

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141660/FO/2024
Date registered valid: 3 December 2024
Proposal: Change of use of dwellinghouse (Class C3) to 6 bedroom residential care facility (Class C2)
Address: 1520 Ashton Old Road, Manchester, M11 1HN
Ward(s): Clayton & Openshaw Ward

Applicant: Mr Nicholas Ledger, First Steps Together Care Services
Agent (if any): Mrs Rebecca Booth, Holme Planning Partnership
Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 27 January 2025

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 17 January 2025

Standard consultations:

Printed: 17 December 2024

Expired: 10 January 2025

Neighbour notifications

Printed: 17 December 2024

Expired: 10 January 2025

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a three storey (including basement), mid terraced dwellinghouse (Class C3), with further accommodation provided in the roof-space.



View of the application site

The property incorporates a rear roof dormer and two storey outrigger.

To the front, the garden area has been replaced with a hard surface to provide an open forecourt for off road parking, as well as bin storage. To the rear is a large, enclosed garden area.

The lawful use of the property is a dwellinghouse (Class C3). Whilst the property is currently vacant, it is understood that the property has been occupied until relatively recently as unauthorised bedsits.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site lies adjacent to the main east/west arterial route of Ashton Old Road, which links Manchester city centre with Ashton-under-Lyne and beyond.

The immediate area is largely residential in character, comprising properties of differing architectural styles and tenures, including B&B accommodation and residential homes offering care. Directly adjacent to the application property to the west is a guest house (Warren Guest House). A short distance to the east along Ashton Old Road is a petrol filling station and some local shops and services.

Description of development

Planning permission is sought to change of use of the property from a dwellinghouse (Class C3) to 6-bedroom residential care facility (Class C2 for children aged 11+, with on-site communal and staff facilities).

The accommodation would comprise a staff office and ancillary facilities in the basement, a living room, staff bedroom and communal kitchen/lounge to the ground floor, 3 en-suite bedrooms and kitchenette to the first floor and 3 further bedrooms with en-suite and kitchenette facilities to the second floor.

No external alterations are proposed.

Consultations & Notification Responses

Local Residents/Occupiers – 1 objection has been received from a neighbouring occupier.

Concerns are raised about a potential increase in anti-social behaviour, given the experiences associated with a similar type of nearby accommodation. It is believed there is already an accumulation of the type of accommodation proposed.

A further concern is raised about the presence of invasive species in the rear garden (Japanese Knotweed).

Lucy Powell MP – requests that consideration be given to issues raised by the local resident. Particularly, regarding the potential for anti-social behaviour, the concentration of care facilities in the area, and the unresolved issue of Japanese Knotweed contamination.

Highway Services - In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such, no highways concerns are expected.

There are 2 car parking spaces located within the site's curtilage. It is noted that an existing vehicular crossover is present in this location in order to facilitate access to the driveway.

Secure and sheltered cycle parking provision should be made, within the curtilage of the site, for the accommodation of staff/ visitor cycles. A cycle store is to be provided at the front of the site and provides 3 cycle parking spaces. It should be ensured that the cycle store is secure and sheltered.

A refuse storage area is noted within the site. This is appropriate in ensuring no obstruction on the adjacent highway. It is understood that the bin collection will form part of the existing waste collection arrangements.

Environmental Health – No objection. Conditions are advised in relation to working hours for fit-out/conversion works and waste management arrangements.

Supported Housing Group - From a Children's perspective, the proposed home is not supported. It is located a few of doors down (390ft) from an existing children's home (1484) and from a strategic commissioning point of view, we are generally not supportive of further homes opening in Manchester. We have 42 children's homes already.

Heat Maps provided by PRI (copies attached) show multiple B&B accommodation units over the road and we would avoid placing care experienced children so close to other vulnerable client groups. The home at 1484 has been there since 2001.

Planning History

131389/LP/2021

Certificate of Proposed Lawful Development for erection of rear dormer extension and two roof lights on front roof plane. *Approved 15 November 2021.*

Policy

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies contained within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principles) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that amongst the criteria, new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space, refuse storage/collection, vehicular access and car parking.

Policy H4 (East Manchester) - East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

Policy H10 relates to housing for people with additional support needs. It states that proposals for accommodation for people with additional support needs will be supported where: - There is not a high concentration of similar uses in the area already. - Where it will contribute to the vitality and viability of the neighbourhood. - Where there would not be a disproportionate stress on local infrastructure such as health facilities.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Saved policy DC2 relates to Class C2 rest homes and nursing homes.

