

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**19<sup>th</sup> September 2024**

Application No:	SMD/2024/0241	
Location	4 Millers View, Cheadle, ST10 1XP	
Proposal	Change of use application to convert a C3 dwelling into a use class C2 Residential Institution for care of children including conversion of existing detached garage into 2 bedroom bungalow as already approved on application SMD/2023/0139.	
Applicant	Heronceau Refurbishment Ltd.	
Agent	Croft Architecture Ltd.	
Parish/ward	Cheadle	Date registered: 22.05.2024
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 <a href="mailto:christopher.johnston@staffsmoorlands.gov.uk">christopher.johnston@staffsmoorlands.gov.uk</a>		

## **REFERRAL**

The application is before committee because it is locally controversial with a large volume of letters of objections received from local residents. As a result, the application has been called into committee by Councillor Haines and Councillor Deaville.

### **1. SUMMARY OF RECOMMENDATION**

**APPROVE with Conditions**

### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The site is within the Development Boundary of Cheadle and comprises a detached two-storey brick-and-tile dwellinghouse on a modern housing estate to the south-east of the town centre. It is on Millers View, comprising two short cul-de-sacs at the end of Millhouse Drive. There are about twenty detached two-storey houses on Millers View. The site is on the northern edge of the housing estate, on a bend on one of the cul-de-sacs and the plot is wider than the others at Millers View. There is a 4-bed detached house at the site and a large double detached garage sitting next to it which has an approval for a conversion into a 2-bed bungalow although this has not been undertaken. The original single garage attached to the other side of the house has been converted into an office/room. The site is vacant. To the north side of the site is Thorley Drive Recreation ground and one of the football pitches is close to the side boundary of the site, separated from it by a belt of trees. To the south side of the site is an adjacent detached dwelling, no.3 Millers View. There are other similar dwellings to the other side of the road, which bends towards the east serving four more houses. To the east of Millers View lies open fields. To the rear of the site to the west lie dwellings off Millbrook Way.

### **3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL**

3.1 This is a full planning application for the use of the residential property as a care home for up to 4no. children aged between 8 and 16 and with a maximum of four carers (at any one time) who would operate on a shift basis including overnight shifts. The whole property would be used for this purpose with care accommodation in both the house and the detached garage. There would be three children's rooms in the house and one in the garage which would be converted to provide, in addition, a staff bedroom, bathroom and lounge/kitchen area. This would have its own external front entrance. There would be no internal reconfiguration of the house. The ground floor accommodation including the office, would remain the same and on the first floor, three of the bedrooms would be for the children and the fourth bedroom would be for overnight staff. The garage would not be extended, with the only external alterations comprising new windows and doors. There would be no external alterations to the house. Outside, there would be no alterations. The existing parking areas would remain the same, with the driveway in front of the house accommodating three parking spaces and a separate driveway in front of the current detached garage accommodating a further four spaces. There is an enclosed rear garden with no dividing fence between the house and the detached garage, despite one being shown on the approved plans for the bungalow conversion to create two separate gardens.

3.2 Further information has been provided by the applicant in the Children Care Home Questionnaire, as follows:

- The shift pattern would be 0800 -2000 and the incoming carers would be expected to arrive 30 minutes early for a handover meeting led by the outgoing team.
- There is a possibility the provision of care at night would include a member of staff needing to be awake and on duty during the night on a regular basis depending to the care needs of the service user.
- Meetings for one or two health professionals or other professionals at the property are likely but these will be monitored and organised to limit the number of meetings taking place. Should larger numbers of professionals need to meet at the same time, offsite resources will be used for team meetings.
- It is unlikely that parents will be visiting the residents at the property on parental visits as these visits usually take place off site, however, if this did occur, these meetings will be organised and monitored to ensure that they are staggered and limited to one meeting taking place at once.
- The children/resident bedrooms will have locks.
- The resident will not have access to the staff office unless a member of staff is present and has invited them in.
- General nursing care at the property is unlikely.
- The applicant has experience in running children's homes and owns one other in Bucknall, Stoke on Trent.
- The home will be OFSTED registered.

- The applicant has contacted Stoke-on-Trent Social Services in regards to potentially housing children from the local area and is currently engaging with commissioning and social work teams.
- The proposed care home is to house “Low Risk” children and each resident will have different needs and requirements for support. “Low Risk” refers to children with learning disabilities and Autism spectrum disorders from the age of 5 to 18, hence the needs and requirement are different.

3.3 The application files including the drawings, report and other details of the proposal together with consultation and notification responses can be viewed on the Council website at:

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=178964>

#### **4. RELEVANT PLANNING HISTORY**

4.1 SMD/2023/0139: Conversion of garage into two-bed dwelling. Approved June 2023. Not implemented.

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS7 Cheadle Area Strategy
- H1 New Housing
- DC1 Design Considerations
- T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF).- July 2021

Para 11: Presumption in Favour of Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 12: Achieving Well Designed and Beautiful Places

#### **6. CONSULTATIONS**

6.1 A site notice was posted on a lamp-post on the eastern edge of the site on 25.6.24 inviting comments within 21 days from the date it was posted. Letters were also sent out to adjacent residential properties shortly after the new application was received and further letters were sent out to several other residential addresses in the area on 16.7.24. The deadline for comments was 7.9.24.

#### **Public response to consultation**

6.2 Sixty eight letters of objection have been received from local residents and the following points have been raised:

- Increase in traffic from staff, visiting families and social workers and taxi's to school, leading to highway safety issues due to the narrow road with no footway or turning area
- Inadequate access for emergency, waste collection and delivery vehicles affecting highway safety and causing damage to gardens
- Increase in noise from increased vehicles particularly at staff change over times including at anti-social hours
- Lack of facilities on the housing estate for the occupants including a children's play area
- Impact on nearby house values, ability to sell and insurance costs
- Out of keeping with family residential area
- Safety concerns affecting children and vulnerable adults in the area
- No assurances of safety of residents within the building
- Strain on oversubscribed schools, doctors and dentists in the area
- The site could become a bigger commercial/business premises which would disrupt quiet family area
- The loss of two standard dwellings in an area of housing undersupply including bungalows and family houses
- Would worsen existing anti-social behaviour which occurs in the area
- There is a legal covenant on the estate which prevents business uses
- The parking standards require an ambulance bay for a care home and there is inadequate space for this

6.3 A petition has also been received with 120 signatures from objectors. There is a covering letter which states the strong objections are on the grounds of 1) the proposed bungalow would differ from that approved due to there being no dividing curtilage, parking spaces increased from two to four and was approved to improve the housing stock; 2) estate comprises six cul-de-sacs with no footways causing no off-road parking and obstruction to residents and pedestrians and 3) there would be disturbance to all residents due to shift pattern changes, additional workers, deliveries and emergency services.

### **Cheadle Town Council**

6.4 Cheadle Town Council resolved to object to this application due to highway concerns and vehicle movements associated with the property. Having heard from numerous members of the public and Town Councillors the Committee also have concerns regarding the amount of available parking spaces and the availability of a required ambulance bay. They have received representation that there is a covenant associated with the property which would not allow such a change of use and therefore this should be properly investigated.

### **SCC Highways Authority**

6.5 Recommendation Summary: Acceptance

Site Visit Conducted on: 20-Jun-2024

Personal Injury Collisions;

Current records show that there were not any Personal Injury Collisions on Millers View within 50 metres of the property from 30/12/2019 to 29/12/2022.

Background;

The property is located on Millers View (Road No. D1424), an unclassified road which is subject to a 30-mph speed limit. Millers View serves residential properties, there are streetlights but no footways.

Comments on Information Submitted;

The application is for a change of use to convert a residential dwelling, current use class C3 into a residential institution for the care of children, proposed use class C2. An existing detached garage which has approval granted for a 2-bedroom bungalow (SMD/2023/0139) is included in this application for change of use.

The property is a 4-bedroom, detached property situated on Millers View and benefits from off highway parking (driveway). It would appear the attached garage has been converted into an office. The property will retain 4 bedrooms that will consist of 3 children's bedrooms and 1 staff bedroom. Parking for 3 vehicles (driveway) is identified on the submitted plan DWG-\_1001-04.11 REV A.

No extensions to the property are proposed.

The submitted questionnaire states that a maximum of 4 children would live at the house and bungalow, with a maximum of 4 carers at any one-time including sleeping overnight, except at change over times.

Parking;

The existing use class is C3 dwellinghouses the proposed use class would be C2 residential institutions. Staffordshire Moorlands Parking Standards state for a Detached /Semi-Detached property of 4 or more bedrooms (use class C3) requires 3 spaces (2.4 x 4.8m) and a property of up to 3 bedrooms requires 2 spaces, for residents and visitors within the curtilage of the dwelling. As residential use class C3 5 spaces (in total for both properties) are required.

Staffordshire Moorlands Parking Standards state for Residential Care Establishments (use class C2) – 1 garage or parking space per resident staff, plus 1 space per non-resident staff present at peak working times, plus 1 space per 3 bed spaces for visitors.

There will be a maximum of up to 4 children living at the house and bungalow, with a maximum of 4 carers at any one-time including sleeping overnight, under the Parking Standards use class C2 5 spaces are required.

It is proposed to provide a total of 7 parking spaces which is above the number of spaces required for either use class. DWG-\_1001-04.11 REV A.

It is considered the proposal would not have a detrimental impact on the highway. I

therefore have no objection to the proposal (application number SMD/2024/0241).

Note to Planning Officer;

It was noted that only 1 bedroom is identified for staff, it is unclear where the 3 remaining staff will be accommodated.

It would be entirely possible and reasonable for 3 children to be living in a 4-bedroomed dwelling and 1 child to be living in a 2-bedroom dwelling, as part of a family group under its current planning use.

### **SMDC Environmental Health**

6.6 No objection subject to conditions to control the hours of works and measures during the works phase, details of lighting to be submitted for approval and a restriction on delivery hours. General comments are provided as follows:

Noise - The proposed use is for children with autism, it is not clear from the application what this might mean from a noise impact perspective but with good quality care and good sound insulation installed into the building noise break/intrusion can be minimised. 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.

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. It might be prudent to impose a sound insulation scheme as a condition of development (Consult Environmental Health if required).

Childrens' Homes Statutory Requirements – Ofsted is the regulator of children's homes and we would advise consultation is made with them prior to permission being granted.

### **Staffordshire Police Designing Out Crime Officer**

6.7 As with all residential care homes for children, amongst other factors that contribute towards the successful operation of the home (or otherwise), a tremendous amount would depend upon:

- the professionalism, care and experience of the staff;
- how well they bond/engage with and relate to the children in their care;
- effective management oversight of the home;
- the historical context, experience and nature of the children;
- the placement of an appropriately risk-assessed children who get on sufficiently well with each other, each with a suitable individual care plans in place;
- all underpinned by adherence to robust and effective staff policies (including in-house conflict resolution) and operating procedures.

There are also standard requirements on the part of care home operators to adhere to the 'Children Missing from Home and Care' Joint Protocol between Staffordshire and Stoke-on-Trent Local Authorities & Staffordshire Police and they will need to be registered with Ofsted (which the applicant indicates will be the case) who are the appropriate regulatory authority and subsequently overseen by them with all the necessary checks and balances in place that they require to ensure the efficient running and management of the home for the benefit of those children who would be placed there.

