

Ward: Radcliffe - East

Item 07

Applicant: Mr Richard Barfoot

Location: 36 Irwell Street, Radcliffe, Manchester, M26 1LR

Proposal: Change of use from dwellinghouse (Class C3) to children's residential care home (Class C2)

Application Ref: 70256/Full

Target Date: 24/01/2024

Recommendation: Approve with Conditions

Description

The proposal relates to a traditional 5-bedroomed end terraced property on a residential street. The property has a large two storey outrigger at the rear. It is immediately bounded by similar properties to the east and west, further housing to the north on the opposing side of Irwell Street (served by dedicated car parks). Coronation Park is located beyond a rear alleyway serving all dwellings on the south side of the street and rises above the rear of the dwellings. The subject property has a small rear yard area. Resident's cars (those who live on the south side of Irwell Street) generally rely on on-street parking.

The proposal is for the change of use from the current 5 bedroom dwellinghouse (Class C3) to children's residential care home (Class C2) for the occupation of up to 3 children and staff. No alterations are proposed to either the external elevations or the room layout.

The existing dwelling presently comprises 3 reception rooms with kitchen at ground floor and 5 bedrooms at first floor.

The supporting statements confirm that the home would be used for the care of 3 children between 10-18 years old (of any gender and having suffered with any trauma or diagnosed with mental health illness). They would receive 1 to 1 care from appropriately qualified staff and there would be a maximum of 4 staff (1 manager - present 09:00 - 17:00 and 3 carers (2 on a 24 hour shift and 2 on a 12 hour shift).

Resident children would be enrolled in school, although some may be home schooled depending on circumstances and the level of care required. Specialist treatment (e.g. psychologist/therapist) is likely to occur off site. Children would be supported to have independent time in a risk assessed and managed way, mirroring how a parent would do (not to be able to come and go as they pleased). There would be curfews and the house would be locked at a certain time, reflecting that of a family home and the security and wellbeing of young people.

The current occupiers of the property have 3 vehicles parked on the street (occasionally 4 due to an adult child of the owner). The submission notes that there are public car parks at the end of Irwell Street (not the residents only car parks) and Stand Lane and that St. John's Street, close to the site has unrestricted parking (in addition to Irwell Street). It is expected that some of the staff will drive, but this cannot be determined at this stage (as they are yet to be employed). It notes that Radcliffe has good public transport links.

Relevant Planning History

No relevant history.

Publicity

Direct notification undertaken on 01/12/2023 and 12/12/2023. Representations received from 13 separate addresses raising objections that can be summarised as follows:

Highways and parking

Parking on the street is already at full capacity and current residents struggle to park.

The site would not provide dedicated off-street parking for staff/visitors.

Adjacent streets that give access to Irwell Street are congested with parked cars and additional vehicles could exacerbate existing problems and block access e.g. for refuse vehicles.

The street is blocked from regular visits from ambulances and the street is a dead end.

The submission misrepresents the parking situation on Irwell Street. The car parks noted in the parking evidence are for residents of Six Town Housing only, which may not be at full capacity due to low car ownership. Irwell Street is normally at full capacity.

Amenity

There are already 2 care facilities within 100m of the site that cause problems. The addition of another care home with a 24 hour open door policy for young people with complex mental health issues, which is attached to neighbouring dwellings in a residential neighbourhood, would have a negative impact due to noise, disturbance and the safety of the occupants and the local community.

There is a first-floor window that opens up over neighbouring gardens (that would enable occupants to launch objects).

The use would encourage other young adults to the area, which would have a negative impact on younger children and generate anti-social behaviour.

The park adjacent to the site suffers from anti-social behaviour/drug users, which would therefore be unsuitable for the intended vulnerable occupiers. Other violent incidents have occurred in the locality.

The use would add to noise pollution.

It would be inappropriate to operate a business use in a residential street.

A mental home in the middle of a block of terrace houses is highly inappropriate. The patients at Prestwich escaped often. What's to stop them escaping from the house and bothering people in the community?

Other matters

The proposed use would impact on house prices.

It would put more pressure on already stretched local services e.g. doctors, dentists.

Would modifications be required to access gates and boundary walls to make them safe and secure?

If approved, this would set a precedent that would alter the fabric of the community.

There has been a lack of community consultation.

Alternative locations should be considered that takes into account proximity to medical facilities, public transport and a more appropriate environment for residents.

The proposal would be a strain on emergency services and it should be verified whether infrastructure such as hospitals and police services can provide adequate support.

Statutory/Non-Statutory Consultations

Traffic Section: No objection.

Environmental Health - Pollution Control: The proposed site is in a row of terraced houses. Unable to determine if the end users would cause noise nuisance due to their mental health. Unable to carry out noise assessment for this. Don't know what impact noise

could have on neighbouring houses.

Public comments are noted and there are concerns with regards ASB. This is something that EH cannot action either.

Greater Manchester Police - designforsecurity: Comments to be reported.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
CF1	Proposals for New and Improved Community Facilities
CF1/1	Location of New Community Facilities
CF3	Social Services
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
H4/2	Special Needs Housing
EN7/2	Noise Pollution
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Bury Unitary Development Plan (UDP) and the Places for Everyone Joint Development Plan (PfE), together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

ASSESSMENT

Section 149 of the Equality Act places a general duty on public bodies to have due regard to the need to eliminate discrimination and promote equality with regard to those with protected characteristics such as age, race, disability, religion or belief, gender and sex and to foster good relations between different groups when discharging its functions. It is not considered that any one group would be disadvantaged by the proposed development, however, children between the ages of 10-18 who suffer from trauma / have been diagnosed with a mental illness (which may be considered a disability) would benefit from the proposal. As such, there would be benefits to groups with protected characteristics.

Policy

The NPPF advocates the objectives to achieve sustainable development. Paragraph 8 states that one such objective is to support strong, vibrant and healthy communities by fostering well-designed and safe built environments with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

Chapter 8 of the NPPF relates to promoting healthy and safe communities and paragraph 96 states that policies and decisions should aim to achieve healthy, inclusive and safe places which, amongst things, promote social interaction, are safe and accessible and enable and support healthy lifestyles.