DC2.1 states that, in determining planning applications for rest homes, nursing homes and other uses within Class C2 of the Use Classes Order, the Council will have regard to: a. the effect of the operation of the business on the amenity of neighbouring residents; b. the standard of accommodation for the intended occupiers of the premises, including the availability of private outdoor amenity space; c. the effect of the proposals on visual amenity; d. the availability of adequate, safe and convenient arrangements for car parking and servicing; e. the ease of access for all, including disabled people; f. the desirability of avoiding an over-concentration of special needs or housing in any one area of the City; and g. the desirability of broadly maintaining the existing character of a residential street or group of adjoining streets.

DC2a.1 states that planning permission will be refused when it cannot be demonstrated that development proposals will contribute to the achievement of the following objectives for the City's local communities:

- (i) to ensure a more even spread of "special needs" accommodation within local areas and across the City as a whole, in order to encourage provision closer to where needs arise and avoid the need for people to move from their local community to find the accommodation they require;
- (ii) to ensure the protection of the residential character and amenity of family housing within established communities;
- (iii) to avoid the unnecessary loss of the bigger dwelling houses available for larger and extended families;

- (iv) to help local communities accommodate a range of special needs without the risk of social stress;
- (v) to avoid stigmatising a particular neighbourhood or a particular type of accommodation;
- (vi) to create and retain a positive perception of all areas of the city as a contribution towards the goal of maintaining stable and self-sustaining communities;
- (vii) to attempt to sustain the vitality and viability of local economies, by encouraging a wide diversity of social groups to live within all parts of the City.
- (viii) to avoid creating disproportionate stress on local services, such as health and education; and
- (ix) to avoid additional pressure on primary and secondary health care provision in parts of the City where there are already identified concerns about adequacy of services.

DC2b.1 states that, in deciding whether or not to grant planning permission for the kinds of housing accommodation described in the above proposed strategic city-wide policy the Council, in consultation with other competent agencies, will from time to time assess whether or not localised parts of the City have already reached their effective capacity to accommodate further special housing needs, in the terms set out above. In addition to the social and economic criteria set out above, the Council will only grant planning permission for special needs housing proposals where it can be demonstrated that the proposals will not have an adverse impact on the character of the street or the locality in respect of: (i) displays of signs and notices; (ii) additional car parking space involving the loss of mature trees and landscaping, especially in front gardens; (iii) design of vehicular cross-overs to parking spaces in front gardens; (iv) provision of external fire escapes and lift shafts; (v) positioning of paladin bins; (vi) construction of links between what would otherwise be separate dwelling houses; (vii) additional comings and goings from officials and professional visitors; (viii) more intensive use of upper floors, which become main living accommodation. This can reduce privacy to adjoining gardens and lead to noise transmission problems through party walls; and (ix) the quality and maintenance of external areas.

DC2.2 states that there will be a general presumption in favour of Class C2 uses within residential areas, subject to other relevant policies of the Plan.

DC2.3 states that, notwithstanding policy DC2.2, the Council will require any development in this category to:

- a. meet the Council's current approved accommodation standards for developments of this kind;
- b. provide usable external amenity space.

Place for Everyone (Joint Development Plan) - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester and forms part of the city's development plan.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Relevant policies of PfE in this instance are:

JP-S1: Sustainable development

JP-P6: Health - This policy seeks to help tackle health inequality new development, as far as practicable, to:

A. Maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development.

The Special Needs and Supported Housing Policy (1998) and Supplementary Planning Guidance states that the City Council wishes to ensure that the City's various communities remain, or become more, sustainable in economic and social terms. In this respect, whilst generally welcoming housing developments which will provide accommodation for people with special needs in appropriate locations, the Council will seek to avoid an over-concentration of such provision in any one area.

National Planning Policy Framework - The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Section 4 provides guidance on the decision-making process and mirrors legislation in stating that planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Section 5 refers to the need to deliver a sufficient supply of homes and states that strategic policies should be informed by a local need assessment and the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Issues

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions are to be made in accordance with the development plan, unless material considerations indicate otherwise.

The NPPF at paragraphs 2 and 48 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

In the case of this application, the principle of the proposed development is not considered acceptable and is in conflict with the aforementioned development plan policy and associated guidance.

