

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 24/03/2026	Ref: 72838/FUL
Registration: 23/02/2026	LDfC: 18/03/2026	Expiry Date: 20/04/2026
Site Visit: 04/03/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level:
		Stat Class: COUS

Proposal: Change of use from a dwelling (Use Class C3) to a childrens home (Use Class C2) for up to 2 children

Location: 21 Buckingham Avenue, Whitefield, Manchester, M45 6DJ

Description

The application property is a two storey semi-detached dwelling on the south-western side of Buckingham Avenue. The front boundary is formed by low walling and hedging with a break in the wall for access for pedestrians and vehicles. To the southern side there is a paved driveway, with an access gate to the rear garden for pedestrians. The rear garden boundaries are formed by timber fencing and hedging.

The proposal is to change the use of the property from a residential dwelling (Class C3) to a residential childrens home for up to 2 children (Class C2). The plans submitted accompanying the application indicate there are no external alterations proposed. Internally, the ground floor layout would remain the same, with the only amendment being on the first floor where the 3rd bedroom would be a staff room.

The street is residential in nature, predominantly of semi-detached properties. Parking at the location is mixed, with most properties featuring private driveways for up to 2 cars however on street parking is unrestricted and common.

Relevant Planning History

24/0371 - Storage container on land/untidy land - 14/10/2024

Publicity

4 neighbouring properties consulted on 25/02/2026. No comments have been received.

Statutory/Non-Statutory Consultations

Traffic Section - raised objections based on parking. Suggested that on-site arrangements should be improved.

Environmental Health - Pollution Control - no comments received

Planning Policy Manager- no comments received

Waste Management- no comments received

Greater Manchester Police - designforsecurity- no comments received

Children's Commissioning Team- no comments received

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Development Plan and Policies

SPD11	Parking Standards in Bury
JP-S2	Carbon and Energy
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C8	Transport Requirements of New Development
JP-P1	Sustainable Places
JP-H3	Type, Size and Design of New Housing
CF1/1	Location of New Community Facilities
CF3	Social Services
EN1/2	Townscape and Built Design
NPPF	National Planning Policy Framework
H3/1	Assessing Non-Conforming Uses
H4/2	Special Needs Housing

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 of 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.

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

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

UDP Policy H3/1 - Assessing Non-Conforming Uses in primarily residential areas assess proposals, including the change of use, in consideration of factors including noise, vibration, smell, visual intrusion, traffic generation, parking arrangements and hours of operation.

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

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

PfE Policy JP-H3 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 semi-detached 3 no. bedroom family dwelling located within a well-established residential area. The application proposes to provide living accommodation for a maximum of 2 children in a setting that would be as close to a family environment as practicable. The property would not be required to be extended. The residents (i.e. the children) and 2- 3 staff would occupy the dwelling in a manner broadly akin to occupation by a family.

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

Visual Amenity-

There are no external changes to the property proposed. Given this, it is not considered the proposed would have an impact on the visual amenity of the area.

Layout-

As there are two bedrooms proposed for the use of the children housed at the home, each child would have their own bedroom and the communal spaces such as the lounge and kitchen, would be shared between occupants. There are also no alterations proposed internally other than the smallest bedroom becoming a staff room. Given this, the layout would be considered acceptable.

Residential Amenity-

It is considered that the character and the scale of the use would be consistent with that of a family household occupying the existing 3 bedroom semi-detached dwelling. Within the submitted information, the applicant states the operation of the Home is designed to mimic the rhythms of a normal family home, with minimal expected disruption to the local environment.

Changeover between staff would occur twice a day and would entail the below:

1010– 2200 (Day Shift) 2 Staff Members and the deputy Manager

2210–1010 Handover from one of the day Staff Members to 2 night staff

2210–10:00 (Night Shift) Handover from one of the night Staff Members to 3 Day staff (including the Manager)

1000–2210 Handover from one of the day Staff Members to 2 night staff

Households can take many forms and, as a 3 bed dwelling, the proposed could house up to 5 people as a C3 residential dwelling. Lawful development certificates can be sought to change the use of a property from a C3 to a C2 use, as long as it can be proven that activity at the property will not increase beyond that of a residential C3 dwelling. This is also a material consideration in the determination of this application.

Given the above changeover patterns, this shows that including the children, a maximum of 6 people would be present at the property during changeover periods. As the existing property can house up to 5 people, and it is not uncommon for households of this size to expect visitors, it is not considered that the proposed would have a materially greater impact on the residential amenity than already exists.

Furthermore, there are no external alterations or extensions proposed, and so no encroachment to neighbouring properties.

It is therefore considered that the proposal would not have an adverse impact on the amenity of local residents. Given the above, the proposal would therefore accord with the

relevant parts of UDP Policies CF1/1, CF3, H2/2, H3/1, EN1/2 and EN7/2.

Parking

Supplementary Planning Document (SPD) 11 - 'Parking Standards in Bury' sets a standard for parking at Class C2 care homes at a rate of 1 space per 4 beds. Furthermore, SPD 11 states that for C2 care homes in Zone 3, there should be one car parking space per 2 member of staff.

Based on the shift patterns, there would be a maximum of 4 staff during handover periods meaning 2 car parking spaces should be provided. The home would have 2 bedrooms, and a staff room for overnight staff which would amount to 0.75 spaces; around 1 further parking space.

Although the Highways Engineer during consultation suggested that the access to the drive be widened, as well as the drop kerb extended so that the front yard can be paved over to allow for another off road parking space, the existing driveway is retained. The existing driveways can accommodate 2 cars which therefore complies with the number of car parking spaces needed for staff. As parking on street is common in this locality, and unrestricted, it is not considered that in this instance another car parking space needs to be provided at the site.

Carbon and Energy

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

There are no building works associated with the submitted application. The property will also still be in residential use and therefore the proposed will not contribute to further carbon and energy emissions that existing.

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 property has a fibre internet connection available.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and 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 H-0531-05_21
BuckinghamAve_ProposedPlans_V1, H-0531-03_21

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BuckinghamAve_ProposedPlans_V1 and H-0531-06_21 Buckingham Ave_ProposedPlans_V1 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the building shall be used for a children's care home accommodating 2 no. children only purposes (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) only, and for no other purpose (including any other use which falls within use class C2 of the same Order or any equivalent Order following the revocation and re-enactment thereof, with or without modification).

Reason. To restrict the use of the building to an operation which is compatible with the nature of surrounding uses and to prevent future changes of use which have the potential to detract from the character of the area and neighbouring dwellings pursuant to Policy H3/1 - Assessing Non Conforming Uses of the Bury Unitary Development Plan.

<u>Case Officer</u> CO 24/03/2026	<u>Date</u>	<u>Sign off Officer</u> DM 30.03.2026	<u>Date</u>
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