

## DELEGATED DECISION CHECKLIST AND REPORT

**APPLICATION NO.**

23/01377/FUL

**CASE OFFICER**

Majid Mir

**DETERMINATION DATE** 28.06.2024 **EXT OF TIME** 09/08/2024

**Address:** 2 Barnes Meadows Littleborough Rochdale OL15 9PW

**Proposal:** Change of use from dwelling-house (C3a) to a children's care home (C2) for one child with two carers on site working on a rota basis (Retrospective)

|           |                            |   |                       |   |
|-----------|----------------------------|---|-----------------------|---|
| PUBLICITY | Weekly list expired?       | Y | Site notice expired?  | Y |
|           | Neighbour letters expired? | Y | Press Notice expired? | Y |

|            |                                                             |   |                                        |   |
|------------|-------------------------------------------------------------|---|----------------------------------------|---|
| 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? | N | Called in or Planning Panel objection? | N |

|          |                                   |   |
|----------|-----------------------------------|---|
| COMMENTS | Planning Panel comments received? | N |
|          | Neighbour comments received?      | N |

|     |                                                  |   |
|-----|--------------------------------------------------|---|
| EIA | Screening opinion completed and saved to Onbase? | N |
|-----|--------------------------------------------------|---|

|            |                                                                      |     |
|------------|----------------------------------------------------------------------|-----|
| CONDITIONS | Pre-commencement conditions proposed?                                | N   |
|            | Pre-commencement conditions agreed (or notification period expired)? | N/A |

|                |                             |
|----------------|-----------------------------|
| RECOMMENDATION | Grant Subject to conditions |
|----------------|-----------------------------|

CHECKED AND SIGNED OFF BY: RG

DATE: 9 August 2024

## **SITE**

This application relates to no. 2 Barnes Meadows. The property is located at the junction of Todmorden Road. The property is an end of terrace two/three storey residential property. Barnes Meadows is set on higher ground, therefore from Barnes Meadow, the property has a two storey appearance. However, Todmorden Road is set on lower ground and therefore the property has an appearance of three storey property. The property has a garden and off street parking.

The application property along with the adjoining properties are all residential. The wider area is also predominantly residential. The property and the neighbour attached properties are non-designated heritage assets and are located within Rock Nook Conservation Area.

## **PROPOSAL**

The application proposes the change of use from residential dwelling providing care (Use Class C3a) to residential care home for one child (Use Class C2).

The dwelling consists of a living room and kitchen on the ground floor, and three bedrooms and a bathroom on the first. The proposal will not see any internal or external alterations made. Two bedrooms will be retained for the carers and one for the child.

There will be one child at the property. There will also be a total of up to six staff working on rota over a 24 hour period with two members of staff on site at any one time.

The application is a retrospective application.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### **Places For Everyone**

JP-P1 Sustainable Places

### **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**

Not applicable.

## **CONSULTATION RESPONSES**

### Highways And Engineering

No objection.

### Env Health - Noise/Odours

This section has no objections to the proposals.

### Conservation And Design

No objections.

### Childrens Services

No comments received to date.

### GMP-Rochdale North

No comments received to date.

## **REPRESENTATIONS**

Letters of notification were sent to all surrounding properties, a press notice was released and site notice was placed in the vicinity of the site. No responses have been received.

## **ANALYSIS**

### Principle of Development

The site is designated as part of the Defined Urban Area as defined by policy G/D/1 of the Unitary Development Plan. This is a general policy which seeks to ensure that new development is concentrated within the urban area in order to support urban regeneration and protect the countryside.

Paragraph 97 of the NPPF seeks to ensure the provision of facilities and services the community needs, taking into 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 dwelling to a children's residential care home for one child. The site is in a residential area and was previously in use as a typical residential dwelling. The proposals advise that the property would provide accommodation for one child with 2 members of staff on site at any one time but working on a rota basis. This use would constitute a C2 residential use. Given the site context and the need to provide homes for vulnerable groups within typical residential settings the use of the property as a C2 use for a children's home is acceptable in principle.

### Design and Heritage

The application site is located within Rock Nook Conservation Area and the application property along with the neighbouring properties are non-designated heritage assets. The application does not propose any internal or external

alterations. The Conservation Officer has raised no objection and concluded that the proposed development would have a neutral impact on the significance of the Conservation Area and would preserve its character and appearance.

It is therefore considered that the proposal would accord with the relevant policies within the Core Strategy, PfE and NPPF.

#### Neighbour and occupier amenity

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 or internal works are proposed that would lead to a change the assessment in regards to habitable rooms and the impact on the amount of light or outlook experienced from those rooms.

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.

As the application does not propose any external alterations, there are no concerns in regards to overshadowing of neighbouring properties

The consideration in respect of amenity therefore relates to the impact of the proposed 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 required to be made in regards to the proposed use as a care home for one child and whether it would have a materially greater impact on the living conditions of neighbours than the existing C3 dwelling house.

The site is located on the junction of Barnes Meadows and the busy Todmorden Road. The property is an end of terrace residential property and adjoins other residential properties. There will be a maximum of one child on the site and a total of six staff working shifts over a 24 hour period with two members of staff on site at any one time. It can be reasonably expected that visits from other professionals would also occur. It can also be assumed the child will be attending school.

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. Further to the above, the Environmental Health Department have raised no objection to the proposal.

The dwelling has a private driveway that can accommodate two vehicles. Additionally, there is on-street parking to the front and rear of the property that will be able to accommodate increase in cars for a short period of time as staff will rotate.

On balance this is considered acceptable as this would be similar to a typical dwellinghouse.

Overall, taking note of the size of the dwelling, it is considered that one child with the increased number of coming and goings during the hand over periods and any additional visitors as may be required, this would be akin to the existing C3 dwelling house being occupied by a family. It is therefore 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 on the application and provided no comments. It is also noted there has been no comments from the public regarding concerns over crime or safety.

Accordingly, the proposed development complies with relevant policies of the NPPF and is considered acceptable.

### Highways

The Council's Highways Department have raised no objection to the proposal, noting that the proposed development is unlikely to impact upon the highway any differently than the existing use. Further to this, it is noted that the site does have access to off-street parking for at two vehicles with additional parking available on-street. It is considered there is sufficient space for periods of staff hand-over and any additional visitors that may attend the application property.

The proposal will comply with Policy T2 of the Core Strategy and relevant policies in the NPPF.

## **RECOMMENDATION**

### **GRANT subject to conditions**

1. This permission relates to the following plans:-

Location Plan

Site Plan

Barnes Meadows Existing - Ground Floor. Page 1/2

Barnes Meadows Existing – 1st Floor. Page 2/2

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.

2. 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.

### **Procedure Statement**

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.