Paragraph 97 of the NPPF states that planning policies and decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

Policy CF1/1 - Location of Community Facilities gives regard to factors including impact on residential amenity, traffic generation and parking, scale and size of development, accessibility to shops and services, suitability of the chosen location, public transport and needs/requirements of those with a physical disability.

Policy CF3 - Social Services, considers favourably proposals for the provision of new, and the improvement of, existing facilities for children, young and the elderly, those with mental health or physical and special needs, encouraged to live in the local community rather than in large institutions. Support for new and improved services is supported providing that there is no conflict with existing residential amenity and the environment.

Policy H4/2 - Special Needs Housing - seeks to support the provision of special needs housing recognising that specialist accommodation is needed for the most vulnerable members of society. Regard is given to factors including the convenience of location to shops, public transport and community facilities, location of health care facilities, gradient and accessibility to public transport, parking and amenity provision and high standards of design, layout and landscaping to achieve a satisfactory environment.

Principle

Objections refer to the proposal being inappropriate in a (family orientated) residential area, by reason of traffic congestion/lack of parking, noise, anti-social behaviour/community safety and access for occupants to social and health facilities and public transport.

The proposal relates to an end-terraced 5 bedroom family dwelling located within a well-established residential area. The application proposes to provide living accommodation for children in a setting that would be as close to a family environment as practicable. The property would not be required to be extended or altered and permanent residents (i.e. the children) and support carers would occupy the dwelling in a manner broadly akin to occupation by a family. It is also noted that the property could be utilised as a 6 bedroom house in multiple occupation without the need for planning permission.

The principle of the development would therefore be acceptable. Given the above, the proposed use would provide a valuable facility for more vulnerable members of society and as such, would be compliant with the above UDP policies and the principles of the NPPF.

Design and visual amenity

The proposed layout or the appearance of the property would not change from the current arrangements.

Impact on residential amenity

The objections concerning impacts on residential amenity are reported above.

It is considered that the character and the scale of the use would be consistent with that of a family household occupying the existing 5-bedroom dwelling. One of the key objectives of the proposal is to provide an environment which would be consistent with 'normal' residential living conditions and the regularity of daily living, reflecting that of a family home and providing security and the wellbeing of young people. It is intended the care home would function discreetly within the neighbourhood.

The supporting information sets out that the children would occupy the dwelling in a manner that would not be materially different to how a family would occupy it. Each child would have

their own bedroom and use of communal spaces (e.g. kitchen/dining room/lounge), which would be shared between occupants. The children would attend school or be home schooled and would socialise and partake in recreational activities, as one would expect a child would when in a typical family setting.

Changeover between staff would occur twice a day and would entail the transition of two staff early morning and evening. A Home Manager would be in attendance during typical office hours.

Clearly, households can take many forms and the current dwelling could be occupied by a family of up to around 6 individuals (possibly more if a reception room was to be utilised as bedroom). Furthermore, without planning permission, the dwelling could be utilised as a house in multiple occupation for up to 6 occupants.

Some objections refer to the potential for anti-social behaviour and allude to the 'type' of occupants, claiming that they may pose a danger for existing residents due to abusive, threatening and violent behaviour.

In relation to other proposals for a care home of a similar scale and nature, Greater Manchester Police have not supported such claims, stating that such uses are best situated within the community (as in this case). Regardless, the behavioural characteristics of individuals that may come to occupy a care home is not a material planning consideration. The assessment of impact on residential amenity relates to the nature of occupation (as a care home) and not (assumptions concerning) the character of individuals. The property would be occupied by children between the ages of 10-18, living as a family would and cared for by qualified staff. The objective would be to offer the best possible outcome for children and to prepare them for adulthood. The objective would be that occupation of the property would be passively routine and it would function akin to a typical residential dwelling.

The response of GM Police to this specific proposal will be reported in the supplementary report.

Although the Council's Environmental Health Officer is unable to determine if the end users would cause noise nuisance, as noted above, the property would be occupied as would a 'typical' family would occupy a dwelling. Similarly, potential noise nuisance from the occupation of the property by a family could not be determined (before occupation).

Given such circumstances, and the potential alternative iterations for occupation of the dwelling, it is not considered that the proposed change of use of the dwelling would have a materially greater impact upon neighbouring amenity. Occupants would engage in education, social and recreational activities, as any child could when occupying the dwelling as a family home and carers would manage and supervise in a manner similar to that of parents.

It is therefore considered that the proposal would not conflict with the character of the area or have an adverse impact on the amenity of local residents. Given the above, the proposal would therefore comply with UDP Policies CF1/1, CF3, H3/1, EN1/2 and EN7/2.

Highways issues

Supplementary Planning Guidance (SPD) note 11 - Parking Standards in Bury, sets a maximum standard for type of C2 care home at a rate of 1 space per 4 beds. Applications are to be assessed on their own merits and in consideration of their location and nature of intended occupation.

Objections in relation to traffic, parking congestion and highway safety are outlined above.

The applicable parking standard is 1 space for every 4 beds. The applicable standard for 4 plus bedroom dwellings is a maximum 3 spaces.

Whilst the property does not benefit from off-street parking, the site is located within the urban area of Radcliffe, within an approximately 600m or 800m walk from Radcliffe Bus Station and Metrolink Stations respectively. Thus, the site is in a highly sustainable location. By contrast, as a 5-bed dwelling, the property could potentially be occupied by up to 5 car owners (adult children may be car owners), plus there could be additional trips to the site by visitors, friends/family and from deliveries or servicing requirements associated with day to day living.

On-street parking is not restricted and there are public car parks in the locality and within easy walking distance. Vehicles would be able to park freely in the vicinity without obstructing the carriageway or footway. Given that the site is located in a high accessibility area, it would be reasonable to consider that some staff members could travel by public transport (but this could not be controlled).

