

APPLICATION NUMBER: 22/01435/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01435/FUL	Rosalind Gralton	24 January 2023

Address: 17 Brooklands Court Rochdale Rochdale OL11 4EJ

Proposal: Change of use of dwellinghouse (Use Class C3) to residential care home (Use Class C2) for four children

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?	N	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

RECOMMENDATION	APPROVE SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: LA

DATE: 08/02/23

SITE

The site relates to a large two storey detached dwelling on Brooklands Court, Rochdale, at the head of the cul de sac in a predominately residential area. The property sits on a large plot with front and rear gardens, and off-street parking.

The property is currently in use as a C3 dwellinghouse.

It is noted TPO 19, 18 and 26 are located on the site.

PROPOSAL

Planning permission is sought for the change of use of the residential dwelling (Current C3 use) to a children's residential home for up to 4 children (proposed C2 use).

A maximum of three carers would be present at the property at any one time, with nine carers in total working day and night, on a shift basis. A manager would be on the site during weekdays only, completing administrative work relating to the home.

The proposed works would not affect the identified tree preservation orders on the site.

Value Added

Following LPA advice, an amended parking plan was submitted showing three parking spaces on the site.

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

85/D18579 – First Floor Extension To Side of Dwellinghouse – Grant subject to conditions 11/12/1985

01/D38507 – Two single storey side extensions, first floor side extension and front porch extension to dwelling – Grant subject to conditions 12/02/2001

CONSULTATION RESPONSES

Highways And Engineering

First response:

There are a number of highway issues for consideration arising from this application.

The proposed use will generate more parking demand and vehicles movements than the existing use and it is this impact that Highways must assess.

The application includes a Planning Statement and a Design and Access Statement and these documents outline the expected vehicle movements to and from the proposed development. Although we would say that these would be higher than the residential use they would not be at a level that would cause any highway capacity issues.

The application form indicates three parking spaces however they are not identified on the submitted plans. The application site is within the turning head of a cul-de-sac and any on street parking is likely to restrict access for larger service vehicles such as the refuse collection vehicle. We would ask that these off street parking spaces are identified as part of the application and subsequently retained for their intended use.

The servicing of the proposed development is likely to be slightly higher than the existing use, however we would say that current servicing arrangements could accommodate the proposed use.

We would not expect that there would be any detrimental impact on road safety as a result of development.

Subject to the clarification on parking provision Highways would raise no objection to this application.

Second Response, following submission of parking plan:

The parking provision and layout as shown on the submitted plan is now acceptable.

Env Health - Noise/Odours

No comments received

Childrens' Services

No comments received

REPRESENTATIONS

7 representations objecting to the application were received. Concerns raised are of the following:

Concerns regarding children within the estate

Antisocial behaviour increased

The property is leasehold and by changing the use the property breaches the clause of that lease

Concern of trespassing

Lack of boundary treatment resulting in a lack of privacy for adjacent occupants

Traffic as a result of the change of use

Concerns relating to the leasehold, trespassing and behaviour of occupants as not considered to be a material planning consideration.

Impact on highways is assessed within the analysis section of the report below.

ANALYSIS

Principle of Development

The application seeks to change the use of the building to a children's home, and the use would provide accommodation for up to four children. Over the duration of the stay, children will be supported by carers and staff members, with maximum of four staff members (three carers and one manager) in the house at any one time.

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. Paragraph 93 of the NPPF sets out that planning decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Whilst the development would not comprise an ordinary residential use under Class C3 of the Use Classes Order 1987 (as amended), the proposals would provide a residential use with clear social benefits in respect of the provision of supported living accommodation which would assist in the provision of an essential residential use at a highly sustainable location close to local amenities and services, public transport and within walking distance of Rochdale Town Centre. Accordingly, it is considered that the proposal would meet with the objectives of the Core Strategy 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 provisions of the NPPF.

Overall, the proposed development is considered to be acceptable in principle.

