

Application Number:	23/01100/FUL
Proposal:	Change of use of the existing dwellinghouse (Class C3) to a children's care home for 2no children (Class C2).
Site:	180 Clarendon Road, Hyde, SK14 2JY
Applicant:	Miss Laura Hopkinson
Recommendation:	Approve, subject to conditions.
Reason for Report:	Two councillors and a number of residents have requested to speak at panel before the application is determined.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application concerns a two storey end terraced property, located on the corner of Clarendon Road and Bedford Avenue in Hyde. The property has previously been extended to the rear with the addition of two storey and single storey extensions. A generous garden is located to the rear of the property. There is a detached garage located at the rear of the site, with vehicular access taken from Bedford Avenue. Beyond the rear of the site is an access road which enables rear access to the terraced row from Bedford Avenue through to Repton Avenue.
- 1.2 The surrounding area is predominantly residential in nature, largely comprising of two storey terraces, though to the north of the application site there is a new residential development. There is a general lack of off-street parking in the surrounding area, due to the nature of the properties, and so on street parking is prevalent.

2. PROPOSAL

- 2.1 Planning permission is sought to change the use of the existing dwellinghouse (Class C3) to a children's care home (Class C2), providing care for no more than 2no children, between the ages of 8 and 18, with emotional and behavioural difficulties. The home would be registered with Ofsted.
- 2.2 The ground floor of the proposed home would comprise an entrance hall, living room, kitchen/diner and an office and bedroom for 1no staff member. The first floor would comprise 3no bedrooms and a family bathroom. The 2no children will reside in any of the upstairs bedrooms.
- 2.3 The home would employ 8no staff: 1no manager, 3no senior support workers, 3no support workers and 1no area manager who works from home. The manager will work Monday to Friday 08:00 to 16:00, though the home will be staffed 24/7, with at least 2no staff members at any one time throughout the day. 1no senior support worker and 1no support worker would start their shift together at 11:00. The children would go to bed between 21:30 and 22:00, the 2no staff would complete any paperwork and ensure the building is secure and the house is settled between 22:00 and 23:00. 1no senior staff member would sleepover at the property and the other would finish their shift at 23:00. If the children require support throughout the night, the staff member will awaken and support them, as with a family home. The 1no senior staff member would wake up at 06:30 ready to support the children to get up for school at

07:00, and then finish their shift at 11:30, which will allow for a 30 minute handover time between the next 2no staff members.

- 2.4 The staff will support the children where necessary, including:
- Taking/collecting them from school (placement either primary or secondary school within the Greater Manchester area)
 - Going out on activities
 - Taking/collecting from clubs
 - Helping with homework
 - Making their tea.
- 2.5 The children's social workers complete 6 weekly visits. Health appointments are made at health clinics off site and contact with family members is also promoted off site to prevent any disruption within the home
- 2.6 The proposal includes the demolition of the existing detached garage, to form 1no off street parking space. No other external alterations are required to facilitate the proposals.

3. PLANNING HISTORY

- 3.1 None of relevance.

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 4.4 The following chapters within the National Planning Policy Framework are considered relevant:
- Section 2: Achieving sustainable development
 - Section 5: Delivering a sufficient supply of homes
 - Section 8: Promoting healthy and safe communities
 - Section 9: Promoting sustainable transport
 - Section 11: Making effective use of land
 - Section 12: Achieving well designed and beautiful places.

Planning Practice Guidance

- 4.5 This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the analysis section of the report, where appropriate.

Tameside Unitary Development Plan (2004)

- 4.6 The site is unallocated according to the UDP proposals map.

Part 1 Policies

- Policy 1.3: Creating a Cleaner and Greener Environment
- Policy 1.4: Providing More Choice and Quality Homes.
- Policy 1.5: Following the Principles of Sustainable Development
- Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.

Part 2 Policies

- Policy C1: Townscape and Urban Form
- Policy H2: Unallocated sites
- Policy H4: Type, size and affordability of dwellings
- Policy H10: Detailed Design of Housing Developments
- Policy T1: Highway Improvement and Traffic Management.
- Policy T7: Cycling
- Policy T10: Parking.