Unitary Development Plan Policy H4/2 - Special Needs Housing requires consideration of the sites gradient. However, the proposal would not cater for those with physical disabilities and regardless, the gradient of the short private front forecourt is level with a low step.

SPD 11 indicates that cycle storage provision should be provided for two bicycles. This could be secured by condition.

The Highway Officer does not object to the proposal.

In such circumstances, it is not considered that the proposal would have unacceptable impacts on highway safety that would warrant or sustain an objection to the application. Paragraph 115 of the NPPF states that 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 would be severe.

Response to objectors

Many matters raised in objections are not material to the assessment and determination of the planning application. Therefore, the matters referred to below omit those that have been addressed in the above assessment or where they would not be material.

- The submission misrepresents the parking situation on Irwell Street. The car parks noted in the parking evidence are for residents of Six Town Housing only, which may not be at full capacity due to low car ownership. Irwell Street is normally at full capacity.

This is noted and the section above relating to 'Highway issues' covers this point.

- There is a first floor window that opens up over neighbouring gardens (that would enable occupants to launch objects).

This could potentially occur with occupation of the property as a dwelling.

- The park adjacent to the site suffers from anti-social behaviour/drug users, which would therefore be unsuitable for the intended vulnerable occupiers. Other violent incidents have occurred in the locality.

This is noted in the representation as a current issue. The proposed use would be operated

as would a dwelling occupied by a family with the well-being and supervision of the child occupiers being a central objective.

- The proposed use would impact on house prices.

Such a perception is not a material planning consideration.

- It would put more pressure on already stretched local services e.g. doctors, dentists. It should be verified whether infrastructure such as hospitals and police services can provide adequate support.

The proposal is minor in scale and the site would be occupied as a family could occupy the present dwelling (with the associated requirements for access to such local services).

- Would modifications be required to access gates and boundary walls to make them safe and secure?

This is not a material planning consideration.

- If approved, this would set a precedent that would alter the fabric of the community.

Each application would be considered on its merits and assessed against the relevant planning policies and material considerations.

- There has been a lack of community consultation.

The proposal was advertised as required in the relevant Regulations (resulting in 13 objections).

CONCLUSION

Whilst there are objections to the proposal, the development has been assessed as not having any unacceptable impacts upon general amenity and safety of neighbours and occupiers and highway safety.

Given the above, the proposal would be compliant with the above stated UDP policies and the NPPF. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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 and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

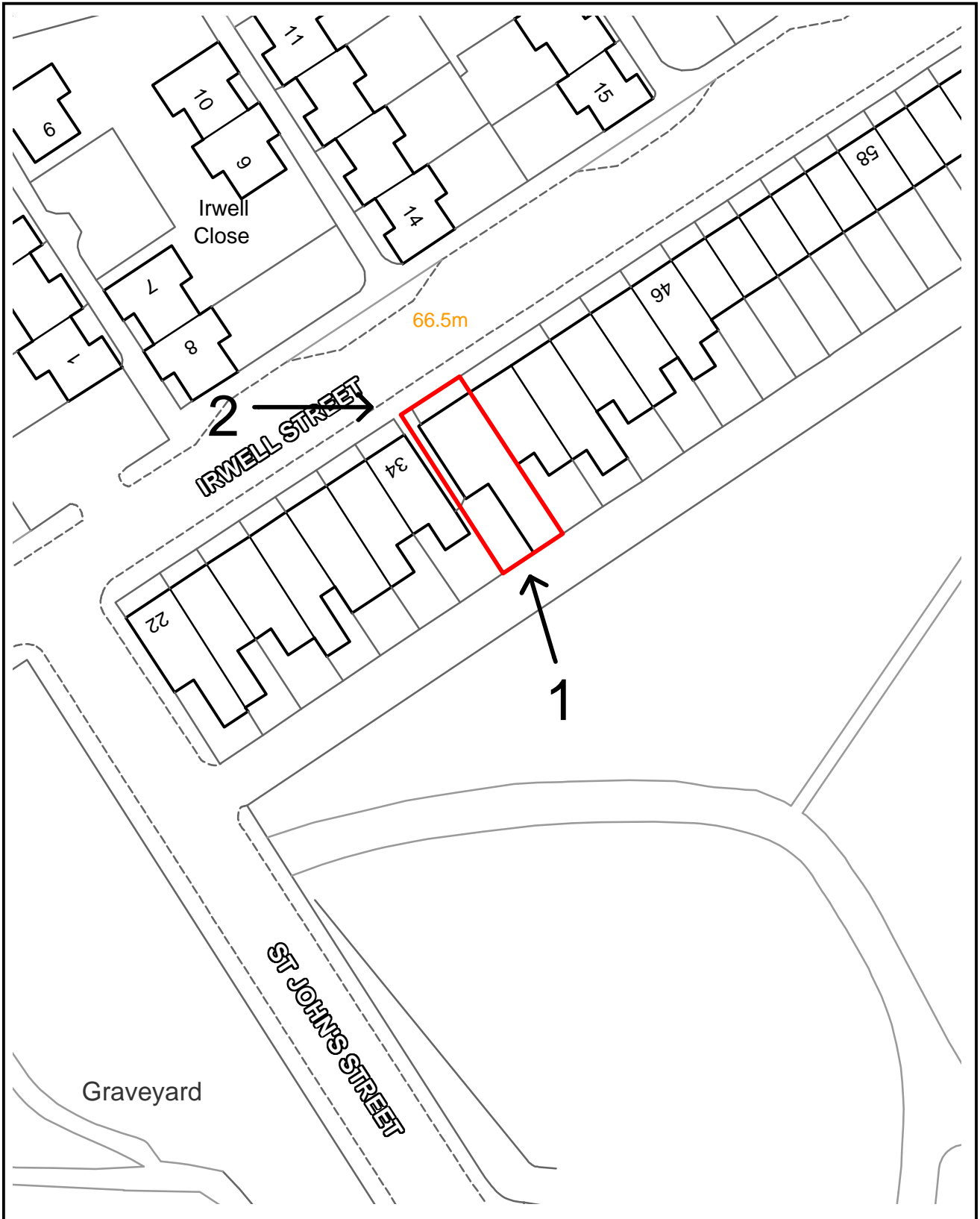
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act

1990.

2. This decision relates to drawings
Location Plan dated 20/11/2023
Proposed Site Plan (Dwg No. 01A)
Existing and Proposed Roof Plan (Dwg No. 04)
Existing and Proposed Elevations (Dwg No. 05)
Proposed Floor Plans (Dwg No. 06)
and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The premises to which this approval relates shall be used for residential care only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).
Reason. To ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which could cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, CF3 - Social Services, H4/2 - Special Needs Housing, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.
4. The use of the building hereby approved shall not commence until secure cycle parking for two bicycles have been provided at the site. The facility shall remain available for users of the development thereafter.
Reason. To secure satisfactory cycle facilities on site and in accordance with Unitary Development Policies HT6 - Pedestrians and Cyclists; HT6/1 - Pedestrians and Cycle Movement.

For further information on the application please contact **Dean Clapworthy** on **0161 253 5317**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 70256

ADDRESS: 36 Irwell Street, Radcliffe



Bury
Council

Planning, Environmental and Regulatory Services

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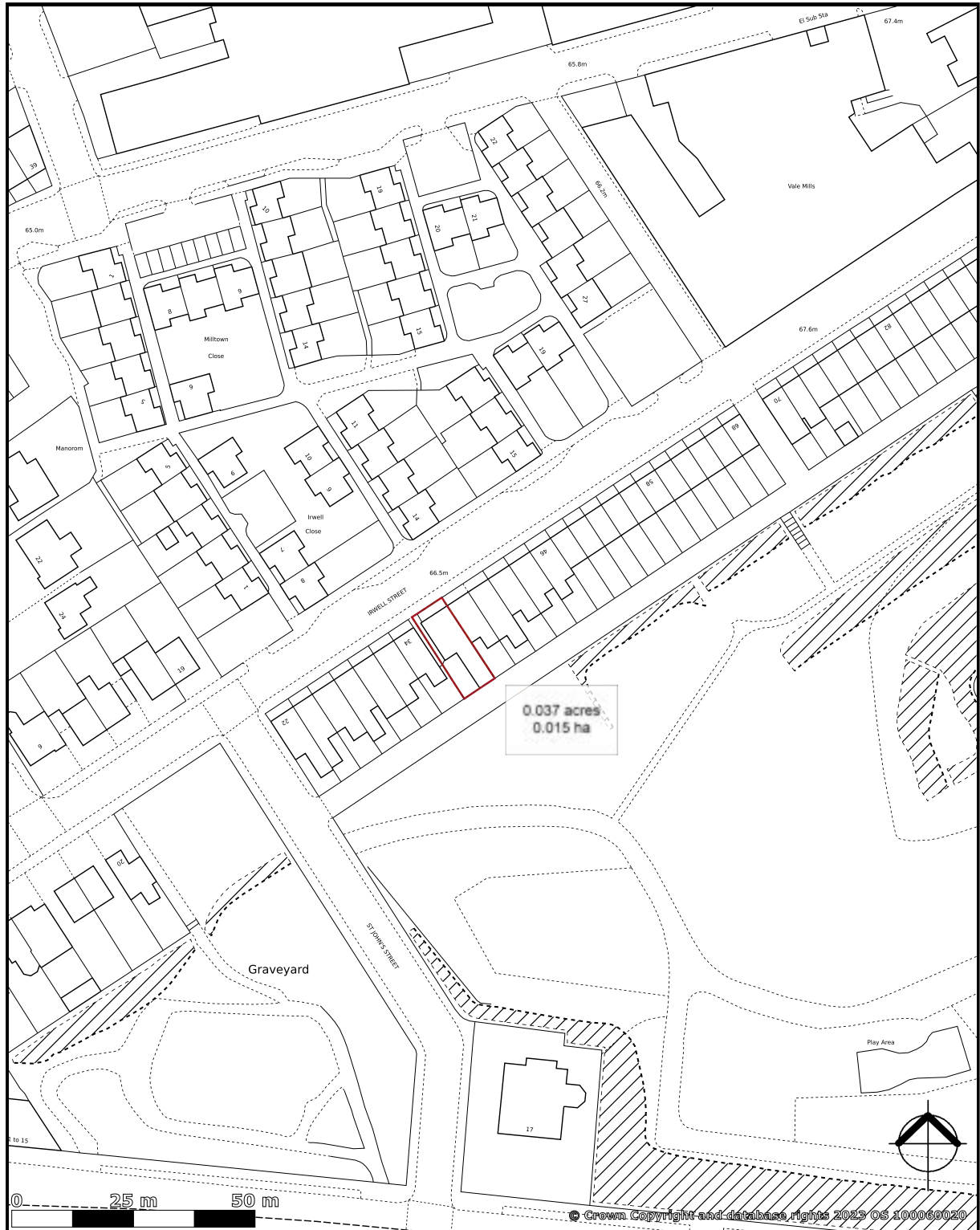
70256

