose' by Brooks & Brooks Recruitment dated 04/09/2025
- Key Information. Dated 02/02/2026

and the development shall be carried out in accordance with these drawings and documents hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 The care home hereby approved shall not accommodate more than two children, aged between 8-17, at any time.

Reason: In the interest of neighbour amenity and highway safety and in accordance with Policies T2 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Approval Reason(s) (1)

- 1 The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.