MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139932/FU/2024
Date registered valid:	2 May 2024
Proposal:	Change of use of dwellinghouse (use class C3) to residential care home for children (use class C2)
Address:	11 Rodney Street, Manchester, M4 6JJ
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Holden Knight Healthcare Ltd
Agent (if any):	Mrs Caroline Tamworth, Caroline Tamworth Planning
Case officer:	Ellie Knowles Tel: 0161 219 6633 Email: ellie.knowles@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	27 June 2024

Application details

Type of application: Change of use Consent

Development type: Change of use

Date of site visit: 24 May 2024

Standard consultations:
Printed: 20 May 2024 Expired: 11 June 2024

Neighbour notifications
Printed: 20 May 2024 Expired: 11 June 2024

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 relates to a two storey end terraced C3 dwellinghouse of redbrick construction with a gable roof and front dormer feature, with accommodation within the roofspace. The plot includes two parking spaces off-street set in a tandem arrangement, with one space enclosed behind timber double gates. There is a landscaped front garden set behind low walling with metal fencing atop, external side access to the rear garden, which is bound by timber fencing to the curtilage.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature in the immediate locale with new-build properties of the same age and style as the proposal site, together with a small number of council-built terraces sited due south. The development is located within a sustainable location, in walking distance to Ancoats and Manchester city centre and close to local retail and commercial uses and health provision.

Description of development

The proposal is for the change of use of the existing house (C3) to a residential care home (C2) for children. The proposal will accommodate one child at any one time and provide sleep-in carer accommodation. The proposed care home (C2) will be staffed on a rota system, with two members of staff present on site at all times.

No external changes are proposed.

The proposed change of use would provide overall accommodation as follows:
Ground Floor – Kitchen, WC and lounge
First Floor – Resident bedroom, bathroom, staffroom with ensuite, office
Loft Space – Staff bedroom with ensuite and storeroom

Consultations & Notification Responses

Local responses

Two letters of representation were received from local residents raising the following concerns, which will be addressed in the appraisal.

- This type of business often involves high levels of Anti-Social Behaviour
- Premise is located on a densely populated urban street with very limited physical separation and privacy
- Proposed change of use could result in noise disturbance to neighbouring properties
- Extra parking is a concern in an area with limited provision

- Contravention with the area Lease agreement – *this is not a material planning consideration, please see other matters chapter.*
- Negative impact upon rental occupancy rates and market value - *affects to house prices are not a material planning consideration*

Consultee responses

Environmental Health – No objections.

Highway Services –

Change of use of dwellinghouse (use class C3) to residential care home for children (use class C2) at 11 Rodney Street, Miles Platting & Newton Heath, M4 6JJ.

The site is situated at Rodney Street which is a 20mph adopted highway. Single-yellow kerbside restrictions are present along one side of the carriageway (No Waiting All days 11am-3pm).

Highways Comments:

The proposals will cater for one child, supported by 2no. on-site carers staffed on a rota system. No physical alterations to the existing property are proposed and so driveway parking and refuse arrangements will remain unaffected. Any minor increase in parking associated with staff would be accommodated on-street.

Highways have no objections to the proposed change of use.

MCC Supported Housing Monitoring Group – No comments received.

Relevant Planning History

At the application site – None

Lovell Homes housing development –

107116/MO/2014/N1 – Application for approval of reserved matters (access, appearance, landscaping, layout, scale) following previous outline approval under application 079633/OO/2006/N1 to allow for development of 60 no. dwellings with associated landscaping, access roads, car parking and boundary treatment. Approved 23.01.2015.

080520/FO/2006/N1 – Full Application for the re-development of the Miles Platting Neighbourhood area, comprising the erection of 11 new dwellinghouses (4 on Sawley Road, 2 on Bradford Road and 5 on Chippenham Road (following demolition)), part 2/3 storey extension to Butler Court to provide 20 additional apartments for the elderly, external alterations to 7 existing high rise blocks (Alburn, Nelson, Queensbury, Butler, Landos, Gunson and Naylor Courts), new boundary treatments to all domestic properties, physical upgrading of 1548 houses and apartments, conversion of 22 apartments at Millhead Avenue and Manstead Walk to form 11 family houses, and removal of 65 apartments from existing high rise blocks to form larger residential units, environmental and public realm works including the provision of 6 pocket parks (following demolition); and the carrying out of associated highway improvements throughout the area. Approved 26.10.2006.

079633/OO/2006/N1 – OUTLINE APPLICATION for the re-development of the Miles Platting neighbourhood area, comprising the erection of a maximum of 1443 no. residential dwellings comprising a maximum of 875 no. houses and 568 no. apartments and means of access. Demolition of 278 residential properties and 28 areas of commercial properties/community facilities. Refurbishment works to 1757 retained houses and apartments. Erection of a maximum of 6935 sq. metres (gross) commercial and community facilities (Classes A1,A2,A3,A4,A5,D1 and D2) on Oldham Road/Varley Street. Erection of a maximum 600 sq. metres (gross) inter-denominational community facility floorspace adjacent to Rochdale Canal (Class D1). Provision of a maximum area of 0.74 hectares for education-related Class D1 use to south-east of St. Marks School. Provision of 2.64 hectares public open space including canal-side walkway and informal amenity areas. Provision of new and refurbished highway network and associated parking. Approved 05.09.2006.

History of negotiations

No negotiations were entered into with the agent, given that the scheme was considered policy compliant.

