

DELEGATED REPORT

Report by Helen Pressley	Date of report: 06/01/2026	Ref: 72412/FUL
Registration: 25/11/2025	LDFC: 27/12/2025	Expiry Date: 20/01/2026
Site Visit: 03/12/2025	Site Notice: 03/12/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use from dwellinghouse (Class C3 (a)) to residential children's home for up to 3 no. children (Class C2)

Location: 19 Holyrood Road, Prestwich, Manchester, M25 1PD

Description

The application relates to a two storey detached dwelling house located on Holyrood Road. The existing dwelling has parking to the front for 3no. vehicles and an area of garden to the rear.

Planning permission is sought for the change of use from dwellinghouse (Class C3 (a)) to residential children's home for up to 3 no. children (Class C2). No external alterations to the dwelling are proposed.

Relevant Planning History

64375 - Demolition of existing dwelling and erection of 1 no. replacement dwelling - Approve with Conditions 26/09/2019

72096 - Discharge of condition 4 (site verification report), condition 6 (construction traffic management plan) and condition 9 (materials) on p/p 64375 - Approve 19/11/2025

Publicity

Neighbour letters sent 26/11/2025
Site notice posted 03/12/2025

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections subject to conditions in relation to the implementation of the proposed car parking, cycle storage and bin storage prior to occupation.

Children's Commissioning Team - No response received

Environmental Health - Pollution Control - No comment

Waste Management - No response received

Greater Manchester Police - designforsecurity - No response received

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/2 Townscape and Built Design

CF1/1	Location of New Community Facilities
CF3	Social Services
HT2/4	Car Parking and New Development
H3/1	Assessing Non-Conforming Uses
H4/2	Special Needs Housing
EN7/2	Noise Pollution
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-S2	Carbon and Energy
JP-H3	Type, Size and Design of New Housing
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-P1	Sustainable Places
SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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 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.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights

posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle (Use)

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. 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, 4no. bed dwelling house. The application proposes to provide living accommodation for children in a setting that would be as close to a family environment as practicable with 3 of the existing bedrooms utilised for the children, and 1no existing bedroom utilised for staff. The property would not be required to be extended and permanent residents (i.e. the children) and up to 2 - 3 no. staff would occupy the dwelling. 2 no. staff would occupy the property over night in a manner broadly akin to occupation by a family.

In terms of overnight shift patterns the sleep-in member would complete a 2 on 4 off shift pattern, on day one working from 10:00am - 23:00pm and on day two from 08.00am – 23.00. The waking night member would work from 23.00pm – 10.00am each night. A home manager may be present at the property between 09:00am - 17:00pm Monday to Friday, although their time will be split between the application property, working from home for two to three days per week and supporting a second home elsewhere.

It would not be out of the ordinary for a person to be entering/leaving a residential property at 23.00, 17:00 and between 08:00 and 10:00. As such, the movements of the staff would not cause a significant noise issue and would be appropriate in terms of hours of operation and noise.

It is acknowledged that during the day additional visitors may be on site. The applicant has sought to confirm these additional visitors and would expect the following person/s to attend the address:

- Responsible individual: 1 x visit per month (Average 1 full day visit)
- Regulation 44 inspector: 1 x visit per month (Average 3 hour visit)
- Social worker: 1 x every 6 weeks (average 1 hour visit)
- Ofsted inspectors: 1 x year (2 full days inspection)
- Psychotherapist: 1 x every two weeks (for 3 hours)

C3 dwellings also have levels of additional visitors and given the scale of the existing property this can be accommodated within the existing building. Dependent on individual needs there would appear to be a mixture of children attending schools, colleges and on-site education services (virtual schools) proposed. The applicant has confirmed that the children would be actively encouraged and supported to do their homework, experience a variety of activities and pursue different interests and hobbies. As such, the proposed development would be of an appropriate size and scale.

The Planning Statement confirms that arrangements would be put in place to support children residing at the property, and the property would need to be registered with Ofsted .

Given the above, the proposed use would provide a valuable facility for more vulnerable

members of society that would be compliant with the above policies and the principles of the NPPF. The proposed development would be acceptable in principle and would be in accordance with Policies CF1/1, CF3 and H3/1 and H4/2 of the Bury Unitary Development Plan and Policy JP-H3 of the Places for Everyone Joint Development Plan and the NPPF.

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 the dwelling to facilitate the change of use. A bike store is proposed within the rear garden. 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.

As such, it is considered the proposed layout would comply with the relevant policies.

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.

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 4 bedroom detached dwelling. One of the existing bedrooms would be retained as an office/bedroom for staff members. The proposed ground floor would be retained as existing. No new habitable room windows are proposed.

Households can take many forms and the current dwelling could be occupied by a family of up to around 5 individuals. Furthermore, without planning permission, the dwelling could be utilised as a house in multiple occupation for up to 6 occupants.

The dwelling is detached, which would reduce the immediate noise from, and indeed to the future occupants. Occupants would engage in activities as any child would when occupying the dwelling as a family home.

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. Given the above, the proposal would therefore comply with the policy considerations set out.

Highways issues

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.

The proposal seeks to utilise the existing access, and driveway as approved under application 74375 with 3no. parking spaces provided to the front of the property. As such no access issues are foreseen.

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 as set defined by SPD11. The use proposed would therefore require 1 space per 2 staff, and 1 space per 4 beds. Given the 2 - 3 members of staff and the 3 beds proposed it is considered that the 3no. spaces retained to the front of the property would be adequate for the proposed use.

There would also be the usual servicing vehicles or potentially deliveries made to the site but this would be typical of everyday life and not dissimilar to that of a family in a dwelling of this size.

Cycle storage is shown within the rear garden of the property.

It is therefore considered that the parking and cycle provision proposed is acceptable.

Carbon and Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions.

The applicant confirms that the proposal is a new build dwelling, and that building regulations was completed on the 23rd January 2025. As such the proposal should meet with Part L of the building regulations.

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.

The applicant has confirmed that the building would have full fibre connectivity.

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.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

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Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered Location Plan, 001, 002, 010A, 011A 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 The premises to which this approval relates shall be used for residential care only to a maximum of 3no. children/young persons 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, JP-P1 - Sustainable Places, JP-C5 Streets for All, JP-C6 -Walking and Cycling and JP-C8 - Transport Requirements of New Development.

- 4 The car and cycle parking/storage indicated on the approved plans shall be made available for use prior to the use hereby approved commencing and thereafter maintained available for use at all times.

Reason. To ensure adequate off street car and cycle parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and Supplementary Planning Document 11 - Parking Standards in Bury

- 5 The bin storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Development Plan Policies CF1/1 - Location of New Community Facilities, H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 06/01/2025		DM 09/01/2026	