It is considered that the proposed conversion of the property to supported accommodation (Class C2) would result in the loss of family sized accommodation, in an area where it is desirable to retain such properties, in order to contribute to the Council's housing supply. The nature of the majority of the immediately surrounding area is historically that of family dwellings, and it is considered that the conversion of the house into a unit for supported housing would result in an intensification of such properties within the local area and as such, would further erode the character of the immediate surroundings.

In addition, the proposed development would result in an over concentration of this particular type of care within this area of the city. It is considered that further provision would lead to clustering of such accommodation in this particular part of the city, which would be to the detriment of the character of this immediate area and the balance of uses as part of creating sustainable neighbourhoods.

Over proliferation and Impact to the character of the area

Overarching policy and guidance relating to supported living provision is contained within saved policy DC2.1 of the Unitary Development Plan, policy H10 of the Manchester Core Strategy and Supplementary Planning Guidance contained within The Special Needs and Supported Housing Policy (1998).

A principal thread running these documents is the need to seek to avoid an over-concentration of such provision in any one area and to ensure a more even spread of 'special need' accommodation within local areas and across the city as a whole.

There is a further need to ensure the protection of residential character and amenity, to avoid the unnecessary loss of the bigger dwelling houses available for larger and extended families and to ensure supported needs accommodation is provided within the right areas.

In this case, the proposed development would result in over concentration of this particular type of care within this area of the city. It is considered that further provision for the care of children would lead to the clustering and accumulation of of such accommodation in the immediate area which would be harmful to the character of this immediate area and the local balance of uses, as part of creating sustainable, cohesive neighbourhoods.

The consultation response from the Council's Supported Needs and Monitoring Group (SNMG) indicates that within the Council's administrative area there already has 42 homes, and approximately 117 beds, of which only a fraction is being used. Therefore, the need for the type of accommodation is questioned.

In assessing the need for the type of accommodation proposed, SNMG consider whether a proposed site meets strategic commissioning aims and principles and whether it is in a suitable location

In this case, details provided indicate that there is already a registered children's home located at 1524 Ashton Old Road and also just a few doors down at No.1484. The Council do not support children's homes being so close to one another and the addition of the home being proposed as part of this application would clearly lead to a cluster of such uses.

Further heat maps of the local area provided by SNMG, show 5 B&B type accommodation for vulnerable adults close by and whilst the addition of further home would further impact the character of the area, there is also concern that the area is not suitable for accommodation vulnerable children given potential interactions.

On the basis of the lack of support provided by SNMG and the information on the nature and location of similar accommodation situated locally, it is believed that the introduction of the proposed use would lead to an over concentration of such uses in the immediate area, which in turn would adversely effect the character of the area, upsetting the balance of uses within a key residential neighbourhood.

Housing Balance and the loss of family accommodation

Policy H4 of the Core Strategy set out requirements for new housing development in east Manchester, giving priority to family housing and other high value quality development. This reflects the findings of the Housing Need and Demand Assessment 2010 which identifies a need for larger family housing. Whilst this study is now some years old, the demand for larger family accommodation is still evident.

The justification text for this policy promotes the need to encourage a mixed and diverse community by retaining or attracting economically active households.

There is huge demand across the city for larger homes, demonstrated by the waiting list for social housing, highlighting that demand significantly outstrips supply.

The Manchester Move website provides advice on available properties in Manchester and is used by the City Council's Housing and Residential Growth service as a data source, reflecting the Manchester Housing Register. The latest figures extracted from the website shows an extremely high demand for social housing in Manchester with over 15,000 live applications on the Manchester Housing Register.

The table below highlights the number of households on the Manchester Housing Register, by their band and the size of property applicants need.

For example, without internal modifications to the floorplan, the application property was originally built as a 3-bedroom property. Figures show that for this type of property 3,6300 applicants were waiting for a 3-bedroom property on 27 January 2024. The application property is therefore a dwellinghouse suitable for a family and the proposal in this case would see the loss of such.

The table below shows the current demand for properties by bedroom need.

Bedroom Need	Band 1	Band 2	Band 3	Band 4	Band 5	Total
1	581	2780	144	3863	129	7497
2	217	3020	62	1902	23	5224
3	88	1679	924	923	16	3630
4	147	748	256	101	3	1255
5	45	141	8	5	1	200
6	18	9	0	1	0	28
7	1	1	0	0	0	2
Total	1097	8378	1394	6795	172	17836

Extract taken from Manchester Move website

Whilst these figures are based on the supply of social housing, there is inevitably an intrinsic relationship between the availability of family homes for sale or rent in the private sector, and the demand for housing.

