

APPLICATION NUMBER: 25/00281/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00281/FUL

CASE OFFICER

Bob Melling

DETERMINATION DATE 18.06.2025 EXT OF TIME 01.08.2025

Address: Higher Ashworth Farm, Meadow Head Lane, Rochdale, OL11 5UL

Proposal: Proposed increase in number of children at Residential Care Home (Use Class C2) to a maximum of 4.

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?	Y

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

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: TH

DATE: 01.08.2025

SITE

The application relates to an existing children's residential care home at Higher Ashworth Farm, a two storey detached farmhouse set at the end of Meadowhead Lane, 500m off Edenfield Road in the Norden area of Rochdale. The dwelling sits within a rural location in the Green Belt, in close proximity to Top o'th Hill Farm and Top o'th Hill Cottage, with a number of other properties including Marcroft Farm and cottages, Top o'th Meadow Farm, and Meadowhead Farm.

PROPOSAL

The application seeks to increase the number of children permitted at the home from two to four.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

JP-P1 Sustainable Places
JP-P5 Education, skills and knowledge
JP-D1 Infrastructure Implementation

Adopted Rochdale Core Strategy (CS):

SD1 Delivering sustainable development
DM1 General development requirements

SO2 Creating successful and healthy communities

C1 Delivering the right amount of housing in the right places
C3 Delivering the right type of housing
C6 Improving health and well being

SO3 Improving design, image and quality of place

P1 Improving image
P2 Protecting and enhancing character, landscape and heritage
P3 Improving design of new development

SO4 Promoting a greener environment

G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity

- G8 Managing water resources and flood risk
G9 Reducing the impact of pollution

SO5 Improving accessibility and delivering sustainable transport

- T2 Improving accessibility

Unitary Development Plan (UDP):

G/D/2 Green Belt

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

23/01192/VRCON – Application to vary condition 4 of planning permission 22/00796/FUL (Change of use from dwelling (Use Class C3a) to Residential Care (Use Class C2) for up to two children) to increase the number of children being cared for from 2 to 4 at any one time – **Refused** (Appeal Dismissed). Reason for refusal:

- 1. An increase in the number of children cared for at the home from two to four would likely result in an increase in crime and antisocial behaviour associated directly with use of the site as a care home. This would in turn increase the fear of crime in the area and detrimentally impact the standard of amenity for surrounding residents and undermine their quality of life and community cohesion in the area, contrary to the requirements of policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.*

The Planning Inspector concluded that when '... having regard to the principles established by Finney, the amendment proposed goes beyond the powers under s73 and cannot be determined through s73 and would require a fresh planning permission.'

22/00796/FUL – Change of use from dwelling (use class C3a) to residential care (use class C2) for up to two children – **Approved**.

CONSULTATION RESPONSES

Highways And Engineering

No comments received to date.

Env Health - Noise/Odours

No comments received to date.

Childrens Services

No comments received to date.

GMP - Heywood And Middleton

23/05/2025 - PC Gedling who is our Missing From Home officer has advised that as far as he is aware this is a well run care home and therefore GMP have no objections at this time.

25/07/2025 – (Summary) The site is a well-run care home and although GMP have been out to the site, this is not a regular occurrence. GMP would rather see the expansion of an existing care home from 2 to 4 beds in a well-run home with a good, responsive company than new homes being created.

REPRESENTATIONS

The application has been publicised with a site notice, press notice and neighbour notification letters. 7 letters of objection have been received and these are summarised below:

- The lane cannot accommodate the traffic going to the children's home.
- The parking by staff is causing issues for residents.
- Children have had to be restrained, windows have been smashed and it is a regular occurrence for police.
- One of the children smashed an oil tank causing a major leak.
- The children cause mass disruption.
- The site is poorly served by public transport and local amenities.
- It will resemble a small institutional facility rather than a home setting.
- The property is not in a place that is fit for purpose for the business proposed.
- The site has unsuitable access for vehicles and the increase in traffic. The lane was never intended to be anything but a farm track for the small amount of farms in the area. Development in the last few decades has resulted in the lane being overburdened.
- Vehicle parking associated with the existing use obstructs nearby residents.
- Staff drive at very high speeds on the access road.
- Access onto Meadowhead Lane meets Edenfield Road on a bend. This junction causes daily safety problems and vehicles are often required to reverse onto the main road.

ANALYSIS

Principle of Development

The current application relates solely to the acceptability of an increase in the number of children at the home. The use as a care home is already established under application 22/00796/FUL and cannot be reconsidered.

Crime and Fear of Crime

Paragraph 96(b) of the NPPF requires that development is safe and accessible, so that crime and disorder and the fear of crime do not undermine the quality of life or community cohesion. Paragraph 135 also requires that development provides a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion and resilience. Policy DM1 of the Core Strategy 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.

Under the previous application (ref: 23/01192/VRCON), Greater Manchester (GM) Police objected to the proposed increase in children being cared for on the grounds of crime and incident data relating to the use of the application site between December 2022 and December 2023. It was demonstrated that the existing use, which is currently limited to two children between the ages of 5-12, had resulted in crimes and incidents that have required police involvement.

Notwithstanding the above, GM Police have raised no objections to the current application, advising that the care home is well-run. The initial response from GM Police was followed up by the LPA and on 25/07/2025 the Missing From Home Officer for Rochdale advised again that the home is well-run and although the Police have been out to the site, this has not been a regular occurrence.

On this basis, the fear of crime cannot be objectively justified and while the concerns of local residents are genuinely felt, the Council must be guided by the advice of the Police with regard to crime. However, as with application ref: 22/00796/FUL, conditions are attached which restrict the ages of the children to 5 – 12 years and require adherence to a management plan. It is considered that such conditions would help to mitigate crime and the fear of crime.

Accordingly, the proposed development is acceptable on balance and complies with relevant policies of the Core Strategy and the NPPF.

Other Amenity Considerations

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.

The previous applications have assessed that the property would provide a suitable level of occupier amenity for future residents. The submitted plans identify that the five-bedroom property can adequately accommodate an additional two residents whilst still providing a suitable living environment for residents. Bedroom accommodation would also be made available for three carers.

The previous applications have also identified that the property is adequately distanced from the nearest occupiers so as to result in no loss of amenity through overlooking or loss of privacy. As the current application includes no physical alterations to the building this assessment is still considered to be correct.

It is noted that the objectors have raised concerns over the activities/movements associated with the existing use, including excessive traffic movements, that adversely impact on their well-being. In this regard, the supporting statement advises that the proposed increase to four children would not require any increase in the number of staff required and as such it is stated that there would be no greater level of disturbance or amenity impact generated by this increase.

The LPA accept that the site may already operate with sufficient staff for the proposed number of children. It is however also recognised that there may be some additional visitors associated with the proposed increase, such as extra medical and/or social care appointments. Nonetheless, it is considered that the LPA could not reasonably attribute excessive disturbance associated with additional movements arising from two extra children at the site. Any impacts on highway safety are separately assessed below.

Further to the above, whilst the objectors' concerns are recognised, it is considered that the increase in children would not adversely impact on residential amenity and in this regard, the application would accord with policy DM1 of the Core Strategy.

Highways

Policy T2 of the Core Strategy sets out that development 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.

A large proportion of the objections received relate to the traffic movements and parking associated with the development. Objectors have noted that the existing track and its access to the main road is not adequate to support the increased traffic movements and that this results in highway safety concerns. It is also reported that there is insufficient parking and/or inconsiderate parking associated with the development.

The comments provided by Highway Services under application ref: 23/01192/VRCON are deemed relevant to the current application. It was advised that the proposed changes would have little highway impact and as such they raised no objection. In this regard it is noted that Highway Services will have given regard to the maximum parking standards set out in appendix 5 of the Core Strategy, which requires one car parking space per four beds. The property includes off street parking to the north of the site and this provides parking for at least four cars.

The LPA accept that the access to the site, Meadowhead Lane, is a narrow single vehicle width track. However, as detailed under application 22/00796/FUL, it serves multiple properties, both commercial and residential. The former residential use of the site would have also resulted in traffic movements and had its own parking requirements of a maximum of two spaces (for a residential dwelling).

The previous applications have accepted that while the general comings and goings to the site would increase as a care facility, it would not have a noticeable impact on the functioning of the lane. It is accepted that objectors have reported that the increase in vehicle movements (and parking requirements) is noticeable, however, in accordance with the NPPF paragraph 116, development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.

Based on the advice received from Highway Services alongside the proposed increase in use, it is not considered that the LPA would be reasonable in refusing the application based on highway safety concerns associated with use or the access. Furthermore, whilst the LPA appreciate that there have been issues associated with parking, we could not reasonably require the applicant to provide additional parking spaces which go beyond those set out in the Core Strategy.

Further to the above it is considered that the application is acceptable in respect of highway safety and in accordance with the requirements of policies T2 and DM1 of the Core Strategy and 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:-

- Location Plan. Dwg no. 22-027-001
- Existing Parking Plan. Dwg no. 22-027-002
- Existing Plans and Elevations. Dwg no. 22-027-101
- Proposed Plans and Elevations. Dwg no. 22-027-301
- Existing Parking Plan. Dwg no. 22-027-302

and the development shall be carried out in accordance with these drawings hereby approved unless otherwise required by the conditions below.

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 Places for Everyone Joint Development Plan, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 4 The application property, Higher Ashworth Farm, shall not accommodate more than four children, aged between 5 and 12 years, in C2 care use 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.

5. The development hereby approved shall be carried out in full accordance with the document "Fitness of Premises" by Trinity Care Group at all times.

Reason: In the interests of residential amenity and to reduce the risk and fear of crime, and in accordance with Policy 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 Bob Melling