A basic overview of the proposed nature and operation of the care home is provided within the Children Care Home Questionnaire, and no doubt Ofsted will need to satisfy themselves in more detail as part of their registration process. In terms of any potential adverse impact upon neighbours, much would be likely to depend upon the nature of the children who would be placed there, but in some ways, this could be viewed as being little different to a conventional family setting. Expectations of behaviour placed upon children and effective supervision by staff will be important factors in this regard too. The detached nature of the dwelling coupled with a small number of immediate neighbours possibly has an advantage over terraced or semi-detached properties in terms of reducing possible noise impact. The rear garden appears to be enclosed, which is important, as it is for any residential property. A good level of enclosure can allow for greater supervision and less opportunity for missing episodes. Consequently, the applicant should ensure that this is suitably addressed.

The view of the Local Policing Team has been sought in relation to this proposed change of use application. A thorough internal response has been received from a local officer, which places the proposed home as a low to medium risk. In terms of low risk, there is nothing to suggest that community tensions are heightened or are likely to be heightened with the introduction of a residential care home. Similarly, there are no known ongoing or planned police operations that would place the care home or residents at risk, nor is there anything to suggest that the establishment of a residential care home at the location is likely to put any current or future police operations in jeopardy. In terms of local crime statistics, in broad terms, Cheadle compares favourably with the rest of the county, with an overall crime rate 16% lower. However, of concern is the fact that the most common crime offences are violence against the person and sexual offences. Historically, there have been issues with younger persons becoming involved in disputes between one another and also larger groups/gangs. These factors consequently suggest a low to medium risk in terms of local crime.

In terms of vulnerable addresses or others of note in the immediate vicinity, this would be classed as medium risk. There are two other residential care homes for young persons within the near vicinity of the application location. Of particular concern, one of the care homes has children who regular going missing and who are deemed to be at risk of sexual or criminal exploitation. There is a concern given the close proximity of the care homes to one another that interaction between respective children could encourage behaviour that places them at increased risk of exploitation and harm. There is also a vulnerable address a relatively short distance away from the proposed site of the residential care home, where the occupant has significant alcohol issues and historically has been linked to looked-after persons frequenting

the address, albeit the resident is not currently residing at that address.

The proximity to Tean Road recreation ground also sits within the medium risk category as it relates to a proposed care home setting. For a number of years, this has been the location for the vast majority of anti-social behaviour reports around the Cheadle area and clearly provides ample opportunity and an ideal location for vulnerable persons to frequent and associate with one another. There is also limited CCTV at this location. The relative proximity to large rural expanses to the proposed site, which would prevent unique challenges for any reported missing episode for the occupants given the nature of the search site would be a concern. Local knowledge would suggest that the relatively isolated location, including the small size of Cheadle would increase the risk of the propensity of the residents to seek modes of transport to visit the city/further afield.

Clearly there are a number of aspects in relation to the vicinity and locality, which raise some general and more specific police concerns around their potential adverse impact upon children placed at the proposed care home, albeit it is noted in the Children Care Homes Questionnaire states that the home would be for low risk children. Consequently, these risks that looked-after children may be subject to should be given due consideration in the Local Authority's determination of the suitability of the location for such a home. They would undoubtedly be risks that any care home operator would need to be aware of, and from which, they would need to assiduously endeavour to protect those in their care.

### **SMDC Waste Collection Service**

6.8 No issues regarding waste collections.

## **7. OFFICER COMMENT AND PLANNING BALANCE**

### **Introduction**

7.1 The main issues with the proposal are as follows:

- The principle of the proposal.
- The impact on the character and appearance of the area
- The impact on the residential amenities of the area.
- The impact on highway safety.

### **The principle of the proposal**

7.2 The Cheadle Area Strategy, Policy SS7 of the Local Plan, in respect of housing, aims to expand the role of Cheadle as a significant service centre and a market town and that this will be achieved through, inter alia, the expansion of the housing market area and community provision by, inter alia, increasing the range of available and affordable house types and higher market housing, including for first time buyers and families.