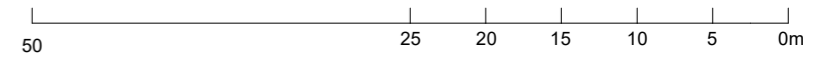
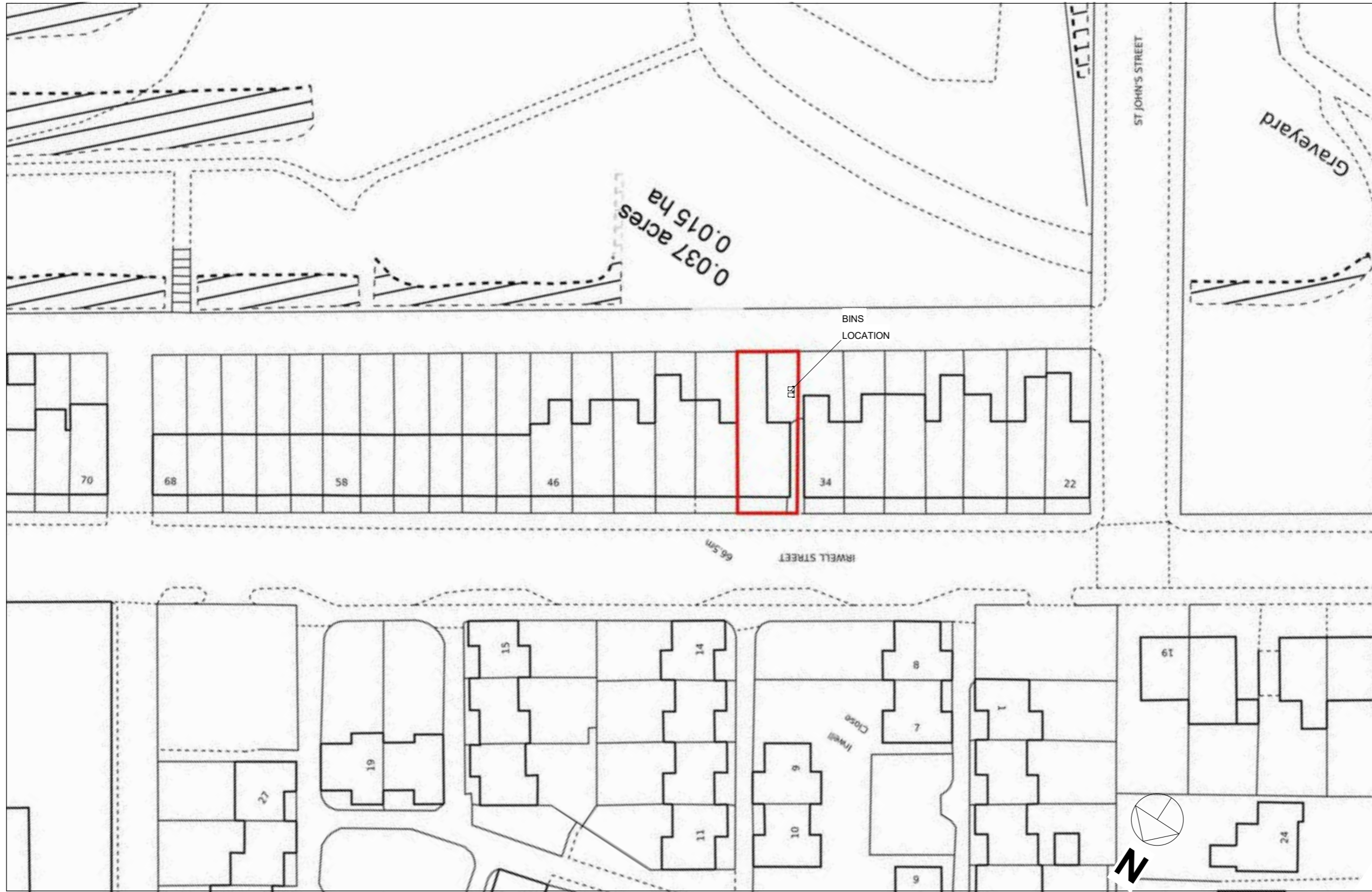
Photo 1 - Rear of 36 Irwell Street



Photo 2 – Irwell Street (no. 36 - white fronted, centre)







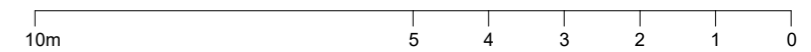
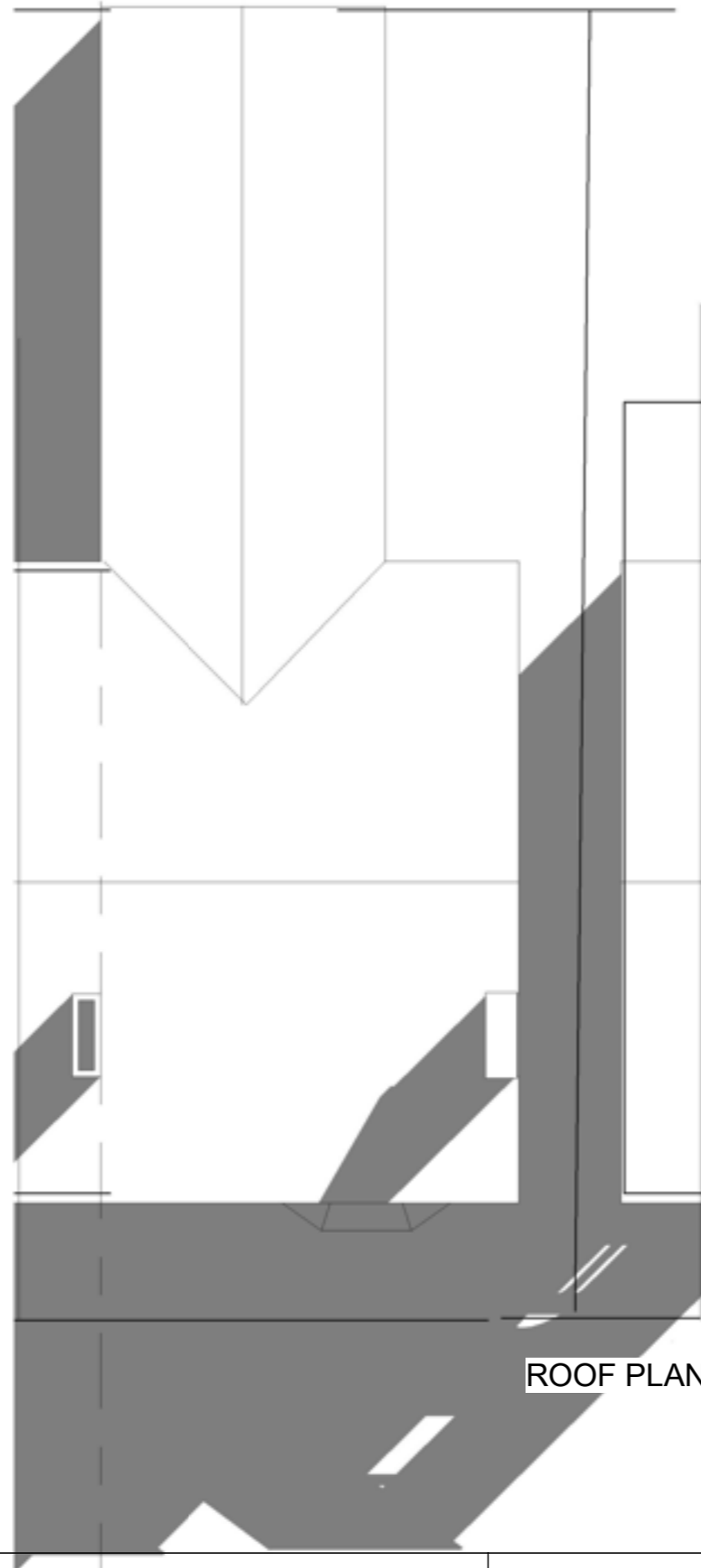
PLANNING BY DESIGN
FROM CONCEPT TO COMPLETION

