

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

29th February 2024

Application No:	SMD/2023/0622	
Location	Harplow Farm, Harplow Lane, Cheadle, ST10 1UD	
Proposal	Change of use from dwellinghouse (Use Class C3) to care home for children (Use Class C2)	
Applicant	Serenity Care Children's Homes	
Agent	Rob Duncan Planning Consultancy	
Parish/ward	Cheadle	Date registered 5/12/2023
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext 4123 or Christopher.johnston@staffs Moorlands.gov.uk		

REFERRAL

This application is referred to the Committee because it is locally controversial.

1. SUMMARY OF RECOMMENDATION

APPROVE, subject to conditions.
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2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site is in the countryside a short distance to the south-west of the town and just over a mile from the town centre. It comprises a traditional detached two-storey 3-bedroom farmhouse and its curtilage and outbuildings and can be reached via a farm track connected to Harplow Lane a short distance to the north-east. The site is surrounded by open land which slopes uphill from the road towards the south. The site is in the Green Belt.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application for the change of use from residential to care accommodation for three children (a 'C2 Residential Institution' use). There would be no external alterations other than the conversion of an attached lean-to side double garage into a living room involving the replacement of the two garage doors with windows above brickwork. There would be some internal alterations on both floors to provide two further bedrooms for overnight staff (one on each floor) and an office. The three existing first floor bedrooms would remain to provide rooms for the three children. The Proposed site plan shows six parking spaces provided to the front of the house.

3.2 A Planning Statement has been submitted which gives the following details:

Serenity Care is a registered care provider whose aims and objectives are to find what works best for the individual, tailor the support they offer, and ensure that the young people they care for are well equipped and prepared for the real world after they leave care. The company also believes strongly in offering support post care to ensure that they support young people in their transition from residential care into mainstream society.

The submitted proposal will provide a care home facility for up to three children / young people (Use Class C2), with each child / young person living there as their permanent residence. The premises will be regulated by Ofsted. The children occupying the premises will range between 8 and 17 years of age and have social, emotional and behavioural difficulties. There will be a minimum of two staff on site at any given time, operating in a shift pattern typically involving two days on and four days off. During daytime hours there may also be a deputy manager and manager on the site in addition to those two members of staff.

3.3 The application, the details attached to it, including the plans, documents and also the comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=176395>

4. RELEVANT PLANNING HISTORY

SMD/2022/0221: Change of use of dwelling to care accommodation (C2 Use). Withdrawn.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The development plan comprises the Staffordshire Moorlands Local Plan which was adopted in September 2020. The relevant policies and guidance in which the scheme has been determined against, are below:

Local Plan (September 2020)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS10 Other Rural Areas Strategy
DC1 Design Considerations
H1 New Housing Development
T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF) – updated December 2023

Paragraphs 1 – 14
Section 4 Decision making
Section 5 Delivering a sufficient supply of homes

6. CONSULTATIONS CARRIED OUT

Neighbour letters	Expiry date for comments: 29/1/2024
Site Notice Posted	Expiry date for comments: 29/1/2024
Press Notice	N/A

Local Comments

6.1 Letters of objection have been received from three local residents and the points raised are as follows:

- Septic tank at the site is not working
- The access onto the road is hazardous
- Unsuitable site for bringing up children as it is close to an industrial estate, scrapyards, huge crevasses in the ground near the site and also air shafts with a sheer drop onto the disused railway and also colliery mineshafts
- Safety risk to elderly residents in the area
- The road into Cheadle is unsafe for walking
- Would worsen anti-social behaviour and criminal behaviour in the area
- Impact on safety of existing children in the area
- No clarity as to the age and needs of the children to be cared for

Cheadle Town Council

6.2 None.

SCC Highways Authority

6.3 Recommendation Summary: Conditional

Site Visit Conducted on: 20-Dec-2023

Personal Injury Collisions:

Current records show that there were not any Personal Injury Collisions on Harlow Lane within 215 metres either side of the property accesses for the previous five years.

Background:

Harlow Lane (Road No. D1170) is an unclassified rural road with a derestricted 60 mph speed limit and has no street lighting or footways. Harlow Lane connects Draycott Cross Road (Road No. C0190) to New Haden Road and Huntley Lane (Road No. D1170). Cheadle Town Centre is approx. 1.5 miles away and a bus stop is approx. 0.7 miles.

Comment on Information Submitted:

Application is to change use of an existing dwelling to use as a children's home for three children between the ages of 8 and 17 (stated within the Planning Statement).

Harplow Farm is an existing 3 bedroomed dwelling. It is intended for 3 children to reside at the farm and there will be a minimum of two staff on site at any given time, operating in a shift pattern, during the day there will be an additional 2 staff.

Internal alterations are proposed to Harplow Farm. The existing garage is to be converted into an additional lounge, a 4th bedroom for staff will be provided on the first floor and the current sitting room will be converted into a 5th bedroom also for staff.