Supplementary Planning Documents

- 4.9 The following are relevant:
- Residential Design Supplementary Planning Document (SPD).

Places for Everyone

- 4.10 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.11 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.12 Places for Everyone has been published, submitted and its examination concluded, following issue of the Inspectors Report on the 14 February 2024. On 5 March 2024 Tameside Council resolved to adopt the Joint Development Plan Document, Places for Everyone, with effect from the 21 March 2024. This date has been chosen to coordinate the adoption by all nine PfE authorities on one date.
- 4.13 As this application is to be considered on the 20 March 2024, Places for Everyone cannot be given full weight in planning decisions, as (by a day) it does not yet form part of the adopted plan for Tameside. However, given the stage reached, it is reasonable to give the plan as resolved to be adopted by Tameside Council a shade below full weight in considering the merits of this application.

Other Considerations

- 4.14 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.15 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

- 5.1 Neighbour notification letters were issued and a notice was displayed adjacent to the site for 21 days, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.
- 5.2 The representations are summarised in section 6 of this report.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 In response to the notifications, a total of 104 representations have been received, 103 of these objected to the proposals. A summary of the concerns raised is as follows:
- Traffic/parking matters
 - False information that the site has 2no car parking spaces
 - Car pooling/cycle to work scheme will not work
 - Care home with staff and visitors will increase the lack of parking
 - Emergency vehicles cannot access the streets
 - Conflict with land use policy
 - Noise/hours of operation
 - Out of character:
 - The area is predominantly a family area, the proposed use would be unbecoming
 - Not suitable place for a care home
 - Visual amenity
 - Sets a precedent for future care homes and other businesses
 - There is contaminated land within the site
 - Development too big
 - No infrastructure to support the volume of people at the property
 - Poor public consultation
 - Poor living conditions for the future residents
 - Loss of sun/day lighting/overshadowing
 - Incorrect land ownership
 - Could impact further businesses that could open in a residential area
 - Impact on quality of life
 - Surrounding residents do not need to hearing or seeing the goings on associated with a children's care home
 - Concerns regarding Ofsted report of other children's care homes ran by the same company
 - Already one operating care home in close proximity
 - Why was 34c Church Street application withdrawn?

- No details about the age, demographic, criminal backgrounds, vulnerabilities of the future residents. What is the nature of the care proposed?
- Conflict of interest between the applicant and the local authority
- Safeguarding issues
- The property has not homed 5 people in the past
- Changing the living spaces at ground floor is inappropriate
- Reduce value of neighbouring properties
- Young people in care should not be in a residential area
- A way of making money, children are not business propositions
- Where is the existing care home in Hyde?
- Another application for a children's care home has previously been withdrawn
- Have children's services expressed a need for such development to the applicant?
- Increase in anti-social behaviour/crime/drug use
- Will current residents be subject to disruption from the children?
- Will cause unnecessary arguments with existing residents trying to park
- How can you turn a 3 bedroom house into a 6 bedroom house?
- Has anybody come out late at night to see the parking situation?
- The 3no children will take local residents' children places at local primary schools
- Having a young offenders halfway house down the road is bad enough and should be enough
- Will the staff be fully trained?
- Council bin collection is affected by the parking
- It is more difficult for people to buy homes
- Fire safety concerns.

6.2 One representation did not oppose the application, noting that it is vitally important that children with emotional and mental health problems receive the correct support, though the representation did also raise some of the above concerns.

7. RESPONSES FROM CONSULTEES

7.1 Local Highways Authority

No objections, subject to a condition requiring details of secure cycle storage and the 1no car parking space to be made available prior to the first occupation of the home.

7.2 Environmental Health

No objections, subject to a condition restricting the hours of conversion works.

7.3 Children's Services

No initial objections, though note the following:

- There is a significant need within the Borough for small scale children's residential care homes
- No specific threshold for the sizing of rooms, as long as they are big enough for a bed, furniture and general floor space
- More than one children's home within the vicinity of each other is acceptable when owned by the same provider
- Try to avoid children coming into the Borough from other Boroughs.

