

Ward: Bury East

Item 04

Applicant: Coral Mullings

Location: 102 Sixth Avenue, Bury, BL9 7RP

Proposal: Change of use from dwelling (Class C3) to a children's residential care home (Class C2) for up to 3 children

Application Ref: 73083/Full

Target Date: 30/06/2026

Recommendation: Approve with Conditions

Description

The application property is a two storey detached dwelling located on the south-eastern side of Sixth Avenue. The front elevation of the property is separated from the pavement by a tarmac driveway and small front garden. To the north/north-eastern side of the property is a large private driveway and an access gate for both vehicles and pedestrians into the rear garden area. The rear garden boundaries are formed by timber fencing and hedging.

Planning permission is sought to change the use of the dwelling from a Class C3 use to a Class C2 children's residential care home for up to 3 children. As noted on the plans, there are no alterations to the existing floor plans or elevations proposed.

As stated within the supporting information, the home will be staffed on a 24-hour basis, typically comprising two/three members of staff on duty during daytime hours with two staff transitioning to night time duties. Staffing will operate on a shift-based system, commonly structured around longer shifts (for example 24-hour or 48-hour arrangements).

As can be seen within the Planning History for this site, application 72755 for a Lawful Development Certificate for the proposed change of use from a dwelling (Class C3) to children's residential home (Class C2) was refused on 09/02/2026 due to the proposal being deemed to potentially intensify the use of the property as more than a Class C3a dwelling, and therefore it was concluded that the proposed could not be considered as permitted development. This full application has therefore now been submitted.

The area is residential in nature, predominantly of larger detached dwellings. Parking at Sixth Avenue is restricted in the fact that it is a cul-de-sac and therefore the majority of vehicles park off street on private driveways. It is noted however that parking on the road is common, but limited.

Relevant Planning History

38927 - REDUCE LEVEL OF EXISTING PARKING AREA AND ERECTION OF CONSERVATORY AT REAR - Approve with Conditions 28/03/2002

53918 - Lawful Development Certificate for existing garage at rear - Lawful Development 31/05/2011

72755 - Lawful development certificate for proposed change of use from dwelling (Class C3) to children's residential home (Class C2) - Refused 09/02/2026

Publicity

7 neighbouring properties were consulted on 06.05.2026. A total of 13 objection letters from 9 addresses have been received detailing the following concerns:

Impact on the Area

- The proposal would impact the character, amenity and safety of the area and result in a material change of the area
- The proposed use differs from the established close-knit, residential nature of the area
- Is this type of commercial/business-style premises suitable within a cul-de-sac?

Impact on Neighbours

- Recently approved neighbouring extensions have already impacted the neighbour, and this will impact further
- The area is peaceful and quiet, with many elderly residents/disabled residents. The proposed will increase noise and result in disruptions which isn't fair.
- Concern over general health of residents and quality of life should the application be approved

Parking

- Concern over parking including access for emergency vehicles, and especially as the street is always busy due to neighbouring streets being restricted parking areas and the proximity to Fairfield Hospital
- Concern over intensification of traffic

Safety

- Potential for disorder/anti-social behaviour and increased police presence
- Concern over safety of children already living in the area
- Impact on local services

Other

- How has the application changed from the previous application?
- The company is already registered on Companies House, with the address as the application property. Does this mean the application has already been decided, with the concern of residents not appropriately considered?
- Could de-value neighbouring properties
- Is the property appropriate for the number of children and the needs of the children?
- The application includes insufficient information in regards to staffing numbers, overnight staffing arrangements, shift patterns, visitor frequency, operational management, and parking provision associated with the use.
- Request for information on operator records

Statutory/Non-Statutory Consultations

Traffic Section - requested the off-road car parking provision to be detailed on the submitted site plan. This was amended and added to the application as a revised plan. Following this, the Highways Engineer recommended the following conditions:

1. The parking arrangements indicated
2. Bin storage arrangements made available.

These have been acknowledged within the conditions of the report. There were no further requests for information or objections.

Environmental Health - Pollution Control - had no comments or observations to make on the proposed.

Planning Policy Manager - no comments received.

Waste Management - no objections, just made comment that as the proposed is a change of use to a care home, the property will now have to arrange a commercial waste contract and this should be in place for when the change of use happens.

Greater Manchester Police - designforsecurity - provided the following comment:

A facility of this nature is best located and supported within a conventional domestic residential community.

In addition to the immediate setting, the house is served by a number of schools and community facilities.

Should the local authority be mindful to approve this application Design for Security have the following comments:

1. Should there be any changes/upgrades to external doors and windows should be certified to PAS24 standards.
2. The maximum number of residents should be three.
3. The minimum number of staff members (qualified and vetted), whilst residents are in occupation should be two.
4. Unfortunately, the supporting Planning Statement does not state the age range. However, we recommend the age should be between 7 - 15 years of age.
5. Visiting arrangements to the site are to be arranged during permitted hours which do not conflict with other residents visitors.

The above comment has been acknowledged as an informative.

Children's Commissioning Team - no comments or observations received.

Pre-start Conditions - Agent has agreed with pre-start conditions

Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
CF3	Social Services
CF1/1	Location of New Community Facilities
H4/2	Special Needs Housing
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-S5	Clean Air
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development

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 Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), 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 and PfE Policies 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.