Access:

Harplow Farm is accessed off Harplow Lane via an existing private drive. No amendments are proposed to the access or the private drive.

Parking:

6 parking spaces are proposed as detailed on Drawing Nr. 2202/18/03 and meets with Staffordshire Moorlands Parking Standards.

Trip generation:

Trip generation profile may be different for a children's residential care home when compared to a dwelling, with adults/staff visiting the home rather than leaving it. However, that does not equate to an increase in trips that could be considered severe. Children/young persons would need to be transported whether part of a family or residents of a care home. Visitors are likely, as they would be for a family home. Regardless of the trip profile, the effect of use of an existing dwelling as a residential care home could not be described as having a severe effect on the adopted highway.

The proposal will not have a detrimental impact on the adopted highway. I therefore have no subject to the following condition:

The development hereby permitted shall not be brought into use until the parking areas have been provided in accordance with the approved Drawing Nr. 2202/18/03 and shall thereafter be retained as such for the lifetime of the development.

Environmental Health

6.4 The proposal to change the use from C3 to C2 for the proposed use does not appear significant given the separation distances to the nearest NSRs but the range of residential uses can be different. In the case of this application for development of the home for three children with onsite staff then the risks to neighbour amenity are low. But if future occupancy of the home was for people with more high intensive clinical needs then noise breakout could be a risk. It would be recommended that noise breakout is considered during the development phase in order to future proof the site and ensure good

neighbour relations. Noise transfer from room to room should also be given consideration in order to maintain good amenity for other occupiers of the home and the potential for adverse noise breakout from each room.

Please note - The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

Advisory - The developer should pay due regard for the need to be compliant/adhere to Building regulations Approved Document E and BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings (special note should be made to Section 7.7.5 and Annex H). It would be advisable to appoint a buildings acoustics specialist to conduct a site specific assessment of the site to ensure this building is future proofed for all uses permitted under this permission.

The Environmental Health Section raised no objection subject to conditions which seek to restrict hours of construction working, dust and waste during construction works, new artificial lighting and hours of deliveries (to restrict noise).

SMDC Waste Collection Services

6.5 No issues regarding waste collections. Bins to be presented on Harplow Lane.

7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

Introduction

7.1 Paragraph 11 of the National Planning Policy Framework (NPPF, 2023) promotes a 'presumption in favour of sustainable development'. For decision takers this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless:

i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.2 Paragraph 8 of the NPPF (2023) identifies three dimensions to sustainable development as being economic, social and environmental. In

accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protect, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2023).

7.3 The main issues with the proposal are as follows:

- Whether or not the proposal amounts to inappropriate development in the Green Belt
- The principle of development in this location.
- The impact on the character and appearance of the area.
- The impact on residential amenity.
- The impact on highway safety.

The Impact on the Green Belt

7.4 The site is in the Green Belt and Policy SS10 of the Local Plan, the strategy for the countryside, requires strict control over inappropriate development in the Green Belt. The exceptional forms of development which are not deemed to be inappropriate are listed in paras 154 and 155 of the NPPF. This includes changes of use of buildings which are permanent and substantial. The brick and tile two-storey traditional farmhouse clearly falls into this category and therefore the change of use from a dwellinghouse to care accommodation is not inappropriate development in the Green Belt.

7.5 The proposal would therefore comply with Section 13 of the NPPF and also therefore Policy SS10 of the Local Plan in this respect.

Other matter relating to the principle of the development

7.6 The change of use of rural buildings is also acceptable in Policy SS10 where the building is suitable in physical, architectural and character terms and therefore this part of Policy SS10 would also be complied with. Policy H1 encourages a wide range of accommodation to meet the housing needs of the District and this includes care accommodation.

7.7 Any development in the countryside must not lead to significant traffic generation. Although the site is very close to the town of Cheadle, access to the town and its facilities such as schools and shops would involve a walk along an unsuitable lane with no footway or public transport provision and therefore the use of the site as care accommodation would involve some dependency on the use of the car to reach services, much like a family dwelling use. However, due to the nature of the proposed accommodation there would not be any significant changes or impacts in respect of traffic than the continued use of the house as a standard family-sized dwelling. A family of five (for example, two adults and three children) could easily occupy the current dwelling and the proposal involves a permanent home for three

children and although the two adults, in this case care workers, would not be permanent residents, the shift patterns would involve one or two adults being constantly present in the house including overnight.

7.8 The operation of the care home would not be much different to a standard family dwelling including impacts and vehicle movements. A family dwelling use of the farmhouse would involve trips such as the school run, getting to work and supermarket shopping and this would also be the case for a small care home for three children except this would also be the workplace for the staff but their movements to and from the site would change every two days and would perhaps be less frequent than two parents leaving to go to work on a daily basis. Visitors are likely (in addition to two staff), as they would be for a family home. Overall, it is not considered the proposal would lead to a significant increase in vehicle movements and is therefore no less sustainable than a continued re-use as a standard family dwelling.