8. ANALYSIS

8.1 The issues to be assessed in the determination of this planning application are

1. The principle of residential development in this location
2. The impact of the proposed development on the character of the site and surrounding area

3. The impact of the proposed development (comings and goings) on the amenity of neighbouring residents
4. The impact on highway safety
5. Other matters.

9. PRINCIPLE OF DEVELOPMENT

- 9.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 224-226 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.
- 9.2 Paragraph 225 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development.
- 9.3 Section 2 of the NPPF states achieving sustainable development means the planning system has three overarching objectives. One of the key objectives being addressed in paragraph 8(a) of the NPPF is that the planning system should support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations.
- 9.4 Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations. Further to this, when it comes to plan making, paragraph 63 of the Framework states that "...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)".
- 9.5 UDP policy H4 is also relevant in this case which states the overall provision of housing in the Borough should incorporate a range of dwellings types, sizes, and affordability, to meet the needs of all sections of the community and to help create better balanced communities for the future.
- 9.6 The property and surrounding area is unallocated on the UDP proposals map, and therefore the site is not restricted to certain types of development. Consultation with Children's Services has confirmed there to be a need for small scale children's homes within the borough.
- 9.7 At present the property has an established residential use (Class C3), it is located within an established residential area. The proposal, to change the use of the dwellinghouse to a children's care home, falls under Class C2 of the Use Classes Order (residential institution). Although the proposed use would result in a different type of residential occupation, the residential element remains, and such a use would be compatible with the locality, in this regard there are no land use issues raised by the proposals to support a small scale residential children's home.
- 9.8 The care home would operate similar to a C3 (dwellinghouses) use, albeit with thecomings and goings of staff members. Whilst there is a business element to the proposal, it would be very difficult to distinguish, given there would be no business operations or activities taking place that would either be identifiable or have a result on the residential character of the area.

- 9.9 On the above basis, the proposed residential care home is deemed an appropriate use in this established residential area and is therefore acceptable in principle, in line with policies 1.4, H2 and H4 of the UDP and sections 2, 5 and 11 of the NPPF. The home would provide an alternative type of residential unit, that is required to meet the needs of different sections/groups of the community. In conclusion, it would be inappropriate and undesirable to prevent and exclude vulnerable children who are most in need of support from receiving the care that they and their families need, from within residential communities.

10. CHARACTER AND APPEARANCE

- 10.1 Operational works would be largely limited to internal reconfiguration of the property. It is however, also proposed to remove the existing garage to the rear to provide 1no parking space. These alterations are considered acceptable, there are also merits to the removal of the garage in terms of the general appearance of the site/street scene.
- 10.2 There are no other external alterations/additions to the existing dwelling to support the proposed use of the property as a care home. Overall, the proposal would not have a significant impact on the character and appearance of the existing property or the surrounding area, compliant with UDP policies C1 and H10.

11. RESIDENTIAL AMENITY

- 11.1 Paragraph 135(f) of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing users and future users. Policy H10 (a) and (d) of the UDP supports national policy, as requires that the design of proposed housing developments must meet the needs of potential occupiers, whilst not unacceptably impacting the amenity of neighbouring properties in respect of noise, loss of privacy, overshadowing or traffic.

Impact of the proposal on existing residents

- 11.2 As confirmed the proposed development involves no external alterations that would impact upon levels of light, outlook or privacy afforded to neighbouring properties.
- 11.3 The property would be occupied on a wholly residential basis. Whilst 7no members of staff would be employed on site, the maximum staff members on site at any one time would be 5 and this would be limited to shift changeovers. In terms of the impact upon local residents, the comings and goings of staff, during their changeovers, should not be discernible within the surrounding residential area.
- 11.4 The additional comings and goings associated with the home, as a result of health/social care visitors, deliveries and general day to day activities (school drop offs/pick ups, after school activities, weekend activities), would be of a scale appropriate to the property and the residential area it is located within.
- 11.5 Concerns have been raised by local residents regarding an increase in anti-social behaviour, caused by the children's emotional/behavioural needs, in an area where family homes are prevalent. This concern is noted, and it is acknowledged that the perception of possible anti-social behaviour can, in certain circumstances, be a material consideration in the determination of a planning application. Those circumstances being where the concern is based on past events and not on an assumption of the behavioural characteristics of the future occupiers of a development where this assumption is not supported by evidence. Children would be referred to the care home by the Council's health commissioning agencies, and the home would be Ofsted registered and inspected. Fears about the behavioural characteristics of the children who may reside in the care home, can only be based on assumptions and so, in this instance, the fear of crime arising from the proposed use would

not warrant refusal of the application. Nonetheless, the property would be staffed/managed throughout the day and night, this onsite presence should ensure the proposed change of use does not give rise to antisocial behaviour and the small scale use of the occupation, should ensure that residents' live in a cohesive manner.

- 11.6 In the interests of the amenity of the local residents, Officers are of the opinion that it would be prudent to request a general management plan be in place prior to its occupation. The aims of the plan would be to ensure that the property is managed appropriately at all times, to ensure no undue disturbance to local residents. The management plan can be secured by condition, compliance with the management plan would be enforceable in the event of any complaints.
- 11.7 Whilst concerns raised in the neighbour representations relating to noise disturbance are noted, the overall scale of the use would not be significant and it is not viewed as an over-intensification of use. It would remain that communal residential areas would be based on the ground floor with bedrooms at first floor level of the property. The level of residential occupation of the property on a C2 basis should be comparable to that of its current C3 use as a 3 bedroom dwelling. However, in the interests of the amenity of the adjoining property it is recommended that a condition is applied to soundproof the party wall, the bolstering of this partition would reduce the transference of any sound between the properties.
- 11.8 The Council's Environmental Health Officer has reviewed the proposal and raises no objections, subject to a recommended condition, if planning be granted, restricting the hours of conversion works to protect the amenity of the neighbouring residents.
- 11.9 Ultimately, the proposal represents residential use within a residential area, and as indicated by the absence of any objection from the Head of Environmental Services (Public Protection), the impact of the development on any existing residential amenities is considered acceptable and compliant with section 12 of the NPPF and H10 of the UDP.

Living conditions of future occupants

- 11.10 Internal space is interpreted by reference to the nearest equivalent new national technical standard, which is given in the Government's Technical Housing Standards – nationally described space standard document (THS). This standard is in place to ensure occupants are provided with an adequate quantity of internal space to well serve their needs and wellbeing.
- 11.11 The THS requires the minimum internal floor area over two storeys:
- 84sqm for a 3 bedroom, 4 person dwelling
 - 93sqm for a 3 bedroom, 5 person dwelling
 - 97sqm for a 4 bedroom, 5 person dwelling.
- 11.12 The property is an existing dwellinghouse, with 3no bedrooms, it has an overall internal floor space of 94sqm, compliant with housing standards. The proposal intends on retaining the 3no bedrooms at first floor, albeit extending bedroom 1, utilising some of the landing space, and converting the existing kitchen at ground floor to a fourth bedroom/office. Although increasing the number of bedrooms would require additional floor space to comply with the above THS, it must be noted that converting the ground floor kitchen to a habitable room does not require planning permission, in its current form, which would not take into account the THS. Nonetheless, the proposed care home would have an internal floor space between 93sqm and 97sqm, which is deemed acceptable in this case, based on the fact each bedroom would be for single occupancy.
- 11.13 In addition, whilst there would be 4no bedrooms within the home, it would only accommodate 2no children and 1no staff member, and so would demonstrate further that there is adequate internal floor space for the intended number of occupiers, in accordance with the THS. To ensure the home does not introduce additional occupants in the future, and therefore the

potential to fall below the THS, a condition is recommended restricting the home to providing care and accommodation for no more than 2no children at any one time.

- 11.14 In addition, the THS states that in order to provide for one bed space, a single bedroom must have a floor area of at least 7.5sqm. The following details the size of each bedroom:
- The ground floor staff bedroom measures 10.5sqm
 - Bedroom 1 measures 7.5sqm
 - Bedroom 2 measures 8.3sqm
 - Bedroom 3 measures 12.6sqm.
- 11.15 Given the above, all 4no bedrooms would be of an adequate size to function as a bedroom, allowing space for a wardrobe, a set of drawers and a desk. Further, all habitable rooms within the care home would be well served with glazed openings to allow for natural light, outlook and ventilation.
- 11.16 The property benefits from a generous garden, providing adequate private outdoor space for the future occupants.
- 11.17 In summary, it is considered that the proposal would provide an adequate level of residential amenity for the future occupiers to well serve their needs, health and well-being, in accordance with UDP policy H10 and paragraph 135 of the NPPF.

12. HIGHWAY SAFETY

- 12.1 UDP policy T10 states the minimum number of in-curtilage parking spaces required for a care home under Class C2 (residential institutions) is 1 per 4 bedrooms. The proposed care home would have 4no bedrooms and includes 1no off street parking space, and therefore in line with the above requirement for a care/nursing home.
- 12.2 The applicant has provided further measures to reduce any additional on street parking on the surrounding highways, including a subsidised cycle scheme and car sharing initiatives, that are welcomed by the Local Highways Authority (LHA). The LHA note Flowery Field and Hyde Central train stations and Hyde bus station are within walking distance of the development site, in addition the bus station is regularly serviced from other districts. There is a bus stop located 60m away from the site. In addition, the LHA have recommended a condition be attached, requiring details of secure cycle storage provision to serve the development. The above measures and close proximity to public transport, would help to minimise vehicle trips to and from the care home by staff members, and thus less pressure on street parking.
- 12.3 The LHA required the applicant to provide an on street car parking survey to assess whether there would be sufficient spare capacity on the streets for additional parking generated by the proposed development. The survey examined roads within a 200m walking distance radius of the development site, including: Clarendon Road, Fleet Street, Corona Avenue and Repton Avenue. Periods covered were overnight (between 00:30 and 05:30), between 10:00 and 12:00 Monday to Friday and during Saturday shopping hours. The weekday observations were carried out on Tuesday and Wednesday.
- 12.4 The overall conclusion from the car parking survey was that there is available parking on the surrounding streets, albeit at night mainly along Clarendon Road. There were no apparent on street parking issues during the day times on any day during the week. Bedford Avenue has the highest levels of on street parking stress in all periods, though was still found to have 2 spaces free on both nights the parking survey was carried out.
- 12.5 In light of the above, the following potential parking scenarios/situations are acknowledged (staff only):

- 4no on street car parking spaces may be required Monday to Friday during the day, owing to the possibility of 5no vehicles, associated with the 1no manager and 4no care workers, during the 30 minute staff changeover time only (between 11:00 and 11:30), with 1no vehicle parking in the 1no allocated space.
- 3no on street parking spaces may be required at the weekend during the day (Saturday and Sunday), given the possibility of 4no vehicles associated with the 4no care workers, during the 30 minute staff changeover over period only (between 11:00 and 11:30), with 1no vehicle parking in the 1no allocated space.
- After 16:00 Monday to Friday, only 1no on street parking space may be required, given the 1no manager finishes their shift at 16:00, the 1no care worker car parked in the allocated space and 1no parked on the road.
- After 23:00 any day of the week (Monday to Sunday), no on street parking spaces would be required, given only 1no care worker sleeps over at the property, who's car would be parked on the allocated space.

12.6 The above worst case scenarios would coincide with the findings from the car parking survey to demonstrate there would be an adequate capacity of on street parking spaces still available for nearby residents, as a result of the proposed children's care home.

12.7 Given the car parking survey found there would be no apparent issues with on street parking during weekday times, other occasional visits by social workers, for example, would have no issue with on street parking, neither would this impact significantly on the capacity of on street parking available to nearby residents.

12.8 The 2no children residing in the care home would not have access to their own vehicle, though may be supported to undertake driving lessons once they are 17, similar to such activities with a C3 use. It is unlikely that the children would be making independent vehicular trips whilst residing at the property.

