

Officer Report

Case Reference: 25/00873/FUL
Location: Black Dad Farm Ashworth Road Heywood Rochdale OL11 5UW
Proposal: An existing dwelling providing care for 2 children. This application seeks to increase the number of children cared for, to 4.
Recommendation: Approve with Conditions
Officer: Aimee Bovaird

Site

The application relates to Black Dad Farm, a two-storey detached dwelling which sits towards the end of a 500m access track extending west from Ashworth Road, in the Ashworth area of Rochdale, circa 3km north of Heywood town centre. Black Dad Farm sits in a rural location within the Green Belt and features a single detached two-storey, seven-bedroom traditional farmhouse of agricultural vernacular set within grounds measuring 10 acres. The nearest building to the application property is Dairy House Farm which sits 220m east of Black Dad Farm and shares the same access track from Ashworth Road.

Proposal

Planning permission is sought to increase the number of children in residential care from two to four children. No operational development is required to facilitate the change of use and no external operations are proposed.

Relevant Planning Policy

National Guidance:

National Planning Policy Framework (NPPF) December 2024

National Planning Practice Guidance (NPPG)

Places For Everyone Joint Development Plan (PfE):

JP-P1 Sustainable Places

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

SO5 Improving accessibility and delivering sustainable transport

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

23/01193/VRCON - Application to vary condition 4 of planning permission 22/00795/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

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.

22/00795/FUL - Change of use from dwelling (Use Class C3a) to Residential Care (Use Class C2) for up to two children. Approved

Consultation Responses

GMP

No response received

Representations

Letters of notification were sent to all surrounding properties and a site notice was posted in the vicinity of the site. Two letters of objection were received and raised the following concerns.

- Concerns over police call outs and safety
- Fear of crime
- Concerns over staff and children ratio
- Accessibility and number of cars that can be accommodated on site
- This permission if granted will contradict previous planning permission

Analysis

The application seeks to increase the number of children cared for from two to four. Adult supervision will operate on a 24hr basis, with shift changes as necessary but the home operating as close as possible to a typical family home in order to provide an appropriate quality of life for the children. The principle of the use of the home for the care of looked-after children has been established under planning permission 22/00795/FUL. The application would not change this use but would see some intensification of the use through the increased number of children. This assessment considers the impact of this intensification against planning policy.

Crime, Fear of Crime, and Amenity

Paragraphs 96 and 135(f) 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. CS Policy DM1 seeks to minimise opportunities 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 account.

There is a perception expressed by objectors that the proposal would result in a increase in crime and anti-social behaviour. A previous planning application 23/01193/VRCON was refused due to crime and fear of crime. That refusal was supported by evidence submitted by GMP in objection to the application whereby they expressed general concerns over care home provision in the borough but were also able to identify incidents directly arising at the property that suggested disproportionate impact from the property. The response from GMP was received over 2 years ago in December 2023.

No response has been received from GMP in relation to the current application and therefore up-to-date evidence has not been provided to demonstrate an ongoing issue. Objectors have referred to potential incidents in the summer of 2025 but officers do not have full details of these or context as to whether the level of incidents experienced is disproportionate when compared with other areas. Based on the responses received on this and previous applications there is also indication that the children in care at the property have changed over time as would be expected for such a facility whereby children will leave at specified ages and new children will come into the homes. As such the impacts of these properties is not static and can vary over time as different children, potentially with different care requirements, reside in the home. This turnover is different but not substantially so to general dwellings where residents may change on a regular basis, particularly in rented properties as an example. This also means it is difficult to identify a direct impact arising from such a property at a specific point in time. The longer-term holistic impact on crime and fear of crime from these properties is primarily controlled through operation standards of the facility. In this instance it is noted that the homes is Ofsted registered and as such is regulated appropriately outside of the planning process, and it is not therefore for the LPA to substitute or duplicate other regulations. Given the above, and in the absence of an evidenced and up-to-date GMP objection, it is considered the LPA would not be able to demonstrate direct impact on crime arising from the property and specifically the increase in number of children. As such the primary concern would be fear of crime, which as set out previously, is not in and of itself a robust reason for refusal.

The increase in number of children would not result in any direct impacts associated with visual amenity and whilst additional trips on the road could be expected, it is not considered that this would be so significant as to cause any notable harm to amenity through increased vehicle movements.

On balance, whilst the history of the site is acknowledged, it is considered that the impact of the proposals on crime and fear of crime would not be so significant to warrant a refusal and as such would comply with Policy DM1 and the National Planning Policy Framework.

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 CS.

Given the location of the site, the intensity of proposed use and the well-established servicing requirements of this large family dwelling, it is not considered that the proposals would result in any unacceptable impacts to highways or pedestrian safety.

The proposals therefore accord with the requirements of Policies T2 and DM1 and the NPPF.

Recommendation: Approve with Conditions

Condition(s) (3)

- 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 Plans and Elevations 22 – 041 – 301 Rev B

- Supporting Statement

and the development shall be carried out in accordance with these drawings hereby approved.

- 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.