Principle (Use) of the Proposed Development

The NPPF advocates the objectives to achieve sustainable development, 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 - Promoting healthy and safe communities, 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. Account should also be taken to support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- impact on residential amenity and the local environment;
- traffic generation and car parking provision;
- the scale and size of the development;
- where applicable, access to shops and other services;
- if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- accessibility by public and private transport;
- the needs and requirements of the disabled.
-

This is supported by Policy CF3 - Social Services, which states that the Council will, where appropriate, consider favourably proposals for the provision of new, and the improvement of existing social services facilities for children, young people, elderly people, people with mental and/or physical handicaps and illnesses, and other groups with special needs.

Policy H3/1 states that the Council will assess proposals for the development of non-confirming uses in primarily residential areas and will not permit proposals considered to be incompatible. Factors which will be taken into account when assessing such proposals will include noise, vibration, smell, fumes, smoke, soot, ash, grit, dust, visual intrusion, traffic generation and parking arrangements, and hours of operation.

Policy H4/2 states that the Council will encourage the provision of special needs housing. Proposals will be assessed with regard to the following factors:

sites should be conveniently located for local shops, public transport and community facilities;

- the location of health care facilities;
- the gradient of the site;
- the gradient between the site and the public transport network;
- the necessary car parking and amenity space (including gardens) should be provided;
- the development should be of a high standard in terms of design, layout and landscaping so that a satisfactory environment is achieved.

The Places for Everyone Joint Development Plan confirms within their vision for Greater Manchester that they seek to "A place where all children are given the best start in life and young people grow up inspired to exceed expectations."

Policy JP-H3 states development across the plan area should seek to incorporate a range of dwelling types and sizes including for self build and community led building projects to meet local needs and deliver more inclusive neighbourhoods. Where appropriate, this should include incorporating specialist housing for older households and vulnerable people. It also supports specialist housing for older households and vulnerable people.

This is further supported by PfE Policy JP-P1 that states that all development, where appropriate should be socially inclusive:

- A. Responding to the needs of all parts of society;
- B. Enabling everyone to participate equally and independently;
- C. Providing opportunities for social contact and support; and
- D. Promoting a sense of community.

The proposal relates to a detached 5no. bedroom property within a well established residential area. The supporting information states that all bedrooms at the property are considered to be double bedrooms, however 4 of the bedrooms are smaller than the Nationally Described Space Standard double bedroom requirement of 11.5sqm and so these would be considered to only be single bedrooms.

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Layout and Design

In addition to the policies set out above UDP Policy EN1/2 - Townscape and Built Design seeks to protect the character and townscape of the boroughs towns. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places. The proposal would not require any external changes to facilitate the change of use. Given this, the building would continue to have the character and appearance of a passive suburban dwelling and there would be no detrimental impact on the street scene or residential character of the locality.

Given the above, it is considered the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan and Policy JP-P1 of the Places for Everyone Joint Development Plan.

Amenity

In addition to UDP Policies H2/4 and H3/1, UDP Policy EN7/2 seeks to restrict development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

The previous application 72755 sought a lawful development certificate for the proposed change of use from a dwelling (Class C3) to a children's residential home (Class C2). It was refused on the basis that the existing dwelling was considered to currently be inhabited by up to 6 residents where the supporting information submitted alongside application 72755 indicated that a maximum of 3 children would be cared for at the home. Staff would operate on a shift pattern with 3 members of staff generally being at the property during most of the day and night, however a minimum of 5 staff at the property during handover periods amounting to a minimum of 8 people at the property during this period.

This therefore could mean that there could be an increase in activity at the property and so a material change of use would occur. This therefore meant that full planning permission needed to be sought in order to evaluate whether there would be any further intensification of the use of the property to the detriment of neighbouring properties.

As discussed 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 detached dwelling. No new habitable room windows would be proposed following the change of use of the property.

Households can take many forms and the current dwelling could be occupied by a family of up to around 6 individuals. Furthermore, without planning permission, the dwelling could be utilised as a house in multiple occupation for up to 6 occupants. Although the number of people at the property around handover periods and shift changes could be 8, the dwelling is detached, which would reduce the immediate noise from, and indeed to the future occupants. Furthermore, it is common for families of this size to have visitors, and therefore not uncommon for 8 people to be in a home of this size for short periods of time.

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 significantly greater impact upon neighbouring amenity in terms of noise and disturbance. 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 in compliance with the Policy considerations set out above.

Access

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision.

PfE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency.

Access to the property would remain as existing, with 3no. parking spaces at the side of the property and 2no. parking spaces at the front with a slope and steps to and from the main front access door.

Parking

PfE Policy JP-C8 and UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document (SPD) 11 provides parking standards for developments.

The site is located within Zone 4 with the parking standards for this use class (C2) set out in SPD 11 being 1 space per 2 staff & 1 space per 4 beds. Given the number of staff being a maximum of 5 during changeover periods, this means 2.5 spaces would be needed for the staff and 1.25 spaces due to the number of bedrooms. This equates to 3.75 spaces. Given the site plan showing the parking provision at the property to be 5 off road car parking spaces, this is considered acceptable.

Carbon and Energy

PfE Policy sets out the steps required to achieve net zero carbon emissions.