7.9 The proposal therefore fully complies with policies SS10 and H1 of the Local Plan and is in line with Section 5 of the NPPF and is therefore acceptable in principle.

The Impact on the character and appearance of the area

7.10 With regard to the impact on the character and appearance of the area, the only changes would be to the attached garage. This would not harm the appearance of the house which is well screened by perimeter trees. The works and conversion could be carried out under permitted development (Part 1 of the GPDO) in any case.

7.11 There would be no significant impact on the character and appearance of the area and therefore the proposal would comply with Policy DC1 of the Local Plan and Section 12 of the NPPF.

The Impact on the residential amenities of the area

7.12 With regard to residential amenity, the nearest neighbouring dwelling outside of the property is at least 70m to the north-east. There would be no additional noise creation from the proposed use in relation to the continued or re-use of the site as a standard residential dwelling by a family. The house itself appears capable of providing decent living conditions for both the children and staff with adequate bedroom sizes for the children and there is also a private rear garden of sufficient size.

7.13 The Environmental Health Section do not object to the application. Noise levels would not be significantly different to the operation of a standard family home, which is the existing established use of the property. The Section recommends noise insulation but only as an Advisory. It is reminded there are no immediate adjacent neighbours to the dwelling and the nearest neighbouring residential property is at least 70m away. For this reason, it is not considered necessary to impose conditions restricting noise and other forms of pollution at the construction phase, especially as the only works

involved would be the replacement of the garage door with brickwork and windows and minor internal reconfiguration. Lighting impacts would also be no different to the use as a standard family dwelling and so it is also not considered necessary to impose a condition restricting artificial lighting, as recommended by Environmental Health. It is also not considered necessary to restrict hours of deliveries as again it would not be anticipated that vehicle movements for this purpose would be much different to the use as a family dwelling.

7.14 The Environmental Health Section are more concerned with impacts if the new C2 Care Use was to become intensified at some stage in the future. This is understandable but instead of the conditions recommended, other conditions can be imposed to limit the number of staff and the number of children (and their age) being cared for, to prevent such an intensification. In any case, the building does not appear capable of accommodating more than five bed spaces in accordance with standards such as the governments Nationally Described Space Standards.

7.15 There would be no harm to the residential amenities of existing and future residents of the area and therefore the proposal would comply with Policy DC1 of the Local Plan in this respect.

The impact on highway safety

7.16 Finally, with regard to highway safety, it is not predicted that the change in use would lead to a significant increase in vehicle movements at the access onto the fairly narrow country lane although vehicle speeds are unlikely to be high along this road and visibility is good in one direction. There is ample space for the parking and turning of six cars on the site even with the loss of the garage space and this is sufficient to serve a care home of this small size with a rotation of two staff.

7.17 The proposal would not result in any harm to the level of highway safety on the road network in compliance with Policy DC1 and T1 of the Local Plan.

Public Comments

7.18 The letters raised concerns over anti-social and criminal behaviour and the health and safety of local residents including children and the elderly. However, these are not material planning considerations. In any case there is no evidence that the introduction of small care home for three children (being looked after with round-the-clock care) in the area would lead to such issues.

7.19 Any existing safety "hazards" in the area would have no greater bearing on a small care home with three children and two adult carers than they would on a family with three children living in the house under the current C3 Residential Dwelling Use Class. This is also the case in respect of the road to Cheadle not being deemed safe for walking.

7.20 The issue regarding the septic tank is also not a material planning consideration.

7.21 The level of safety of the access has been addressed above in the report. The local highways authority raise no objection to the application.

7.22 Two of the letters stated there was a lack of clarity as to the age and needs of the children to be cared for. However, these details are provided in the Planning Statement provided with the application and have been repeated in Section 3 of this report.

8. CONCLUSION / PLANNING BALANCE

8.1 The proposal is not inappropriate development in the Green Belt, is acceptable in principle in this location and would not harm the visual or residential amenities of the area or be detrimental to highway safety. The proposal would comply with the Council's Local Plan and government planning guidance contained in the National Planning Policy Framework (NPPF) and therefore the application is recommended for approval.

9. RECOMMENDATIONS

A. The full planning application is APPROVED with the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:-

To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby permitted, including building materials specified, shall be carried out and completed in accordance with the following approved plans:

2202-18-02

2202-18-03

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. The number of children resident (under the age of 18) at the site shall not exceed three at any one time.

Reason:-

In the interest of the character and amenities of the area.

4. The number of overnight staff at the site shall not exceed two at any one time.

Reason:-

In the interest of the character and amenities of the area.

5. The development hereby permitted shall not be brought into use until the parking areas have been provided in accordance with the approved Drawing Nr. 2202/18/03 and shall thereafter be retained as such, unobstructed, for the lifetime of the development.

Reason:-

In the interests of highway safety.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