ALL DIMENSIONS TO BE VERIFIED ON SITE
THIS DRAWING IS NOT FOR CONSTRUCTION

Rev	
A 29.11.2023 BINS	

**36 Irwell Street
Radcliffe
Manchester M26 1LR**

EXISTING AND PROPOSED BLOCK PLAN			
Date	16.10.2023	Scale @ A3	No.
By	JL	1:500	01A
Drwg ref:	36IrwellStreetExistingAndProposedBlockPlanV2		



ROOF PLAN



ALL DIMENSIONS TO BE VERIFIED ON SITE
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Rev

36 Irwell Street
Radcliffe
Manchester M26 1LR

EXISTING AND PROPOSED ROOF PLAN

Date	16.10.2023	Scale @ A3	1:100	No.	04
By	JL				
Drwg ref:	36IrwellStreetExistingRoofPlanV1				

First floor
2700

Ground floor
0



NORTHWEST (FRONT) ELEVATION

PROPERTY
BOUNDARY

PROPERTY
BOUNDARY

First floor
2700

Ground floor
0

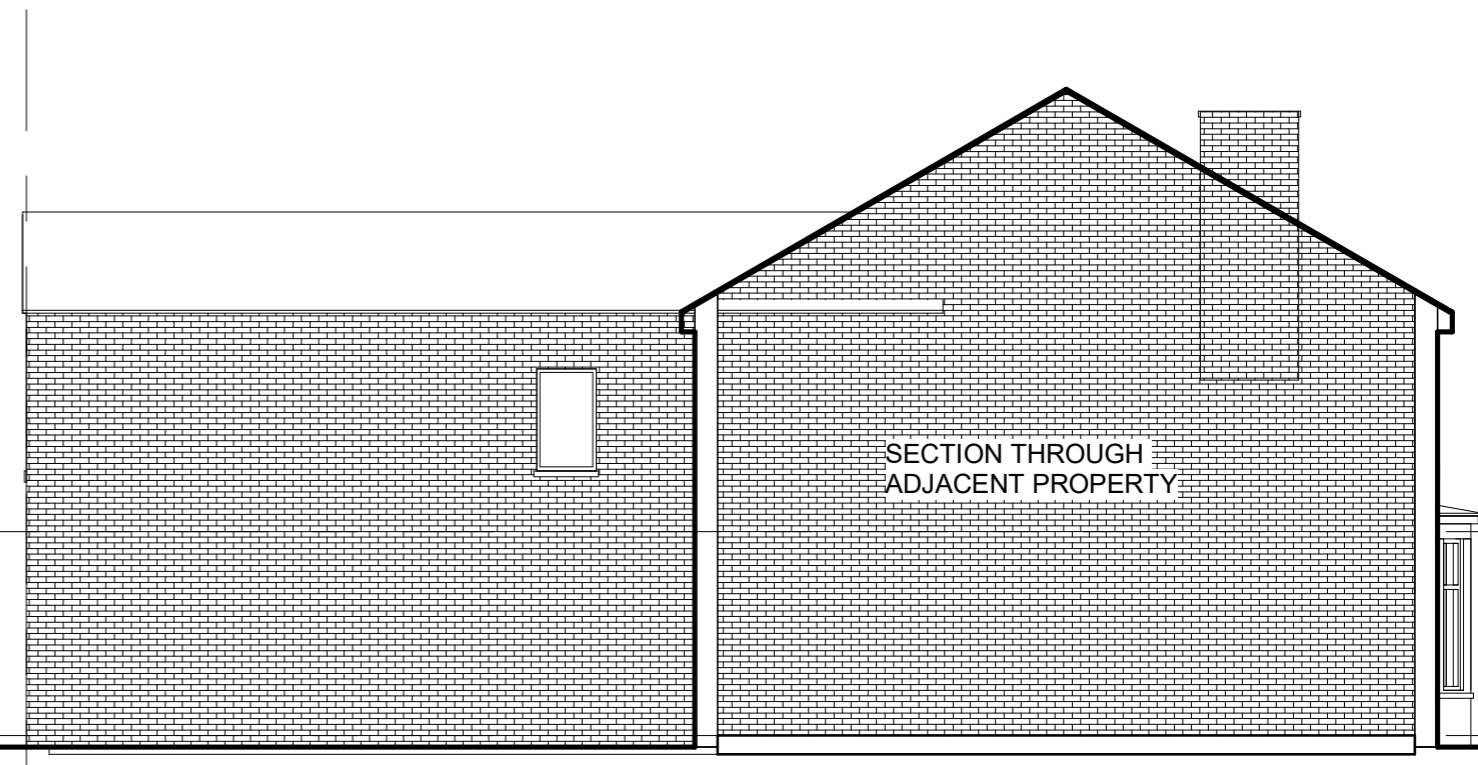


SOUTHEAST (REAR) ELEVATION

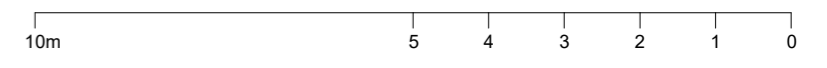
REAR BOUNDARY
FENCE SHOWN
DOTTED FOR CLARITY



SOUTHWEST ELEVATION



NORTHEAST ELEVATION/SECTION



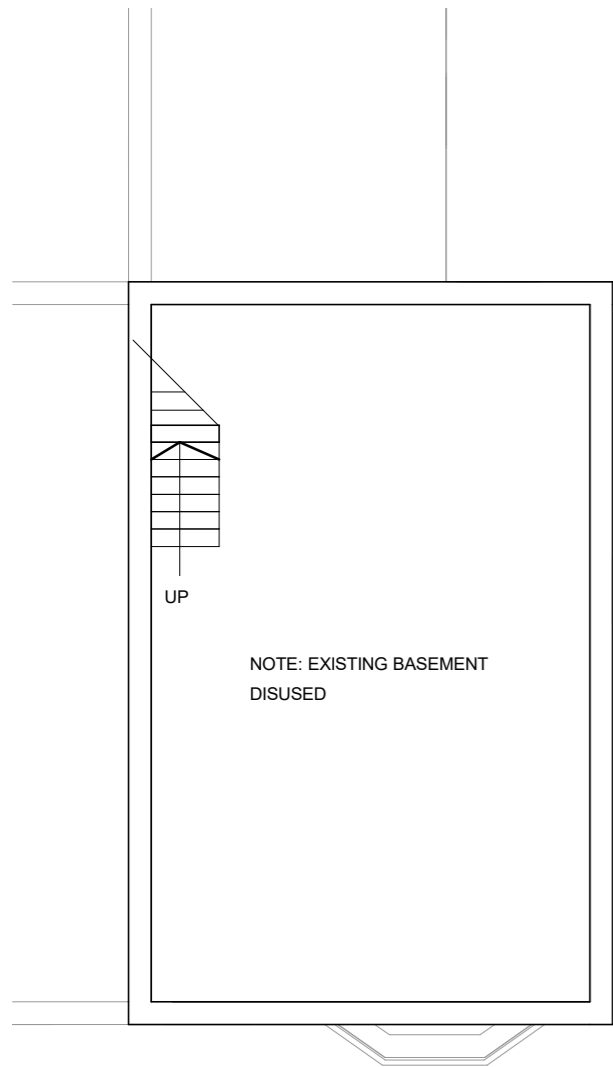
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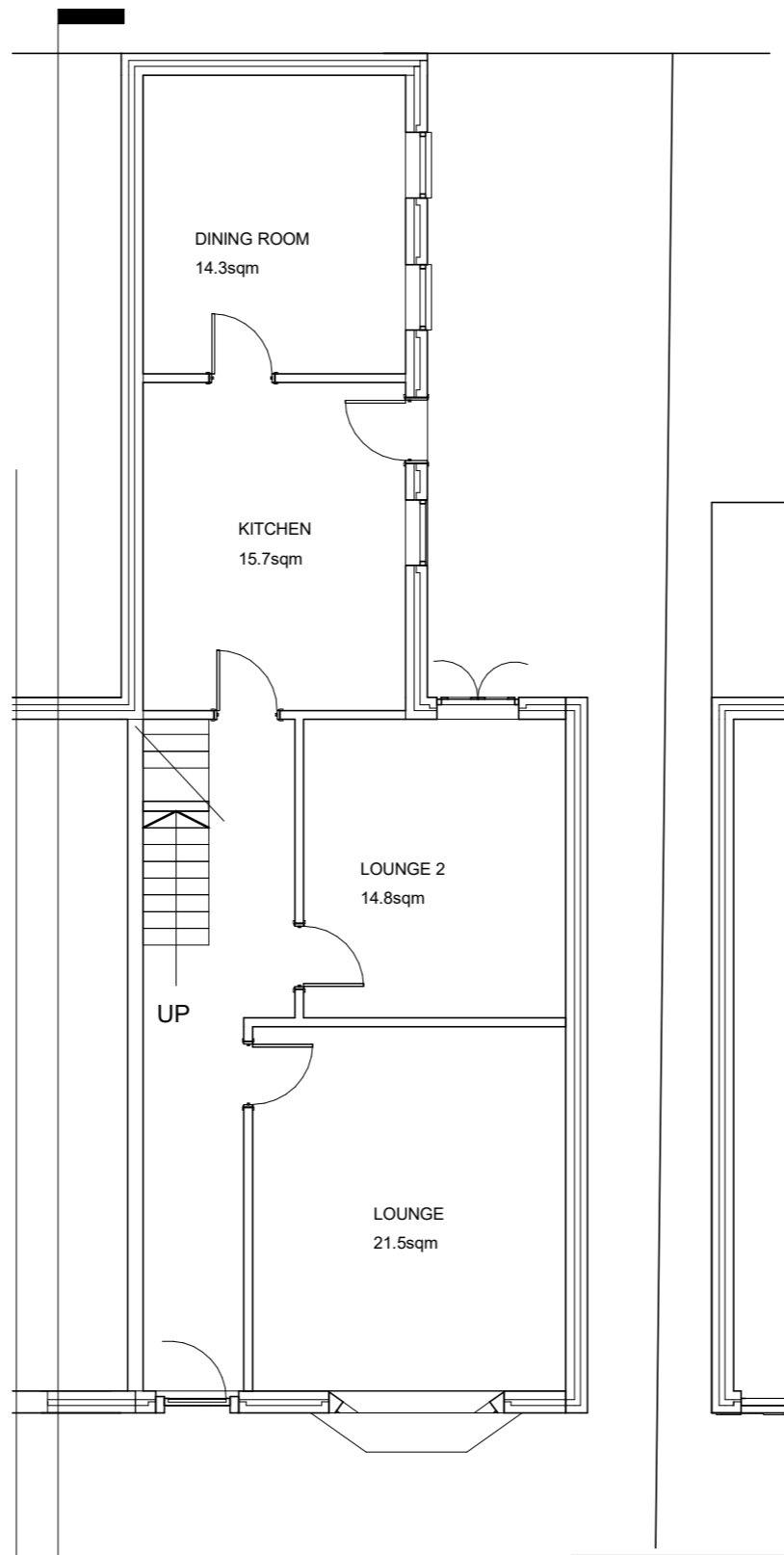
36 Irwell Street
Radcliffe
Manchester M26 1LR