An important policy objective of the City Council is to improve the quality of housing stock in the city and to deliver a more sustainable housing market. This can be achieved by increasing the amount of family housing stock on offer and by providing for choice through a range of accommodation. This would allow for more balanced and cohesive neighbourhoods that provide for stronger and safer communities.

The loss of a further family house in this area would conflict with this aspiration, undermine the policy objectives for the area and increase the threat of existing families being driven out of the area, or from being attracted to the area, due to a shortage of appropriate accommodation. Whilst the effect of the loss of a single home on the overall mix and balance of housing in the area would be limited, it would nevertheless contribute to the shortfall.

In light of the above, the proposed development would result in the loss of a family dwellinghouse, further eroding the balance of housing provision in the locality. The proposed change of use therefore conflicts with the development plan when considered as a whole with respect to delivering a sufficient supply of homes. It is not therefore believed there are any other considerations, either individually or in combination that outweigh the harm and associated conflict with the development plan.

Other Legislative Requirements Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed development would result in over concentration of this particular type of care within this area of the city. It is considered that further provision would lead to clustering of such accommodation in this part of the city, which would be to the detriment of the character of this immediate area and the balance of uses as part of creating sustainable neighbourhoods. As such the proposed development is contrary to saved policy DC2 of the Manchester Unitary Development Plan, the provisions of the Special Needs and Supported Housing Policy which is Supplementary Planning Guidance forming part of the Development Plan and policies DM1, SP1 and H10 of the Manchester Core Strategy.

2) The proposed conversion of the host property into a supported living accommodation (Class C2), would result in the loss of a family sized dwellinghouse, which would reduce the standard and availability of such housing in the area, undermining the provisions of policies H4, DM1 and SP1 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order maintain a sustainable neighbourhood and cohesive housing market.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Supported Housing Monitoring Group

St Annes Roman Catholic Church, Ashton Old Road, Manchester, M11 1GR
6 Gransmoor Avenue, Manchester, M11 1HR
1537 Ashton Old Road, Manchester, M11 1GR
Flat 1, 1518 Ashton Old Road, Manchester, M11 1HN
1 Fairstead Walk, Manchester, M11 1GX
1534 Ashton Old Road, Manchester, M11 1HN
1512 Ashton Old Road, Manchester, M11 1HN
29 Albany Avenue, Manchester, M11 1HQ
25 Albany Avenue, Manchester, M11 1HQ
3 Gransmoor Avenue, Manchester, M11 1HR
Flat 3, 1518 Ashton Old Road, Manchester, M11 1HN
Flat 2, 1518 Ashton Old Road, Manchester, M11 1HN
1510 Ashton Old Road, Manchester, M11 1HN
1508 Ashton Old Road, Manchester, M11 1HN
8 Gransmoor Avenue, Manchester, M11 1HR
5 Gransmoor Avenue, Manchester, M11 1HR
2 Gransmoor Avenue, Manchester, M11 1HR
1 Gransmoor Avenue, Manchester, M11 1HR
7 Albany Avenue, Manchester, M11 1HQ
3 Albany Avenue, Manchester, M11 1HQ
27 Albany Avenue, Manchester, M11 1HQ
15 Albany Avenue, Manchester, M11 1HQ
1 Albany Avenue, Manchester, M11 1HQ
1524 Ashton Old Road, Manchester, M11 1HN
1522 Ashton Old Road, Manchester, M11 1HN
1516 Ashton Old Road, Manchester, M11 1HN
1514 Ashton Old Road, Manchester, M11 1HN
1525 Ashton Old Road, Manchester, M11 1GR
1523 Ashton Old Road, Manchester, M11 1GR
1540 Ashton Old Road, Manchester, M11 1HN
31 Albany Avenue, Manchester, M11 1HQ
23 Albany Avenue, Manchester, M11 1HQ
1536 Ashton Old Road, Manchester, M11 1HN
1538 Ashton Old Road, Manchester, M11 1HN
21 Albany Avenue, Manchester, M11 1HQ
19 Albany Avenue, Manchester, M11 1HQ
5 Albany Avenue, Manchester, M11 1HQ
17 Albany Avenue, Manchester, M11 1HQ
13 Albany Avenue, Manchester, M11 1HQ
11 Albany Avenue, Manchester, M11 1HQ
9 Albany Avenue, Manchester, M11 1HQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA