

APPLICATION NUMBER: 23/00626/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00626/FUL	Aimee Bovaird	13 September 2023

Address: 12 Cartridge Street Heywood Rochdale OL10 3AF

Proposal: Change of use C3 to C2 children's care facility for one child

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?		Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	Y

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT subject to conditions
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CHECKED AND SIGNED OFF BY: LA DATE: 19/03/24

SITE

The application relates to 12 Cartridge Street Heywood, a two storey end terrace dwelling. The dwelling has a kitchen, living room, two bed rooms and a bathroom.

This is located within the Defined Urban area and the surroundings are predominately residential. This dwelling is a corner plot at the end of a row of terraced housing. This site is at the junction of Cartridge Street and Coomassie Street.

PROPOSAL

Planning permission is sought for the change of use of the building to a residential care home (Use Class C2) for one child. No operational development is required to facilitate the change of use.

No external alterations are proposed.

There will be two members of staff at any time. The shift pattern will be 10am-10pm.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

DM1 - General Development Requirements

C1 - Delivering the right amount of housing in the right places

C3 - Delivering the Right Type of Housing

P3 - Improving design of new development

G9 - Reducing the impact of pollution

T2 - Improving Accessibility

Unitary Development Plan (UDP):

G/D/1 - Defined Urban Area

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Highways And Engineering

The following comments were received,

'The main highways issue regarding this application is the potential increase in parking demand.'

The application indicates that the development would rely on on-street provision for the proposed use but neither the submitted Planning Statement or the application form indicate the proposed staffing levels. The application site is in the junction of Cartridge Street and Coomassie Street and any increase in on street parking will impact on the safe operation of that junction and it's this increase that needs to be assessed. We would therefore need some indication of staffing levels, shift patterns and other potential visitors to the proposed use.

The current servicing arrangements would remain unchanged as a result of the development.

We do not expect that there would be any detrimental impact on highway capacity as a result of the proposed development.

Highways raise no objection to this application subject to the clarification of parking demands.'

Further clarification was obtained and highways raised no further objections.

Environmental Health - Noise/Odours

No objections.

GMP

The following comments were received:

Professional and service demand in respect of care homes reporting incidents, including missing from homes in Rochdale appears to be in crisis, with limited workers available to deal with the high demand.

A high proportion of care homes in the borough are not accommodating Rochdale children and therefore demand is caused cross borders, as far as, children moving here from London.

We believe that care homes are opening in the Rochdale due to the house prices being cheaper than anywhere else across Greater Manchester.

It is felt that there is a requirement for a cap to be implemented when it comes to care homes opening in the borough.

Our problem lies with the amount of care homes in the area, those of which the majority are accommodating out of area children, who are cared for by other local authorities.

We have found that young people who have moved from out of area tend to go missing for longer periods and abscond further afield to see family and friends in their hometowns. Again, increasing the risk to these young people and increasing demand services.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties. One objection has been received and raises concerns over the area being suitable for families and the rents of properties being increased for profit.

ANALYSIS

Principle of Development

Paragraph 97 of the NPPF seeks to ensure the provision of facilities and services the community needs, taking into account the account local strategies to improve health and well-being for all sections of the community.

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 the change of use of a terraced house to a residential care home for one child.

The site is in a residential area and the current use demonstrates its suitability for habitation and therefore a C2 use as a children's home is acceptable in principle.

Living Conditions

Policy DM1 of the Core Strategy 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 on privacy, and through noise and disturbance by virtue of the amounts and comings and goings which would be associated with the proposed use. In assessing this, a judgement is made whereby the proposed use as a care home for 1 child would have a materially greater impact on the living conditions of neighbours than the existing C3 dwelling house.

The site is at the end of a row of terraced housing on Cartridge Street. There is no off street parking available, however this is typical for this area. Two members of staff will be present at all times and it can be reasonably be expected that visits from professionals would occur. It can also be assumed the child will attend school.

The "comings and goings" of 1 child and 2 members of staff with any additional visitors as may be required is considered to be akin to the existing C3 dwelling house which could be occupied by 2 adults and one child. The dwelling is located at the end of a row of terraced houses. In respect of the noise and disturbance generated, whilst the proposals would likely result in a similar number of occupants to the existing dwellinghouse, the intensification of use at the site by introducing a number of staff and visitors can be considered to be equal to, or less than that of visitors to a C3 residential dwellinghouse on a typical daily basis, with movements of workers to and from the site not being out of keeping of movements of workers from typical dwellinghouses to and from work elsewhere and support staff visiting dwellinghouses. Additionally, the proposed use would be predominantly residential, and within this residential context, is not considered to be of such intensity that it would unduly threaten the amenity of surrounding occupiers by way of noise and disturbance.

The dwelling does not have a private driveway and staff and visitors would have to find on street parking. On balance this is considered acceptable as this would be similar to a typical dwellinghouse.

The Guidelines and Standards for Residential Development SPD Adopted June 2016 sets out how it is important for sufficient garden space is retained for playing and sitting out. The garden is considered an acceptable size in relation to the dwelling – 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 the occupants or the 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 National Planning Policy Framework.

Crime and Fear of Crime

Both Paragraphs 96 and 135 of the NPPF 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 opportunity for crime against people or property.

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.

Greater Manchester Police have been consulted and object to the application. The grounds for the objection centre around the volume of care homes in the Borough, citing that Rochdale accounts for 31% of all care homes in Greater Manchester and this increases demand on policing. Also only 20% of the beds occupied in Rochdale are occupied by Rochdale children, the rest are from outside the borough.

The Council has taken this objection into consideration, however cannot give significant weight to it in the determination of the planning application, as the report is not site specific. It is noted there is a significantly high volume of care homes in Rochdale and this increases pressure on local services however this is beyond the scope of planning. The planning application has to be determined on land use planning considerations.

The comments of residents are noted however only planning considerations can be taken into account.

On balance the proposed development complies with relevant policies of the NPPF and is not considered acceptable.

Highways

Policy T2 of the Core Strategy 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 has not raised any objections, based on the proposed development providing a home for 1 child and 2 staff members. Although no parking spaces are provided (and none are existing), the proposed development is considered similar in terms of parking demand to the current use as a dwelling house. As such the current parking is considered adequate.

RECOMMENDATION

GRANT subject to the following conditions

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:-

Location Plan

Planning permission (existing and proposed elevations) Drawing No. 01 Rev 01

and the development shall be carried out in accordance with these drawings 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 one child 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.

Report Author Aimee Bovaird