The proposal would utilise an existing building. Energy demand is minimised through the utilisation of pre-existing services, structure, and spatial configurations.

Digital Connectivity

PfE Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas.

Full fibre is available within the area in which the site is located if it is required.

Biodiversity Net Gain

While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

The proposed change of use would occupy an existing building and therefore the de-minimis exemption applies.

Response to Objection Comments

Many matters raised within the objections are not material to the assessment and determination of the planning application. It is considered that the material planning considerations have been assessed within the body of the report.

Children in care homes come from a wide range of backgrounds and experiencing a range of issues. With the proper safeguarding procedures in place, regulated by Ofsted and Children's services, it would be unreasonable to assume the children occupying the property would be more liable to partake in or be victims of anti-social behaviour than a family occupying the same property. Whilst the concerns about the proposed care home amongst residents are recognised to a point, the proposal has to be assessed on policies and material planning considerations.

The application has changed from the previous application by now being submitted as a full planning application, rather than seeking a lawful development certificate for the proposed use.

The company already being registered on Companies House, with the address as the application property does not mean the planning application has been decided. The application is not decided until Planning Committee have considered it in this instance.

It is not considered that the application included insufficient information in regards to staffing numbers, overnight staffing arrangements, shift patterns, visitor frequency, operational management, and parking provision associated with the use. Where further information was needed, the officer requested this from the agent, and this was received in order to form the basis of this recommendation.

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 numbered 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 and Places for Everyone Joint Development Plan listed.

3. There shall be no more than 3 children residing at the property hereby approved at any one time.

Reason. To ensure the appropriate provision of facilities and standards of accommodation are provided for future occupiers and to ensure the use of the property is not over intensified to unacceptable levels which would incur additional activities and disturbances to local residents beyond that which would be accepted for a residential dwelling in a residential area pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, CF3 - Social Services and CF3/1 - Residential Care Homes and Nursing Homes.

4. The premises to which this approval relates shall be used for residential accommodation and care for people in need of care 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 would 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, CF3/1 - Residential Care Homes and Nursing Homes, HT2/4 - Car Parking and New Development and JP-C8 - Transport Requirements for New Developments.

5. The use hereby approved shall not be commenced unless and until the parking arrangements indicated on the approved plans, incorporating the retention of the existing footway crossings and hardstandings, have been made available to the satisfaction of the Local Planning Authority.

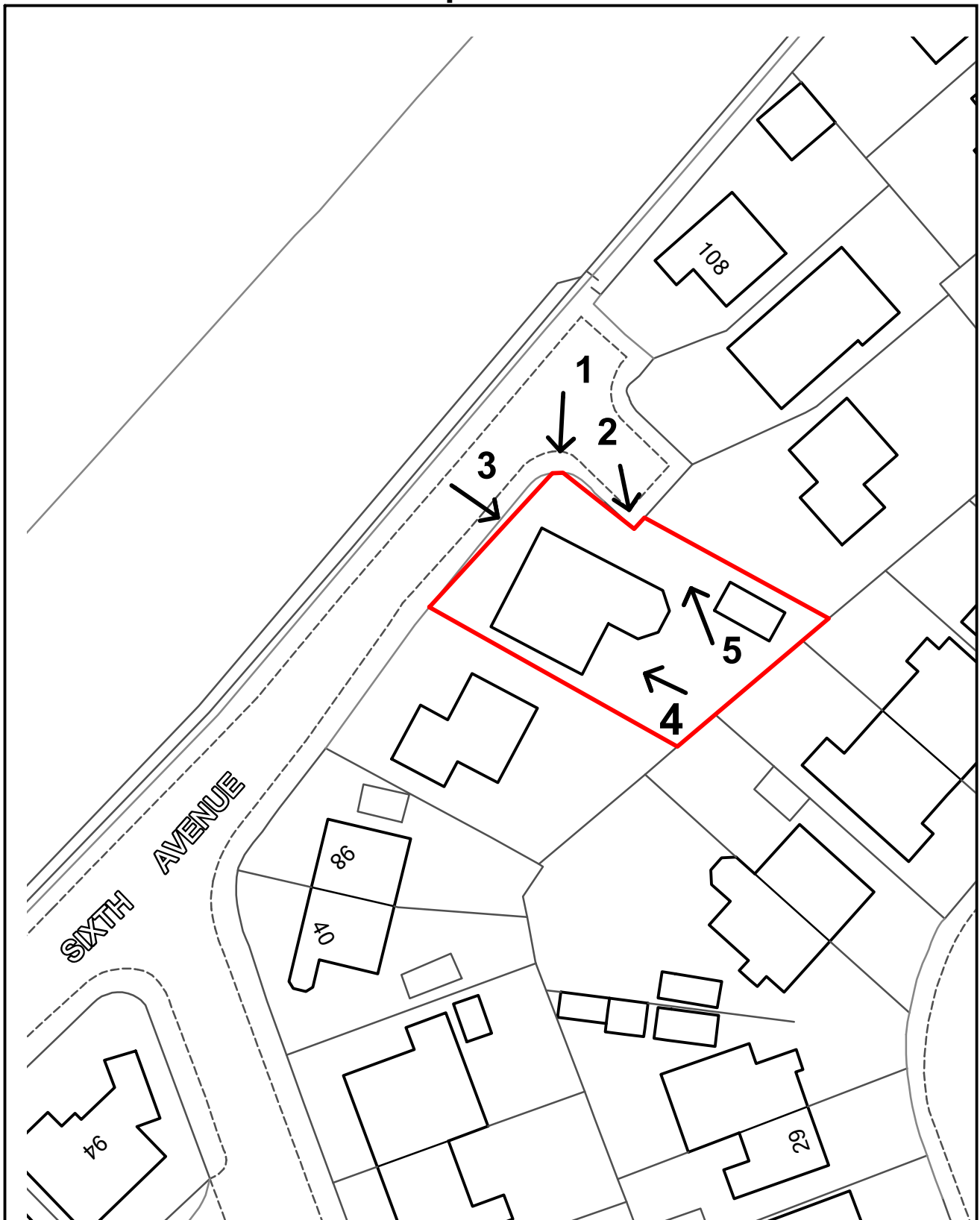
Reason: To ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway, in the interests of road safety and in accordance with policies HT2/4, JP-C5 and JP-C6.

6. Bin storage arrangements shall be provided within the curtilage of the dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments' and be made available to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and maintained thereafter.

Reason: To ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to policies EN1/2 and JP-C8.

For further information on the application please contact **Charlotte Orrell** on **0161 253 5426**

Viewpoints



Application number 73083

ADDRESS: 102 Sixth Avenue, Bury, BL9 7RP



Bury
Council

Planning, Environmental and Regulatory Services

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Photo 1



Photo 2



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Photo 3



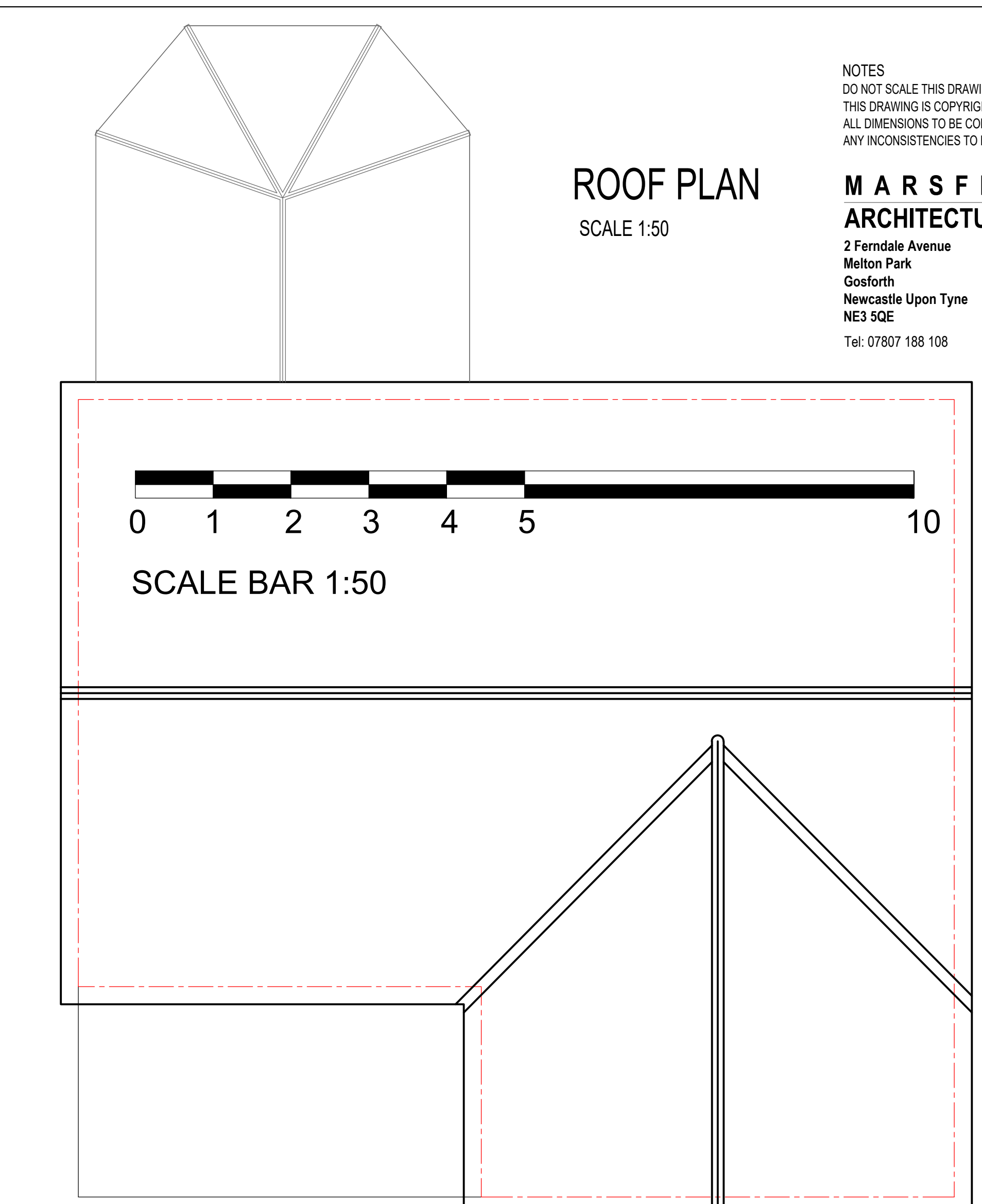
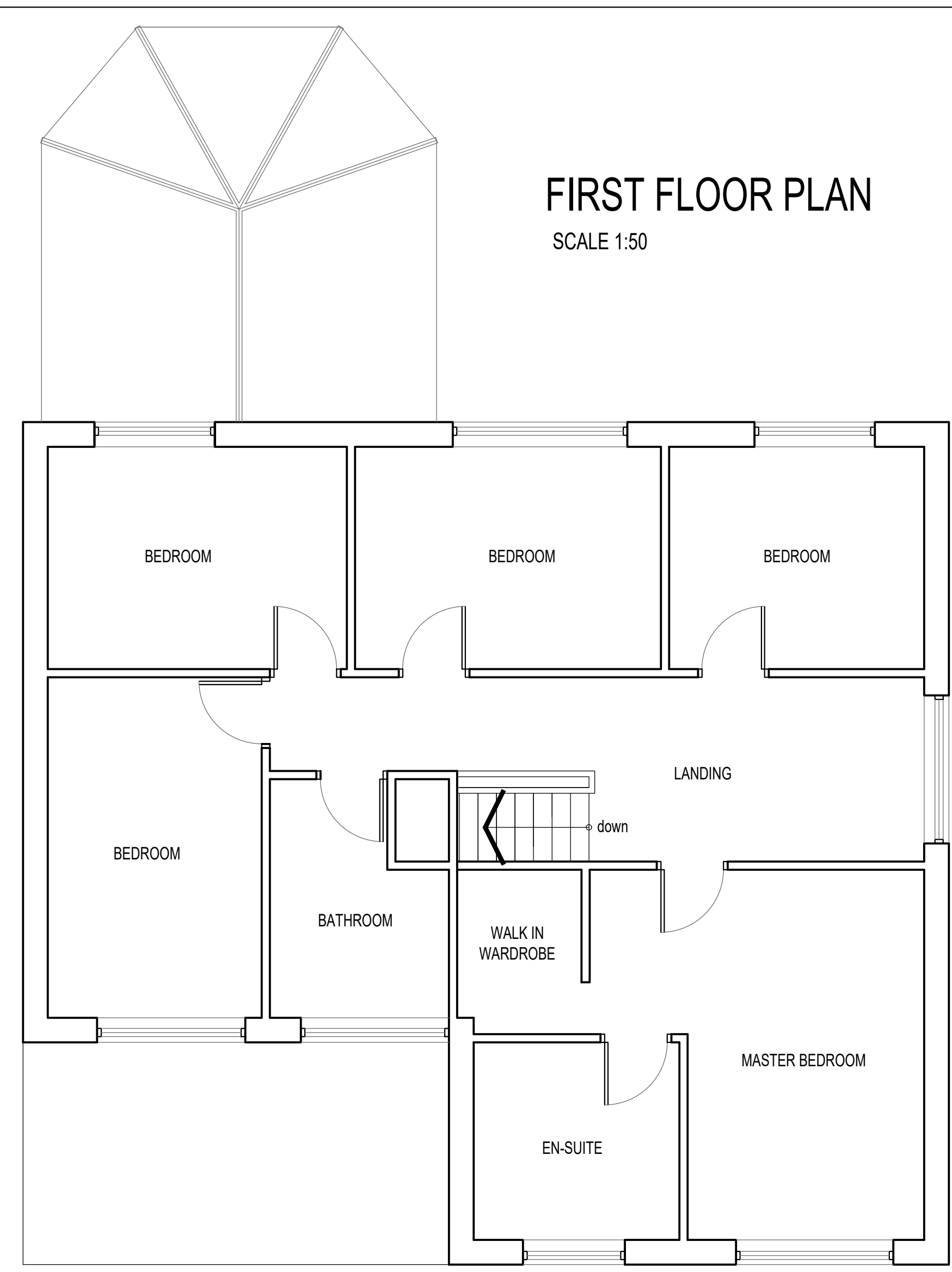
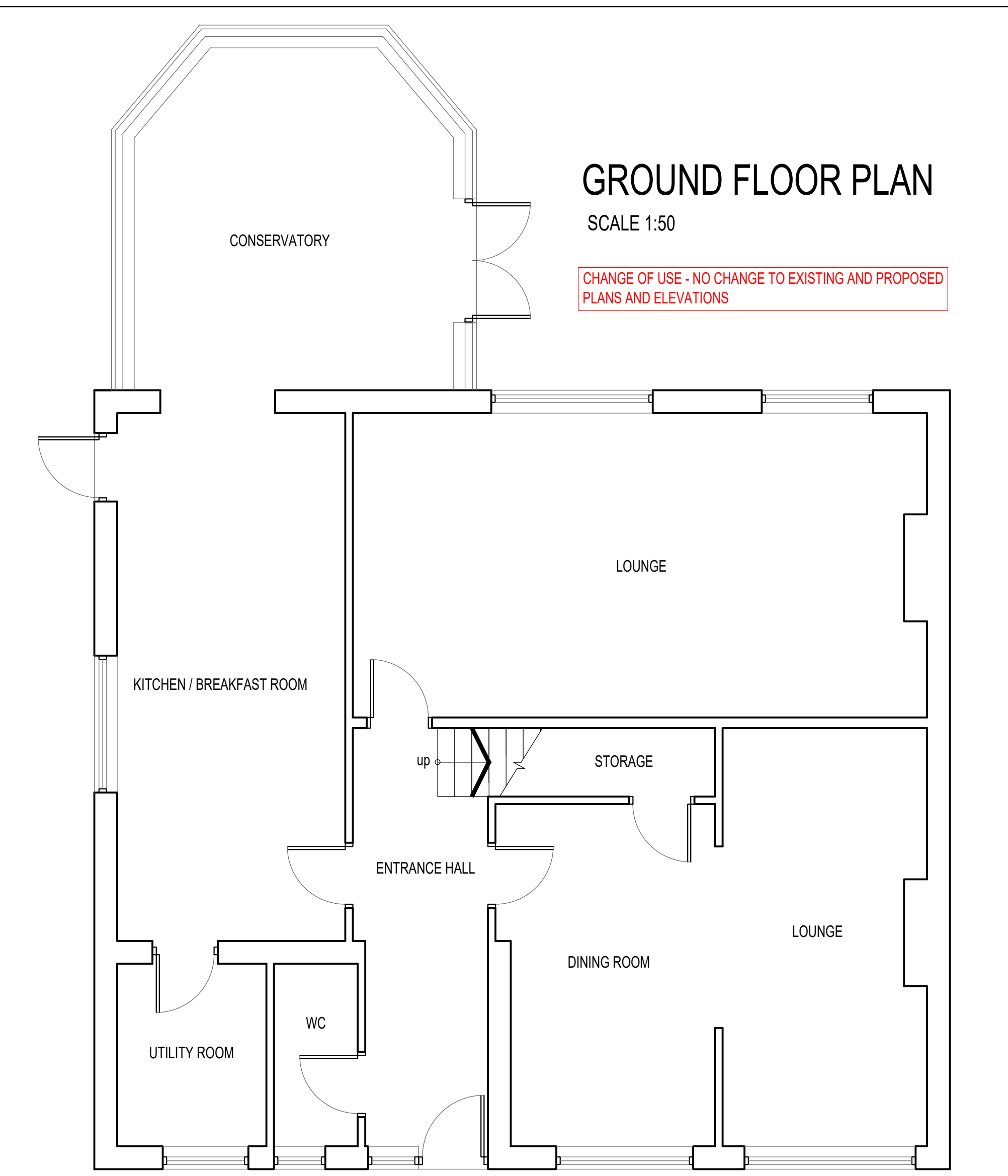