Local Planning Policies

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Places for Everyone** policies for this application are as follows:

JP-S1 – Sustainable Development
JP-P1 – Sustainable Places
JP-P6 – Health

The relevant **Core Strategy** policies for this application are as follows:

DM 1 – Development Management
SP 1 – Spatial Principles (partially superseded by PfE)
H 10 – Housing for people with additional support needs
T 2 – Accessible areas of opportunity and need

The relevant saved **UDP** policies for this application are:

DC2 – Rest homes and nursing homes (Class 2)
DC26 – Development and Noise

The relevant supplementary planning guidance documents for this application are:

- The Guide to Development in Manchester SPD

National Planning Policy Framework

The NPPF (2023) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development;

development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 8 – Promoting healthy and safe communities
- Section 12 – Achieving well-designed places

Issues

Principle of development:

The neighbourhood in which the property is located is not subject to a high percentage of Class C2 uses, either purpose built or benefitting from a change of use. As a result, it is not considered that the use of this property as supported housing would be contrary to the locational constraints of the Policies H10 and DC2 above, i.e. an overconcentration of Class C2 uses within any particular neighbourhood. In addition, due to the modest numbers that would be accommodated within the property, it is not felt that the use would place undue pressure on local services as the previous use as a 4 bedroom family dwellinghouse could hold the same or greater number of occupants if lived in by a larger family. There are no physical alterations proposed to facilitate this change of use. Given this it is considered that the use of the dwellinghouse for supported housing purposes is acceptable in principle.

Notwithstanding this, the impact of the proposal upon existing levels of residential and visual amenity enjoyed within the vicinity of the site, and upon levels of pedestrian and highway safety enjoyed on Rodney Street and the surrounding highway network, must be assessed.

Impact on visual amenity and the streetscene:

The applicant is not proposing to undertake any physical alterations to the exterior of the application property and therefore it will retain its appearance as a residential property when viewed in the context of the street scene. As a result, it is not considered that the proposed change of use would have a detrimental impact upon the existing levels of visual amenity enjoyed within the vicinity of the site.

Impact on residential amenity:

The proposal is for one full-time child resident, with a maximum of two caring staff present during the day and night. The proposed C2 care home will be staffed on a rota basis. Members of staff with sleep at the home overnight in the staff accommodation.

The use is considered modest in size and the number of residents (1 child) and support workers present (2 persons) would be smaller than or similar in size to a family that might occupy a four-bed property such as this one. Given this, it is not anticipated that the comings and goings of the personnel, for instance when shifts change, would prove detrimental to the existing levels of residential amenity enjoyed within the vicinity of the site.

Local residents have raised concerns about the potential disamenity arising from the comings and goings of visitors to the property and the lack of parking provision, however, as the maximum number of residents present would be limited to one, it is not believed that there would be a high number of visitors to the property on a daily basis. As a result, it is not considered that the comings and goings of visitors to the property would have an unduly detrimental impact upon residential amenity. Furthermore, the immediate residential area is located within the proposed Ancoats and Miles Platting residents parking scheme, which will provide on-street parking control to mitigate any future overspill parking.

Given that no external alterations are proposed to the application property, it is not considered that the use of the property as supported housing would impact the levels of privacy, outlook and levels of light enjoyed by adjoining residents. There are high established boundary treatments present on-site which are to be retained.

Highways:

The application property affords two off-street car parking spaces to the side, set in tandem with access taken from Rodney Street. One space is provided via an open driveway to the front and one space enclosed behind timber double gates. The proposal would not interfere with existing parking and refuse arrangements on site and has been reviewed by MCC Highway Services, therefore, is considered acceptable in this regard.

It is not considered pursuant to request additional cycle provision, given the retention of the external shed within the site curtilage.

The proposal is located within the proposed Ancoats and Miles Platting residents parking scheme. Highway Services have confirmed that any future staff will need to obtain a permit once the residents parking scheme comes into fruition, should any staff parking be required to take place on-street.

Other matters:

Concern has been raised with regards to the contravention of the Lease Agreement of the Lovell Homes Development. Whilst these matters are duly noted, it is acknowledged that the granting of planning permission does not override this agreement. As such, the applicant would need to obtain permission from the Freeholder to undertake this proposal, separate to any planning permission.

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 polices 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: Approve

Article 35 Declaration

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with both national and local policies.

Condition(s) to be attached to decision for approval

1. 3 Year Time Limit
   The development must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. Specified drawings
   The development hereby approved shall be carried out in accordance with the documents labelled:

   - 'Proposed Layouts', numbered 'CL. 04245892/3', stamped as received by the City Council as Local Planning Authority on the 02/05/2024.
   - 'Proposed Elevations', numbered 'CL. 04245892/4', stamped as received by the City Council as Local Planning Authority on the 02/05/2024.

   Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3. C2 Use
   Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall only be used as a residential care home and for no other purpose (including any other purpose within Use Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

   Reason - In the interest of residential amenity, pursuant to policy DM1 in the Manchester Core Strategy.

4. Limited numbers
   The development hereby approved shall be occupied by no more than one child resident receiving care.

Reason - In the interests of residential amenity, pursuant to policy DM1 in the Manchester Core Strategy

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Supported Housing Montoring Group

21 Garforth Avenue, Manchester, M4 6JS
23 Garforth Avenue, Manchester, M4 6JS
9 Rodney Street, Manchester, M4 6JJ
15 Rodney Street, Manchester, M4 6JJ
13 Rodney Street, Manchester, M4 6JJ
25 Garforth Avenue, Manchester, M4 6JS
100 Jersey Street, Manchester, M4 6JD
22 Rodney Street, Manchester, M4 6JJ
24 Rodney Street, Manchester, M4 6JJ
96 Jersey Street, Manchester, M4 6JD
94 Jersey Street, Manchester, M4 6JD
98 Jersey Street, Manchester, M4 6JD

Appendix 2 – Planning constraints

Article 4 Direction - Multiple
Aircraft Safeguarding Zone - Multiple
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA