

Officer Report

Case Reference: PL/2026/0046
Location: 51 Birchfield Drive, Rochdale, OL11 4NY
Proposal: Change of use from a dwellinghouse (Use Class C3a) to a residential care home for up to four children (Use Class C2)
Recommendation: Approve with Conditions
Officer: Sam Yuen

SITE DESCRIPTION

The application relates to no. 51 Birchfield Drive, a detached bungalow located in a residential neighbourhood in Marland. The dwelling is adjacent to no. 53 Birchfield Drive to the north, adjacent to no. 45 Birchfield Drive to the south, and faces the highway and nos. 76 and 78 Birchfield Drive to the east. To the west lies an area of open recreational space which is sited on an elevated position. The property is flanked by two public right of ways which converge towards the rear of the site, providing access between the area and Roch Valley Way. The property benefits from a rear garden space on a raised terrace and front hardstanding space.

PROPOSAL DESCRIPTION

Planning permission is sought for the change of use of a residential dwellinghouse (C3(a)) into a children's care home (C2), accommodating four children, ages 8-17, and up to four staff members working on a rota basis.

No external works are proposed.

RELEVANT PLANNING HISTORY

National

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Local

Places for Everyone (PfE) 2024:

JP-P1 Sustainable Places

Adopted Rochdale Core Strategy (CS) 2016:

SD1 Delivering sustainable development

DM1 General development requirements

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places

C3 Delivering the right type of housing

C6 Improving health and well being

SO3 Improving design, image and quality of place

P1 Improving image

P2 Protecting and enhancing character, landscape and heritage

P3 Improving design of new development

SO5 Improving accessibility and delivering sustainable transport

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

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Highways and Engineering

The development proposal replaces an existing dwelling. Whilst some intensification of use is expected, Highways would not expect it to generate a problematic volume of traffic.

Adequate space for parking is provided in onsite for a development of this size and nature. Assuming the parking area is maintained Highways would not object to this proposal.

The access to the site is established and suitable.

No changes are proposed to the existing highways network.

No new highways are to be created as part of this proposal.

No PROW will be obstructed by this proposal.

There are no new road safety concerns as a result of these proposals.

Highways have no objections to the proposal.

Schools Service

No comments at the time of writing.

Environmental Health – Noise/Odours

No comments at the time of writing.

REPRESENTATIONS

Neighbour notifications via letters were sent to surrounding properties and a site notice was posted within the vicinity of the site. 18 objection letters were received with the following representations:

- The level of activity associated with the proposed care home would erode the quiet residential character of the area.
- The residential care home is not consistent with the demographic of families living in the area.
- The dwelling lacks specialist facilities or space for four residents and staff and could harm residents' wellbeing.
- The permanent 24/7 staffing and institutional nature of the care home would result in more intensive pattern of activities and constitute material change.
- No robust evidence has been provided to demonstrate the scale, layout or configuration of the property is suitable for occupation for four vulnerable children with permanent 24-hour staffing.
- The location of the dwelling is not suitable for a commercial operation.
- The dwelling appears constrained for use as a care home and would result in an over-intensive form of occupation.
- There are plenty of more suitable properties to be converted into a care home than in a quiet and respectful neighbourhood.
- There is insufficient space in the bedrooms, social area and rear garden to accommodate four children and staff.

- The proposed use would increase the comings and goings, vehicle movements, noise and disturbance beyond a standard family home and threatens the privacy and quiet character of the area.
- The proposal would increase traffic due to continual staff rotation and potential visitors.
- The existing onsite parking space may be inadequate during shift changes and visits which may risk on-street parking and safety hazards.
- Depending on the profile of prospective tenants, there may be an increase in anti-social behaviour and crime.
- The rise in anti-social behaviour may impact on property value in the area.
- Fears of local children being at risk with institution residents.
- The operator linked to the applicant has had safety failings in other properties including bedroom fire and hospital admission of a child which raises safeguarding and management concerns.
- Concerns about the potential malpractice by private companies.
- The approval of the proposal would subsidise private profit and constitute misuse of government and council funds.
- The property deeds indicate there is a restrictive covenant which prohibits commercial business use. Planning permission does not override the restrictions.

Officer's Comments:

- Concerns relating to the activity, noise impact and disturbance of the proposed home are addressed under the 'Amenity' heading of the report.
- Concerns relating to the occupier amenity are addressed under the 'Amenity' heading of the report.
- Concerns relating the location and suitability of the proposal are addressed under the 'Principle of Development' heading of the report. Applications are determined based on its individual merits
- Concerns relating traffic impact, highway safety and parking are addressed under the 'Highways and Parking' heading of the report.
- Concerns relating to anti-social behaviour are addressed under the 'Crime and Anti-social Behaviour' heading of the report.
- Concerns relating to land covenants is a matter of property law and do not form a material planning consideration in the determination of planning applications.

- Concerns relating to operational issues, malpractice by private companies and misuse of funds are addressed under the 'Other Considerations' heading of the report.

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. Paragraph 63 also highlights some of the specific housing needs for different groups which must be accounted for in planning policies, including 'looked after children'.

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.

