

APPLICATION NUMBER: 24/00273/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00273/FUL

CASE OFFICER

Aimee Bovaird

DETERMINATION DATE 04.06.2024 EXT OF TIME 17.06.2024

Address: 181 _ 183 Manchester Road Rochdale OL11 3QY

Proposal: Change of use of two (Use Class C3a) dwellings to a residential children's home (Use Class C2) for a maximum of two 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

GRANT subject to conditions

CHECKED AND SIGNED OFF BY: LA DATE: 15.07.24

SITE

This site is located at 181-183 Manchester Road. Both 181 and 183 are two storey semi-detached dwellings. Surrounding the site are predominately residential properties. A bowling club is located to the south east of the property.

No.181 has access for vehicles and parking and a gate for pedestrians, no.183 only has access for pedestrians.

There are 5 car parking spaces at the front of no.181 and a garden at the front of no.183 there is no boundary to separate the two and additional information submitted implies the car parking will be used for both dwellings.

Both dwellings have their own allocated rear garden. The property is currently in use as a C3 dwellinghouse.

PROPOSAL

Planning permission is sought for the change of use of two (Use Class C3a) dwellings to a residential children's home (Use Class C2) for a maximum of two children.

No. 181 consists of two lounges, kitchen and bathroom of the ground floor. The first floor consists of three bedrooms and a bathroom. No internal or external changes are proposed.

No.183 consists of a lounge, dining room, kitchen and bathroom on the ground floor. The first floor consists of three bedrooms and a bathroom. No internal or external changes are proposed.

Each dwelling will have one child.

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

22/00685/CPL - Application for Lawful Development Certificate for the proposed use of Residential Dwellinghouse (Use Class C3a) as a children's home (Use Class C2) for a maximum of two children, with two carers sleeping overnight, working on a rota basis – Refused

22/00686/CPL - Application for Lawful Development Certificate for the proposed use of Residential Dwellinghouse (Use Class C3a) as a children's home (Use Class C2) for a maximum of two children, with two carers sleeping overnight, working on a rota basis - Refused

CONSULTATION RESPONSES

Highways And Engineering

No objections

Env Health - Noise/Odours

No objections

Childrens Services

Objections raised as concerns over a high number of services in the borough.

GMP

No comments received to date

REPRESENTATIONS

Letters of notification have been sent out to surrounding occupiers. One objection has been received.

The objection has raised concerns over the vehicular access and the unadopted road.

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 each dwelling to a residential care home for one child at each property.

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 at each property would have a materially greater impact on the living conditions of neighbours than the existing C3 dwelling house.

As both residential properties are proposed to be children's care homes the cumulative impact of the proposals needs to be taken in to consideration. Overall, there would be an expected 100 comings and goings per week at each property, based upon the details provided by the applicant.

Both dwellings are semi detached and there are 5 off street car parking spaces at the front of property no.181 and at the rear of both properties there are two car parking spaces accessed via a road at the side of the house.

Each child will have two carers on a rota basis and there will be six carers operating on a shift pattern of 48hrs on 60 hours off. The manager and deputy would visit weekdays between 9am and 5pm with two changes in overnight staff.

The "comings and goings" of 1 child at each premises and a permanent two members of staff per child 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. 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.

No.181 has a private driveway and the spaces are intended to be used for both properties therefore staff and visitors could take advantage of off street parking and this is considered acceptable.

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. Both gardens are considered an acceptable size in relation to the dwelling and no changes are proposed that would impact this,

The Children's Services have been consulted as part of the application process, they raised concerns as there is currently a high number of private children's homes within Rochdale. This is not a material planning consideration.

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 and raised no objections as the proposal will not have a negative effect on the highway, they have raised no concerns over the access to the private road.

As such it is considered that the proposal would not adversely impact on public and highway safety and the application would accord with the requirements of Policy DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

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:-

Location Plan
Proposed Block Plan 181MR-DRA-03 Rev D
Proposed Floor Plan 181MR-DRA-02 Rev V
Design and Access Statement

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. No 181 and 183 Manchester Road shall not each 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.

Report Author Aimee Bovaird