EXISTING AND PROPOSED ELEVATIONS

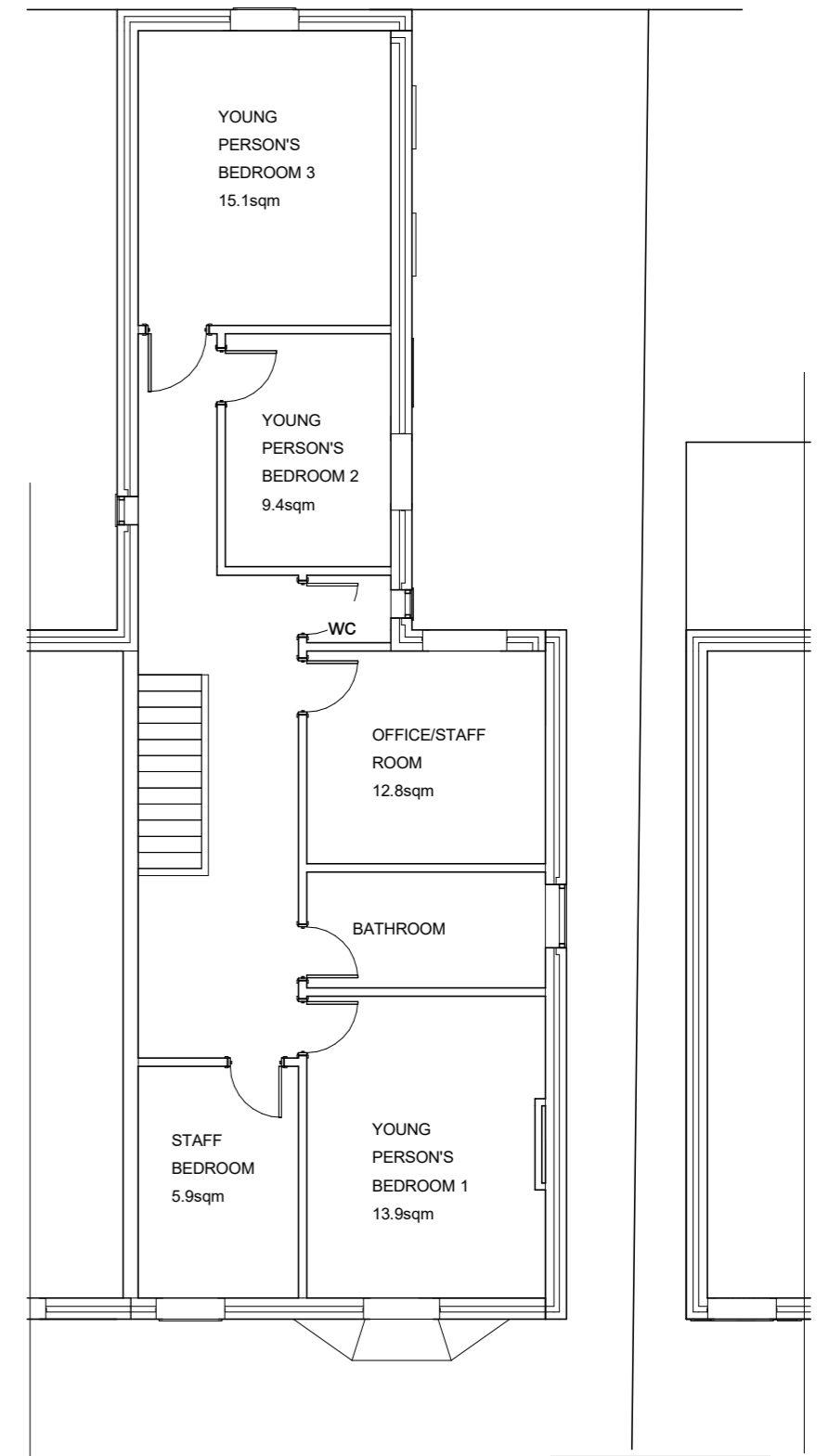
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By	JL				
Drwg ref:	36IrwellStreetExistingElevationsV2				



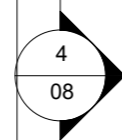
BASEMENT



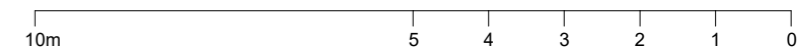
GROUND FLOOR PLAN



FIRST FLOOR PLAN



TOTAL INTERNAL FLOOR AREA: 171.2sqm



PLANNING BY DESIGN
FROM CONCEPT TO COMPLETION

ALL DIMENSIONS TO BE VERIFIED ON SITE
THIS DRAWING IS NOT FOR CONSTRUCTION

Rev

36 Irwell Street
Radcliffe
Manchester M26 1LR

PROPOSED FLOOR PLANS			
Date	16.10.2023	Scale @ A3	No.
By	JL	1:100	06
Drwg ref:	36IrwellStreetExistingPlansAndRoofPlanV2		