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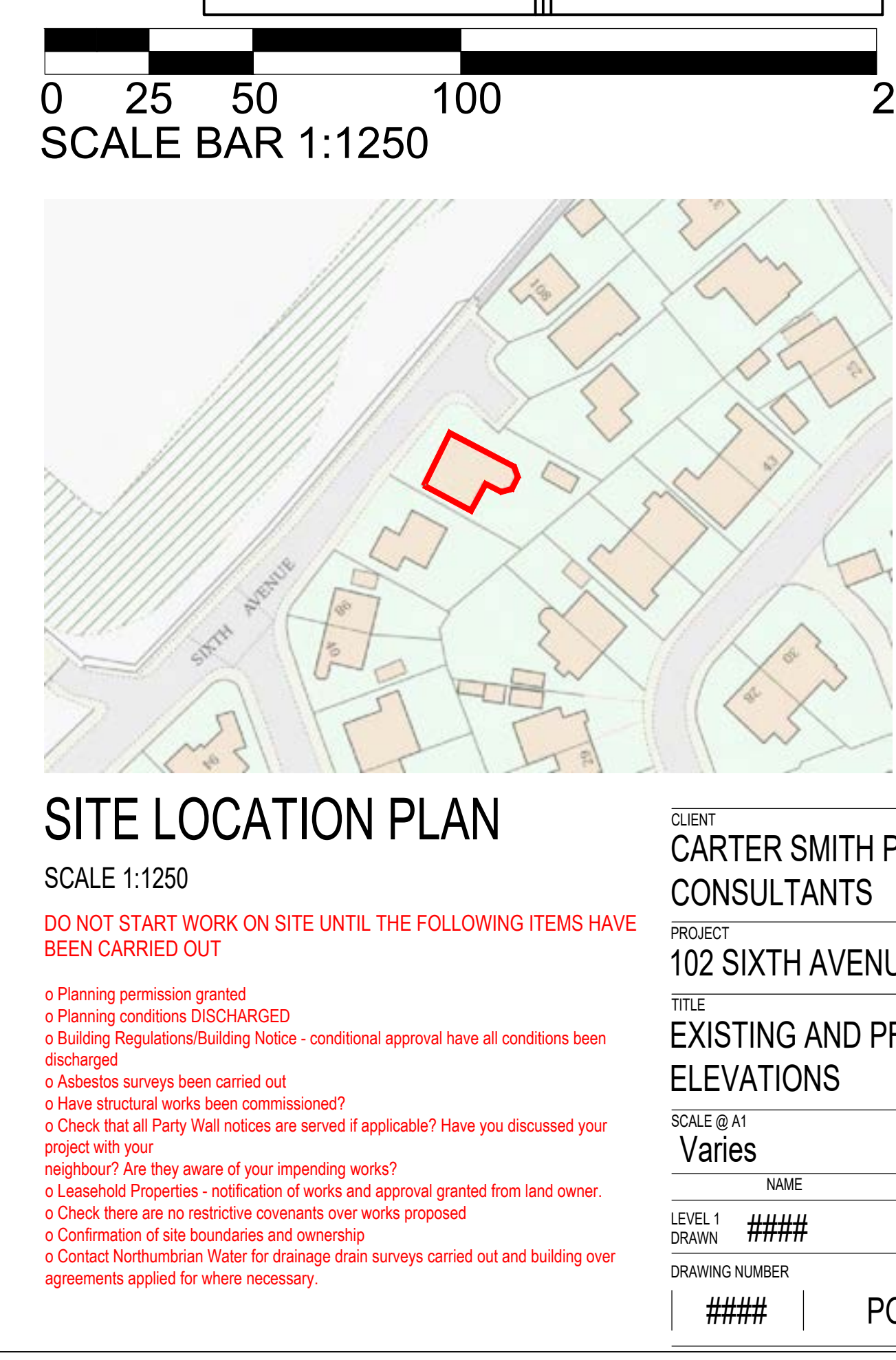
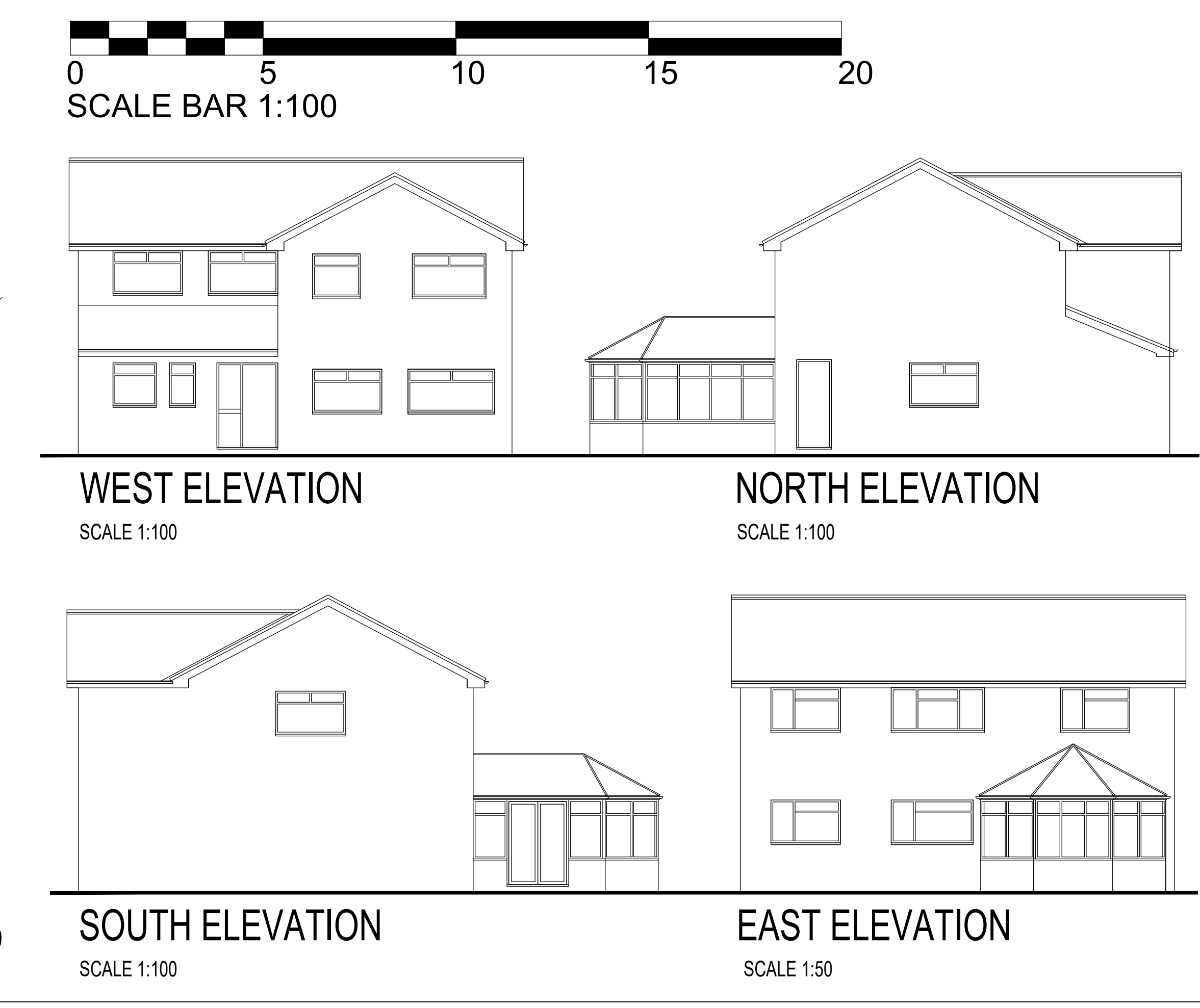
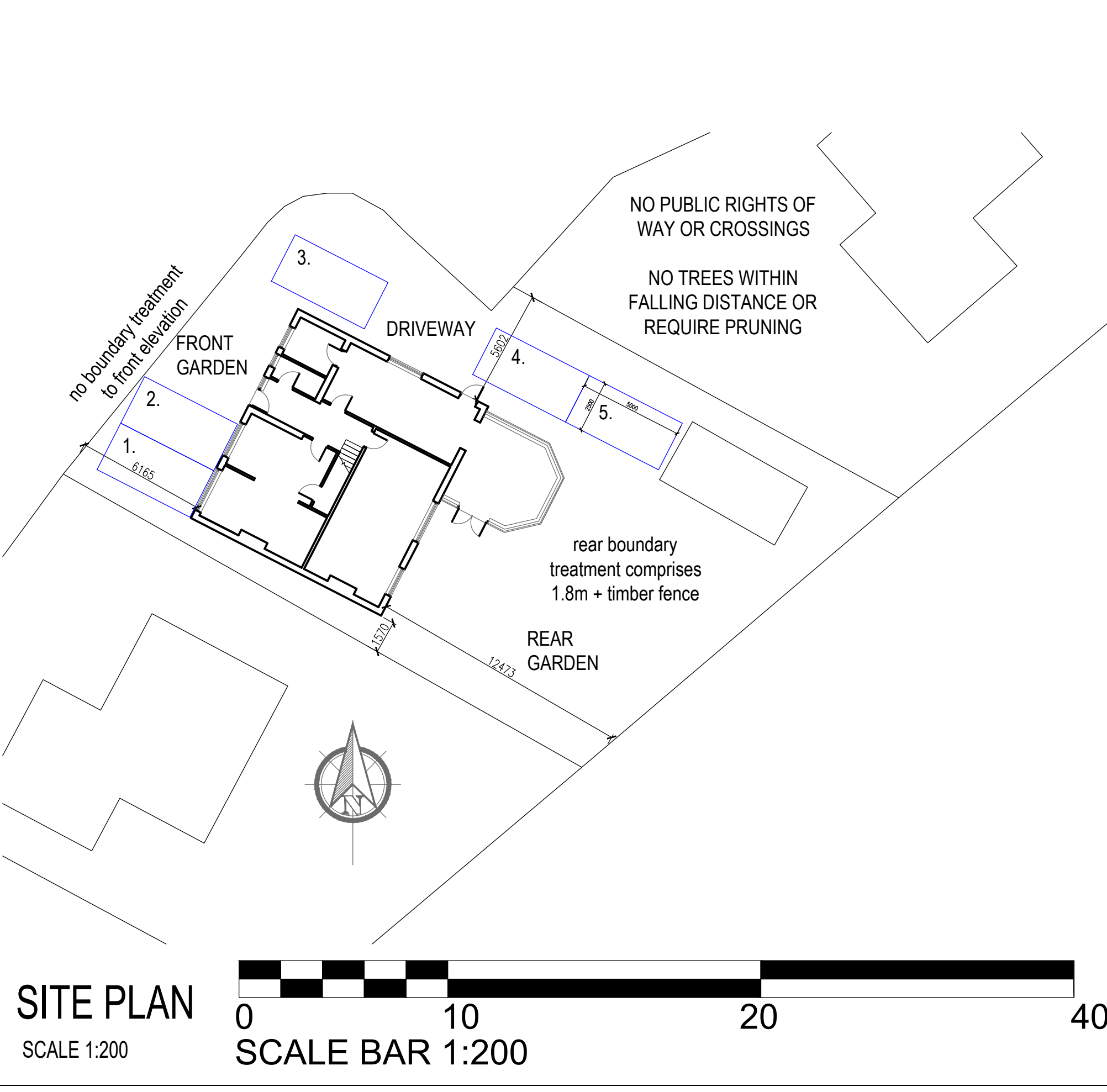
Photo 5





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Tel: 07807 188 108



SITE LOCATION PLAN
SCALE 1:1250

DO NOT START WORK ON SITE UNTIL THE FOLLOWING ITEMS HAVE BEEN CARRIED OUT

- o Planning permission granted
- o Planning conditions DISCHARGED
- o Building Regulations/Building Notice - conditional approval have all conditions been discharged
- o Asbestos surveys been carried out
- o Have structural works been commissioned?
- o Check that all Party Wall notices are served if applicable? Have you discussed your project with your neighbour? Are they aware of your impending works?
- o Leasehold Properties - notification of works and approval granted from land owner.
- o Check there are no restrictive covenants over works proposed
- o Confirmation of site boundaries and ownership
- o Contact Northumbrian Water for drainage drain surveys carried out and building over agreements applied for where necessary.

CLIENT	
CARTER SMITH PLANNING CONSULTANTS	
PROJECT 102 SIXTH AVENUE, BL9 7RP	
TITLE EXISTING AND PROPOSED PLANS AND ELEVATIONS	
SCALE @ A1 Varies	
STATUS Planning	
NAME	SIGNATURE
DATE	DATE
LEVEL 1 DRAWN	19.03.2026
DRAWING NUMBER	REVISION
####	PO-20-100 A