7.3 Policy H1 states that new housing should provide for a mix of housing sizes,



types and tenure including a proportion of affordable housing and where appropriate housing for special groups, to meet the needs and aspirations of the current and future population having regard to the Area Strategies.

7.4 The government planning guidance, the NPPF, states with regard to housing in para 63, “within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.”

7.5 The change of use of the 4-child care home is in line with the above policies and guidance which encourage a mix of housing including care accommodation. There are no policies or parts of policies which specifically restrict the provision of care accommodation. The proposal would lead to the loss of a family home and a potentially a two-bed bungalow (there is an extant permission for the conversion of the garage for this purpose) and given there is a deemed undersupply of housing in the District, this could be seen as a disadvantage. However, due to the December 2023 updated NPPF, the Council is no longer required to demonstrate a five-year housing land supply which reduces the weight in favour of retaining the dwellings. In any case, although the loss is still a disadvantage, the impact on the housing stock would be minimal and it is considered the advantage of the provision of required care accommodation would outweigh the loss of the two dwellings. The site is within the Development Boundary of a town and close to a town centre with good access to shops, services, schools, supermarkets and public transport via walking or cycling. It is in a sustainable location. The principle of the proposal is therefore deemed to be acceptable.

### **The impact on the character and appearance of the area**

7.6 The only external alterations would be the insertion of windows and a front door on the garage building as part of the conversion. Planning permission was granted in 2023 for the conversion of the garage into a 2-bed bungalow dwelling which also included such works. The design of the fenestration is not out of keeping with the character and appearance of the building. Although the application is for the change of use to a care home, the resultant appearance of the site would remain as two detached dwellings with parking areas and garden areas to the front. The proposal would not lead to any significant impact on the character and appearance of the area as a residential housing estate and would comply with Policy DC1 of the Local Plan.

### **The impact on the residential amenities of the area**

7.7 Many of the objection letters received from local residents raised noise and disturbance as concerns. The proposal would lead to a maximum of four children and four staff in total occupying the two buildings at any one time. This is not a significant difference in the number of adults and children that could typically be occupying the 4-bed family house and approved 2-bed bungalow. The children to be cared for are deemed to be “low risk” and there is no evidence that the proposal

would lead to significant additional noise and disturbance that would be detrimental to the residential amenities of the adjacent neighbours. The Environmental Health Section of the Council does not object to the application and recommends additional noise insulation works only as an advisory rather than a condition. It is not considered that a condition requiring such works is necessary or reasonable.

7.8 Noise and disturbance from vehicles movements of visiting staff, other professionals, staff change over and deliveries was also mentioned in the objection letters. However, it is not considered the total vehicle movements arising from the change of use would not be significantly different to the typical movements arising from the use of 4-bed family home and separate 2-bed dwelling (which could easily be occupied by a family with one child) where trips to work/shops and/or school runs from as many as four vehicles twice a day and also deliveries, could occur. Furthermore, the applicants state that any need for on-site meetings with other professionals are to be minimised and that team meetings and meet-ups between the care children and families or other visitors would take place off-site.

7.9 Overall, the proposal would not significantly harm the residential amenities of the area and would comply with Policy DC1 in this respect.

### **The impact on highway safety**

7.10 As mentioned above, the predicted vehicle movements arising from the change of use would not be significantly different to the current situation if the approved use of the garage as a dwelling was implemented and the 4-bed house was occupied. The local highways authority has raised no objection to the application. There are seven parking spaces within the site on two separate driveways and there is space to turn on the cul-de-sac, as is the current situation. Based on the number of staff, the staffing arrangements and visits from other professionals, the local highways authority recommend a need for five parking spaces plus a space for an ambulance in compliance with the Council's Parking Standards applying to such care homes. Given that there are seven spaces which could be used for all of these purposes, the parking provision for the proposed use is deemed to be sufficient and would not lead to any significant parking on the roads to the detriment of highway safety. The proposal therefore complies with policies DC1 and T1 in this respect.