12.9 In conclusion, the vehicular trips made by staff members arriving/leaving their shift and health visitors, would not result in a materially greater impact on the safety of the highway or pressure for parking, than the extant use of the property as a dwelling. In addition, any other vehicular trips, by way of general day to day activities for the children in care, would be similar to that of a C3 use, and therefore no significant impact on the highway network. Overall, the proposed development would not have an unacceptable impact on highway safety, or that the residual cumulative impact on the road network would be severe, and therefore the proposal is compliant with UDP policy T1, T7, T10 and H10(b) and section 9 of the NPPF.

13. OTHER MATTERS

13.1 Children's Services notes there is a significant need in the borough for small scale children's care homes, and therefore the proposal would provide a minor contribution to addressing this. It is appropriate for several children's care homes, operated by the same provider, to be located within close proximity to one another.

13.2 A number of objectors have raised concerns regarding the potential risk of increased crime and anti-social behaviour in the area, arising from the proposed development. Whilst reducing opportunities for crime through the design of development is a material planning consideration, the risk of crime rates increasing in an area is not something that can be controlled through the planning system. In this case, there are no physical alterations to be undertaken to the building and so no opportunities for crime would be created by built environment factors. The planning application could not however, reasonably be refused on the hypothetical assertion that the change of use would lead to a risk of crime or anti-social behaviour.

- 13.3 A number of objectors have raised concerns regarding the type of care/background of the cared for children. Whilst the type of care is material to the planning assessment, in respect of comings and goings associated with that type of care, the specific demographic/background of the children in care is not material planning consideration.

14. CONCLUSION

- 14.1 The proposal would make a positive contribution to meeting the demand for care for children and young people with educational and behavioural disorders. The character and appearance of the property would remain as existing, without there being a significant increase in comings or goings compared to the existing use. The property is located in a sustainable location given its access to public transport and associated amenities of Hyde Town Centre.
- 14.2 Overall, the proposal being considered against the NPPF and the UDP, as well as other relevant policies, following careful consideration of all the issues raised through the application process, is recommended for approval, subject to conditions.

RECOMMENDATION

That planning permission be approved, subject to the following conditions:

1. 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 by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following plans:
 - a. Existing and proposed floor plans – 1200 rev E received 1st March 2024
 - b. Site location plan received 15th December 2023.

Reason: For the avoidance of doubt.

3. During demolition / construction / conversion no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with policy 1.12 and H10 of the Tameside Unitary Development Plan.

4. The 1no car parking space, hereby approved, must be made available prior to the first occupation of the children's care home, and shall be retained as such thereafter.

Reason: To ensure adequate parking provision, in accordance with UDP policy T1 and T10.

5. Prior to the use hereby approved first being brought into use, proposals to provide a long-stay cycle parking facility (which shall be in the form of a covered and secure cycle store that will accommodate a minimum of two cycles for the development) shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until the cycle parking facility for the dwelling has been provided in accordance with the approved details. The cycle parking facility shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with UDP Policies T1, T7, and T10.

6. The premises shall be used for residential care and accommodation 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 (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 interests of the amenities of local residents, in accordance with UDP policy H10.

7. The change of use to the dwelling hereby approved shall not permit the care or accommodation of any more than 2no children at the property at any time.

Reason: In the interests of residential amenity relevant to the intensity of the proposed use, in accordance with UDP policy H10.

8. The property shall not be occupied on a C2 (children's home) basis until a scheme to soundproof the party wall between the property and no.178 Clarendon Road, Hyde, has been submitted to and approved in writing by the Local Planning Authority. The premises shall not be brought into its approved use until the approved soundproofing scheme has been implemented in full, and it shall be retained thereafter.

Reason: To protect the amenities of the occupants of the adjoining property in accordance with UDP policy 1.12 and H10.

9. The accommodation hereby approved, shall not be occupied unless/until a Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include:

- A record of all children and their ages, which must be made available for inspection by the LPA within 7 days of such a request being made
- Conditions of residential occupancy
- Management procedures for the maintenance and security of the premises
- Protocols for investigating and addressing complaints.

The accommodation shall be occupied in accordance with the approved Management Plan at all times and for as long as the building is in use as a children's care home.

Reasons: To ensure the development preserves the residential amenity of neighbouring properties, in accordance with UDP policy H10.