Impact on surrounding land users

Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users. The Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' (2016) contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding residents.

The proposals relate to a change of use of the building. 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 application, whilst the proposed use does not comprise an ordinary C3 residential use, the proposed use does present similar characteristics in that each of the bedrooms would be permanently occupied as the sole residence of an individual. Accordingly, it is considered that the minimum separation distances

provided within section 4.1 of the SPD are appropriate in considering the impact of the proposed development. Section 4.1 requires 21m between directly facing principal windows of habitable rooms, at an upper floor level and 10.5m between a principal window at an upper floor level and a directly facing boundary of the curtilage. The proposal would meet these requirements.

In relation to the conversion of some previously non-habitable rooms into habitable rooms, all existing bedrooms are to remain as the children's bedrooms, meeting the national space standards requirement for at least one bedspace. The only room to be converted into a bedroom is the loft 'staff' bedroom. While it is acknowledged the room is only served by a rooflight, which would not typically be considered acceptable to provide adequate outlook or light, given the room is for members of staff on shift to sleep, and is not to be treated as a primary residence, it is considered there would be no unacceptable occupant amenity impact in this respect.

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.

It is acknowledged that no boundary treatment is proposed within the current application. It is not considered the proposed change of use would cause a detriment to neighbour amenity whereby any boundary treatment imposed would be a requirement in order for the change of use to be considered acceptable, and the local planning authority do not seek conditions to enforce any boundary treatment is erected. Adjoining neighbours who are concerned about inadequate boundary treatments are able to exercise their permitted development rights contained within the General Permitted Development Order relating to boundary treatment.

In light of the above, it is considered that the proposals would not unduly impact the amenity of the occupants or the surrounding occupiers and the proposals would accord with the requirements of Policies DM1 and G9 of the adopted Core Strategy and the National Planning Policy Framework.

Highways

Policy T2 of the adopted Core Strategy relates to accessibility and Policy DM1 requires all development to provide satisfactory vehicular access with adequate parking and manoeuvring arrangements provided.

In assessing this application, it is acknowledged that car ownership amongst the scheme is likely to be negligible given the children are the primary occupants of the property and the proposal would be situated in a highly sustainable location that is well located close to local services, amenities and Rochdale town centre. It is acknowledged however that there will be staff within the property on a constant basis, and occasionally visitors, however visitors are likely to be sporadic events that are would have an unnoticeable effect on the surrounding highway network when compared to the property's existing use. It is noted that parking for use by carers and staff is available on the driveway. It has been confirmed a maximum of three carers and one manager are to be present at the property at any one time. The submitted

parking plan shows three car spaces on the site, notwithstanding the integral garage also. Additionally, parking is available on street within the cul de sac.

It is noted a TPO is located on the front of the house, inhibiting additional hardstanding, however any works to the tree would require LPA approval. Given the parking plan, it is not considered there is a lack of parking within the vicinity which would cause this application to have a detrimental highways impact.

As such, it is considered the proposals would not have an unacceptable impact on highway or public safety and the proposals would accord with the requirements of Policies DM1 and T2 of the adopted Core Strategy.

RECOMMENDATION: APPROVE 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:

Location Plan received by the Council 08/11/2022

Block Plan received by the Council 27/01/2023

Proposed Floor Plans received by the Council 02/12/2022

Existing Floor Plans received by the Council 02/12/2022

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 maximum number of children occupying the property shall not exceed four.

Reason: Alongside staff members, this is the maximum children that is appropriate in this location, so as to restrict intensification of the use, to prevent an unacceptable impact upon parking within the residential area, in accordance with Policies T2 and C2 of the Rochdale Core Strategy.

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.

Notes for Applicant:

This permission relates to the change of use of the building. No external alterations have been approved other than shown on the approved plans, and the applicant is advised to discuss any other alterations with the planning officer prior to carrying out the work as a separate consent may be required for this.