### **Other Points**

7.11 Anti-social behaviour and the safety of local residents was raised as a concern in a number of the objection letters received. The children to be cared for are deemed to be "low risk" by the proposed care home operator (also the owner of the site). The Council consulted Staffordshire Police Designing Out Crime Officer on the application. The officer identifies a "low to medium" risk but this applies to the care home occupants and there are no concerns raised regarding risks to local residents as a result of the proposal in this location. Instances of anti-social behaviour in the area has been commented on including on the adjacent recreation ground. There is no evidence that the introduction of this particular care facility for up to four "low risk" children in this location would exacerbate anti-social behaviour.

7.12 It is re-iterated that Staffordshire Police has stated:

*“The view of the Local Policing Team has been sought in relation to this proposed change of use application. A thorough internal response has been received from a local officer, which places the proposed home as a low to medium risk. In terms of low risk, there is nothing to suggest that community tensions are heightened or are likely to be heightened with the introduction of a residential care home. Similarly, there are no known ongoing or planned police operations that would place the care home or residents at risk, nor is there anything to suggest that the establishment of a residential care home at the location is likely to put any current or future police operations in jeopardy.”*

7.13 Regarding the safety/level of care of the children, the applicant has confirmed that the care home will be OFSTED registered as required and that this is the regulatory body for the operation of the care provision.

7.14 The issue of a covenant applying to the property which prevents the change of use to business/commercial purposes is purely a legal matter and not a material planning consideration. The grant of any planning permission for the care home does not override such a covenant and its legal requirements. This is a matter that would need to be tackled separately by the applicants.

7.15 The impact on nearby house values is also not a planning matter and in any case, there is no evidence that the proposal would have an impact on this.

7.16 It is not considered the proposed care home would lead to any additional strain on local services in relation to the current authorised use of the site a 4-bed and 2-bed dwelling.

7.17 In response to the comment that the site could become a bigger commercial/business premises which would affect a quiet family area, conditions can be applied to restrict the site to the exact care facility applied with and restrict the number of children and staff occupying the premises at any one time.

## **Conclusion and Planning Balance**

7.18 The proposed change of use of the residential site to a care home of this scale would be acceptable in principle and does not conflict with any planning policies and guidance in the Local Plan or NPPF. The impacts of this particular care facility with four children and up to four overnight carers in this residential area are not considered to be dissimilar to those of the operation of the current 4-bed family home with the approved adjacent two-bed bungalow in terms of visual amenity, residential amenity, traffic and highway safety or on local services and infrastructure. The size and layout of the buildings and premises with ample parking areas at the front and well enclosed rear garden of appropriate size are considered to be suitable for the proposed use. The proposal would comply with the Council's Local Plan and the NPPF and therefore the application is recommended for approval.

## **8. RECOMMENDATION**

**A. That planning permission be granted subject to 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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)**

**2. The development hereby approved shall be maintained in complete accordance with the submitted plans and specifications as follows: -**

**Location Plan**

**1001-04.03**

**1001-04.09**

**1001-04.11**

**1001-04.18**

**Reason:-**

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

**3. The site shall not be occupied by more than four children aged between 8 and 16 and four care home staff at any one time.**

**Reason:-**

**In the interests of protecting the character and amenities of the area.**

**3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the site shall not be used for any other business or commercial purpose or any other use falling within Class C2.**

**Reason:-**

**To ensure the satisfactory implementation of the proposal and in order that any changes within the same use class can be reviewed in terms of the need for car parking and potential impacts on neighbouring properties.**

**4. Prior to the commencement of the use, all the parking spaces shown on the approved drawings shall be provided in a bound and porous material and shall retained unobstructed as parking spaces 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.**