Core Strategy 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 permission for the change of use of the host dwelling to a residential care home for up to four children aged 8-17 years old with up to four staff members working on a rota basis. The property is situated on a quiet residential street with good access to green spaces and nearby bus routes into Rochdale. The property itself is detached dwelling with a modestly sized private rear garden space and front hardstanding.

Considering the aforementioned policy and the character of the area, the application site is deemed to be an appropriate location for a residential children's care home. It would provide safe and pleasant living accommodation for the four 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.

AMENITY

Core Strategy 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.

Objection letters 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 four children would have a materially greater impact on the living conditions of neighbours than the existing dwellinghouse.

Details of how the property would operate are provided in the supporting 'Statement of Purpose' (prepared by Brooks & Brooks Recruitment, received 03/03/2026). The children will live permanently in the house together with up to four members of staff who will work a rotating shift pattern with one staff member staying overnight. An example rota has also been supplied with the indicative schedules of staff working hours. Whilst no specific profiles of the children have been provided, the statement states the care home would provide placements for children with emotional behavioural difficulties and/or learning difficulties. As such, it would be reasonable to assume that additional professional visits would be expected at a regular occurrence.

Whilst the 'comings and goings' of staff members to and from the site largely would be marginally greater than the movements expected from the original dwelling, it is considered that any discernible increase in activity and noise would not amount to a significant intensification of the site which would give rise to undue amenity harm to the neighbouring residential properties. Any potential additional visitors to the dwelling are expected to be consistent with the movements of workers/commuters/deliveries to and from a typical dwellinghouse under Class C3 use and is not considered to have a material impact on the neighbouring amenity.

Concerns have also 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 submitted proposed plans indicate no alterations to the internal layout, with the exception of the conversion of the ground floor bedroom into an office/bedroom for the residing staff. All remaining bedrooms meet the nationally described space standards in relation to internal floor area and width for single bedrooms and thus a satisfactory standard of amenity would be maintained for the occupants. In response to objections raised regarding inadequate specialist facilities for the children, no evidence has been submitted to suggest the needs of the prospective residents would require more space than those of a typical dwellinghouse and thus no concerns are had in this regard.

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 any case, there are a number of recreational open space within walking distance from the property which would serve as suitable amenity space beyond the existing private garden space.

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 Policies DM1 and G9 of the adopted Core Strategy and the NPPF.

HIGHWAYS AND PARKING

Core Strategy Policy T2 sets out that development 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.

Objection letters received have raised concerns regarding potential increase in traffic, the lack of adequate off-street parking within the property and impact to highway safety. Representations have also highlighted the existing number of vehicles parked on Birchfield Drive and the additional pressure on the highway arising from the proposal.

It is acknowledged the proposed care home would result in an intensification of activities in and around the property which will likely increase local traffic movements. Notwithstanding, regards are had to Paragraph 116 of the Framework which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Whilst the daily vehicle movements from staff members and other visitors would likely be above what is typically expected of a normal household unit, it is considered the additional volume of traffic generated would not amount to an unacceptable level of harm to highway safety as to warrant refusal.

No changes are proposed to the existing front hardstanding, which comprises sufficient off-street parking space to accommodate the expected number of vehicles,

taking into account of additional vehicles as a result of staff handovers and other visitors.

Birchfield Drive itself is a low-trafficked, residential road. Notwithstanding the current situation of on-street parking, the addition of vehicles to the highway is not considered to result in an arrangement which would significantly compromise highway safety.

In any event, the dwelling is sited in a well-connected location and is within walking distance from the nearest bus stop on Bolton Road which would allow access for staff by means of public transportation without relying on private vehicle.

The Council's Highways Officer was consulted as part of the determination process and has raised no objection to the proposed development.

Taken as a whole, the proposed parking arrangements would be acceptable and would not adversely impact on highway safety, in accordance with Policies DM1 and T2 of the adopted Core Strategy 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. Core Strategy Policy DM1 seeks to minimise opportunities for crime against people or property.

Objectors to the proposal have referred to the potential for crime and anti-social behaviour to arise should planning permission be granted. Other concerns raised include fears of local children being at risk with the residents of the care home.

While it is acknowledged that such residential care homes 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, 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. Therefore, 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 submitted representations 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 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 Policy DM1 of the adopted Core Strategy and the NPPF.

OTHER CONSIDERATIONS

Objections have been raised relating safeguarding and management concerns of the private operator, as well as concerns on the misuse of local authority funding on the operation of care homes. Whilst such concerns are noted, the determination of planning application primarily relates to matters on land use rather than property and/or service management, which is regulated outside of the planning process. The granting of planning permission does not override the need to comply with the relevant standards and regulations, which would fall under the remit of the relevant authorities.

Recommendation: Approve with Conditions

Condition(s) (3)

- 1 The development hereby permitted shall begin no later than three years from the date of this planning permission.

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

- 2 The development shall be carried out in accordance with the following drawings and documents hereby approved:

- Existing and Proposed Site Plans – drawing no. 01. Rev 01 received 19/01/2026

- Location Plan, Existing and Proposed Floor Plans and Elevations – drawing no. 01 Rev. 02 received 19/01/2026

- 'Statement of Purpose' by Brooks & Brooks Recruitment received 03/03/2026

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, the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 The care home hereby approved shall not accommodate more than four 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.