

APPLICATION NUMBER: 24/00352/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO. CASE OFFICER

24/00352/FUL

Aimee Bovaird

DETERMINATION DATE 11.06.2024 EXT OF TIME 26.07.2024

Address: 22 Bury And Rochdale Old Road Heywood Rochdale BL9 7TZ

Proposal: Change of Use from residential dwelling providing care (Use Class C3(b)) to Residential Care Home, Use Class C2 for up to 4 children.

PUBLICIT Y	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?	N	Called in or Planning Panel objection?	N

CO MM	Planning Panel comments received?	N
	Neighbour comments received?	N

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

RECOMMENDATION GRANT subject to conditions

CHECKED AND SIGNED OFF BY: LA

DATE: 23.07.24

SITE

This site is located at 22 Bury And Rochdale Old Road. This is a large detached dwelling with access off Bury and Rochdale Road and there is off street parking.

The building faces north and towards the highway, east of the dwelling is no. 24 and west is no20.

The dwelling is set on higher ground and the site is within the Green Belt.

PROPOSAL

The application proposes the change of use from residential dwelling providing care (Use Class C3(b)) to Residential Care Home, Use Class C2.

The dwelling consists of a living room, dining room, kitchen, conservatory and bathroom on the ground floor. At the rear of the property on the ground floor there is also a single storey building with a kitchenette/ dining room and bedroom/sitting room and bathroom.

The first floor consists of four bedrooms, washroom and bathroom. There are no proposed changes to the floor plan and no external alterations are proposed.

There will be up to four children at the property. This would consist of three carers. The applicant has stated in an email staff will work in pairs and a part time member of staff will provide additional capacity. No external alterations are proposed.

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

22/00220/PRA56 Prior approval application for change of use from Day Nursery (Class E) to Dwellinghouse (Class C3(b) – Prior Approval Granted

21/01639/CPL	Application for a certificate of lawfulness for the proposed use of Residential Dwellinghouse (Use Class C3a) as Supported Living (Use Class C3b) for up to 6no. persons (2no. children and 4no. staff) living on site. - Withdrawn
11/D54031	Front Porch And Single Storey Rear Extensions – Granted STC
10/D53756	Erection Of One Timber Pergola To Rear Of Nursery – Granted STC
01/D38710	Continued Use As A Childrens Day Nursery With Variation Of Condition 02 Of Planning Permission D24740 To Allow A Total Of 27 Children. – Granted STC
99/D36555	Single Storey Extension To Existing Day Nursery.
90/D24740	Change Of Use And Alterations And Extensions To Dwellinghouse To Form Day Nursery Incorporating Formation Of New Vehicular Access Points – Granted STC

CONSULTATION RESPONSES

Highways And Engineering

No objections.

GMP

No comments.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties no responses have been received

ANALYSIS

Principle of Development

The site is designated as part of the Green Belt under policy G/D/2 of the Unitary Development Plan. Policy G4 of Rochdale's Adopted Core Strategy seeks to restrict development within the Green Belt in line with national planning policies unless very special circumstances can be demonstrated. Paragraph 155 sets out forms of development which are not inappropriate within the Green Belt, these are, 'a) mineral extraction; b) engineering operations; c) local transport infrastructure which can demonstrate a requirement for a Green Belt location; d) the re-use of buildings

provided that the buildings are of permanent and substantial construction; e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order’.

The proposal meets d) as this is the change of use from a residential dwelling to a residential care home. The principle of development is acceptable and no very special circumstances are required.

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 6 children would have a materially greater impact on the living conditions of neighbours than the existing C3 dwelling house.

The site is located along Bury and Rochdale Old Road, this is a detached house and off street parking is available. There will be four members of full-time staff and four members of part time staff. It can be reasonably be expected that visits from professionals would occur. It can also be assumed the children will attend school.

The “comings and goings” of up to four children and up to two full time members of staff and an additional part time member of staff. There will be increased number during a hand over period and any additional visitors as may be required is considered to be akin to the existing C3 dwelling house which could be occupied by two adults and four children. As the dwelling is detached, in respect of the noise and disturbance generated, whilst the proposals would likely result in a slightly higher 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. 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 has a private driveway that can accommodate four car parking spaces. Four children would have three carers and site will provide sufficient parking. During the handover there would be an increase in cars for a short period of time as staff will rotate. There is a layby along the front boundary of the site and this could provide

space for extra cars. 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 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

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 as the dwelling will continue to operate in a similar way. Four car parking spaces are provided in the driveway and this is considered acceptable. There is also a layby along the front boundary of the site, this can be accessed directly from the road. This will provide an overflow for visitors and when there is a changeover of staff.

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

RECOMMENDATION

GRANT subject to 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:-

Plans as proposed 22-004-300
Proposed elevations 22-004-301

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 four children 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.

Report Author Aimee Bovaird